

## SECTION B: School Board Governance and Operations

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Section B of the EPS/NSBA policy classification system is a repository for statements about the school board -- how it is elected, organized; how it conducts its meetings and operates. This section includes bylaws and policies establishing the board's internal operating procedures.

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## BOARD OPERATIONAL GOALS

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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.

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## SCHOOL BOARD LEGAL STATUS

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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 South Dakota Board of Education Standards and other regulating entities..

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 shall consist of five (5) members elected on a rotation. The district shall have five at large positions [three year term]. All registered voters have the right to vote for all school board positions.

Established by law

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### State References

SDCL 13-6-13.1	Former school district representation areas for consolidated districts
SDCL 13-6-2	Legislative policy
SDCL 13-8-1	School board defined
SDCL 13-8-2	Composition and terms of office
SDCL 13-8-3	Petition to increase size of board
SDCL 13-8-4	Elections and terms of office after increase of size of board
SDCL 13-8-5	Waiting period after election on size of board
SDCL 13-8-7.1	School board member representation areas

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## SCHOOL BOARD POWERS AND DUTIES

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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/her in the discharge of his/her responsibilities.
  2. To formulate and enact policy and to delegate the application of policies to the superintendent and his/her 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.
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**State References**

SDCL 13-10-2

SDCL 13-8-1

SDCL 13-8-39

General power of school boards to employ personnel

School board defined

Management of schools by board – general powers

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**BOARD MEMBER AUTHORITY**

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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.

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**State References**

SDCL 13-8-10

Meetings of board

SDCL 13-8-39

Management of schools by board – general powers

SDCL 2-14-15

Majority exercising joint authority

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## SCHOOL BOARD ELECTIONS

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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.

The Secretary of State must be notified in writing, by telephone, or electronic mail within fifteen days of scheduling the date for conducting an election.

Established by law

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### State References

SD Constitution Article 7 §1	Right to vote
SD Constitution Article 7 §2	Voter qualification
SD Constitution Article 7 §3	Elections
SDCL 12-14-1	Designation of precincts and polling places
SDCL 13-6-13.1	Former school district representation areas for consolidated districts
SDCL 13-7	School district elections
SDCL 13-8-2	Composition and terms of office
SDCL 13-8-25	Appointments to fill vacancies on board
SDCL 13-8-4	Elections and terms of office after increase of size of board
SDCL 13-8-7.1	School board member representation areas

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## BOARD MEMBER QUALIFICATIONS

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A person is legally qualified to become a member of a school board if he/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

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### State References

SDCL 12-3-1  
SDCL 13-7-3  
SDCL 3-1A

General qualifications of voters  
Public offices incompatible with board membership  
Officers' statements of financial interest

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**BOARD MEMBER OATH OF OFFICE**

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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

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**State References**

SD Constitution Article 21 §3	Oath of office
SDCL 13-8-14	Assumption of office by new members
SDCL 13-8-15	Fining and administration of oaths
SDCL 3-1-5	Oath of office for civil officers
SDCL 3-1-8	Acting as officer without qualifying - misdemeanor

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**BOARD MEMBER OATH OF OFFICE**

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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 Tea Area School District, Lincoln 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.")

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Board Member's Signature

Some school boards may have an 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.

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## BOARD MEMBER RESIGNATION/REMOVAL FROM OFFICE

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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 voting resident of the district 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/her 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/her official capacity as a Board member until the successor is appointed and qualified as prescribed by law.

Established by law

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### State References

SD Constitution Article 16	Impeachment and removal from office
SDCL 13-8-22	Incumbent continued in office
SDCL 13-8-23	Events creating vacancy on board
SDCL 13-8-24	Resignation not effective until successor appointed
SDCL 3-17-10	Officer allowed expenses of defense after judgment
SDCL 3-17-11	Advancement of appeals on Supreme Court calendar
SDCL 3-17-6	Grounds for removal of local officers from office
SDCL 3-17-7	Proceedings for removal of local officer
SDCL 3-17-8	Suspension of local officer pending removal proceedings
SDCL 3-17-9	Judgment of ouster in removal proceedings

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**UNEXPIRED TERM FULFILLMENT**

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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/Shee 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.

Established by law

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**State References**

SDCL 13-8-14	Assumption of office by new members
SDCL 13-8-22	Incumbent continued in office
SDCL 13-8-23	Events creating vacancy on board
SDCL 13-8-24	Resignation not effective until successor appointed
SDCL 13-8-25	Appointments to fill vacancies on board
SDCL 3-14	Expiration of term of office
SDCL 6-1-22	Members of governing bodies displaced by natural disaster

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**SCHOOL BOARD MEMBER VACANCY  
APPLICATION TO COMPLETE UNEXPIRED TERM**

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

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

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

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

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

Reason you want to serve on the board?

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_

**UNEXPIRED TERM FULFILLMENT PROCEDURE**

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

1. An announcement of the vacancy will be published in the official newspaper.
  2. 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.
  3. The Board will meet in executive session to discuss qualifications, interests, attitudes, and goals of the potential candidate.
  4. The Board will interview potential appointees in executive session.
  5. The appointment of the new member will be made by a majority of the board members at an open meeting.
  6. Action on the appointment will be included on the published agenda for the meeting.
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**State References**

SDCL 13-8-14

Assumption of office by new members

Original Adopted Date: July 2003

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**SCHOOL BOARD MEMBER CODE OF ETHICS**

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Members of the District's Board of Education are elected or appointed officials of local government, and are responsible for governing the educational system of the public school district. Each Board of Education governing board member shall:

1. adhere to the principle that the responsibility of the school board is to govern the District, which includes but is not limited to establishing goals, planning, developing effective policies, and evaluation;
2. practice good stewardship of the District's resources;
3. leave the daily administration of schools to the Superintendent;
4. professional development;
5. recognize and follow the legal principles that (a) the authority vests with the majority of the members of the governing board when assembled in meetings as authorized by law, (b) no individual school board member has, or a minority of school board members have, the legal right to bind the District, and (c) no individual school board member may make decisions on behalf of the District unless upon approval of a majority of school board members.
6. make informed decisions on matters brought before the school board;
7. recognize and adhere to the policy that it is the responsibility of the school board to plan, make, implement, appraise, and enforce policies and that it is not the responsibility of the school board or school board members to run the day-to-day operations of the District;
8. observe and enforce federal and state laws and regulations;
9. respect the limited intent and scope of executive sessions as set forth in statute;
10. respect confidential communications made during executive sessions held pursuant to SDCL 1-25-2 and shall not divulge privileged communications made during executive session held pursuant to SDCL 1-25-2 unless required by law, and shall respect confidential communications related to students and employees, and shall not discuss such confidential information at home, at work or in public;
11. distinguish between personal views and those of the school board when making public comments regarding school district matters;



12. present information to the school board without distortion and accurately represent facts concerning school district matters in direct or indirect public statements;
13. maintain professional relationships in a manner which are free of vindictiveness, recrimination and harassment;
14. refer persons having complaints to the applicable complaint policy and appropriate school administrator; refrain from giving an opinion on the merits of the complaint unless, following the complaint procedure required in the school board complaint policy, the matter is before the school board;
15. respect the legitimacy of the goals and interests of other school board members and respect the rights of other school board members to pursue goals and policies different from their own;
16. respect, require and contribute to the maintenance of order and decorum in proceedings before the school board;
17. be honest, patient, dignified, and courteous to those with whom he/she deals with in his/her official capacity;
18. diligently discharge responsibilities and dispose promptly of the business of the school district for which he/she is responsible;
19. inform the school board president or school district business manager as soon as possible upon learning that he/she will not be in attendance at a school board meeting;
20. refrain from personal, professional, business and financial dealings that interfere with or are in conflict with, or give the appearance of interfering with or being in conflict with, the performance of official duties;
21. not use the office of a school board member to promote political candidates or partisan political activities;
22. not accept nor offer any gratuities, gifts, services, or things of value that (a) impair professional judgment, (b) offer special advantage or benefit to any person or organization, or (c) provide a direct or indirect personal benefit.
23. not commit any act of moral turpitude or gross immorality;
24. render a decision as a school board member only after having discussed the matter with other board members in a legal school board meeting, after having reviewed applicable information and data, and after having considered recommendations including but not limited to recommendations from school administration;

25. support Board decisions made by the majority of governing board members, subject to a board member's right to formally make a motion at a school board meeting to have the decision reconsidered or rescinded;
26. not have any direct pecuniary 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).
27. not participate in discussion or vote on any issue in which I have an actual or the potential of a conflict of interest in the following circumstances:
  - a. a "direct pecuniary interest, (a matter benefiting the board member's own property or affording a direct financial gain);
  - b. an "indirect pecuniary interest" (a matter that financially benefits one closely tied to the board member, such as an immediate family member or an employer);
  - c. a "direct personal interest" (a matter that benefits a blood relative or close friend in a non-financial way); and
  - d. an "indirect personal interest" (a matter in which the board member individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies); or
  - e. when at least two-thirds of the governing board members vote that there is an identifiable conflict of interest that should prohibit the member from voting on a specific matter.
28. Pursuant to SDCL 1-25-2(1), the Board of Education may enter into executive session to discuss the performance of an elected school board member, which may include discussing a perceived or alleged violation of this policy. Should the majority of school board members determine that a school board member has violated one or more provisions of this policy, the school board may, in open session, reprimand the school board member for a violation of the School Board Member Code of Ethics.

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### State References

*Hanig v. City of Winner	Board member conflict of interest
SD Constitution Article 8 §17	Interest in sale of school equipment prohibited
SDCL 13-20-2.1	Interest in sale of school equipment unlawful
SDCL 13-43-1	Employment of board member in same district prohibited
SDCL 13-7-3	Public offices incompatible with board membership
SDCL 3-16	Malfeasance, misfeasance and nonfeasance in office
SDCL 6-1-1	Local officer's interest in public purchase or contract unlawful
SDCL 6-1-17	Prohibition from discussion or voting on issue if conflict of interest exists
SDCL 6-1-2	Conditions which contract with local officer permitted

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## BOARD MEMBER CONFLICT OF INTEREST

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The Board and individual members will follow the letter and spirit of the law regarding conflicts of interest. As public officials holding the respect and trust of the community, Board members will not use the office to personal advantage.

A board member will not have any direct pecuniary 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 pecuniary 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 pecuniary 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.

### Nepotism

The Board will not employ any teacher or other employee if the teacher or other employee is a relative of any Board member by consanguinity within the third degree; nor will the Board employ the spouse of a member, except by unanimous vote of the Board.

Established by law

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## State References

\*Hanig v. City of Winner  
SD Constitution Article 8 §17  
SDCL 13-20-2.1  
SDCL 13-43-1

SDCL 13-7-3  
SDCL 3-16  
SDCL 6-1-1

SDCL 6-1-17

SDCL 6-1-2

Board member conflict of interest  
Interest in sale of school equipment prohibited  
Interest in sale of school equipment unlawful  
Employment of board member in same district prohibited  
Public offices incompatible with board membership  
Malfeasance, misfeasance and nonfeasance in office  
Local officer's interest in public purchase or contract unlawful  
Prohibition from discussion or voting on issue if conflict of interest exists  
Conditions which contract with local officer permitted

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## BOARD ORGANIZATIONAL MEETING

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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 chief executive officer (CEO)/superintendent or the business manager will preside over the election of the president. Items of business to come before the annual meeting shall include, but are not limited to:

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. Setting admission charges for year.

16. Setting closing of school motion: Authorization of superintendent/chief executive officer (CEO) to close school in emergency situations and in case of inclement weather and setting chain of command in event superintendent/chief executive officer (CEO) is absent.

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**State References**

SDCL 13-8-10

Meetings of board

SDCL 13-8-14

Assumption of office by new members

SDCL 13-8-18

Amount of business manager's bond

Original Adopted Date: July 2003

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**BOARD OFFICERS**

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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 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.

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/her absence. He/she will also perform such other duties as may be assigned by the Board.

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**State References**

SDCL 13-8-10  
SDCL 13-8-26

Meetings of board  
Duties of president of school board

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**APPOINTED BOARD OFFICIALS**

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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:

1. Keeping an accurate record of the Board proceedings. The business manager will be responsible for the safekeeping of the minutes.
2. Assuming responsibility for a detailed account of all Board business and preparation of periodic and annual reports of the receipts and expenditures of the district.
3. Issuing of all warrants for the payment of verified bills, salaries, and contracts approved for payment by the Board.
4. Publishing proceedings of the Board consistent with laws regarding the publication of Board minutes.
5. Preparing and distributing the agenda and other appropriate communications to Board members in advance of the regularly scheduled meetings.
6. Assuming responsibility for the conduct of school elections.
7. Performing such other duties as the Board may require and as required by law.

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**State References**

SDCL 13-8-18	Amount of business manager's bond
SDCL 13-8-35	Publication of minutes of board – Contents – Changes after publication – Business manager to sign
SDCL 13-8-43	Records of business manager open to public inspection

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## BOARD/SUPERINTENDENT RELATIONSHIP

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The board believes the success of its mission to create a high-quality learning environment where all children can learn depends upon the cooperation between the board and the superintendent.

To achieve this common goal of student achievement, the board-superintendent governance leadership team will make every possible effort to develop a mutual understanding of their respective roles, create clear expectations and transparency, build professional trust and respect, and communicate openly and honestly with each other.

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.

The Superintendent will be responsible for the administrative and advisory functions of the board. Strategic planning, policy making and superintendent evaluation are the functions of the board. The board retains final authority within the district, as charged by the South Dakota Legislature.

Together, the Board and the Superintendent are a team, each playing a well-defined position.

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## SCHOOL BOARD AND SUPERINTENDENT RELATIONSHIP FUNCTIONS

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<b>BOARD FUNCTIONS</b>	<b>SUPERINTENDENT FUNCTIONS</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	Hopes board evaluate by submitting studies, reports or surveys

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**BOARD COMMITTEES**

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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.

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**State References**

SDCL 13-8-26

Duties of president of school board

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

## ADVISORY COMMITTEES TO THE BOARD

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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 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; 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.

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.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

**SCHOOL ATTORNEY**

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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/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 of the state to enable him/her to offer the necessary legal advice.

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**State References**

SDCL 13-10-2

SDCL 13-8-39

General power of school boards to employ personnel

Management of schools by board – general powers

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

## SCHOOL BOARD MEETINGS

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### 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 twenty-four hours prior to the meeting.

The official meetings of the school board are open to the public unless a specific law is cited by the school board to close the official meeting to the public. An official meeting is any meeting of a quorum of the school board at which official business of the school district is discussed or decided, or public policy is formulated, whether in person or by means of teleconference.

Subject to the following rules, any person may record, through audio or video technology, a school board meeting that is open to the public as long as the recording is reasonable, obvious, and not disruptive.

1. A person who wishes to audio or video record some or all of an official school board meeting must inform the school board president/chairperson or superintendent prior to the beginning of the meeting of the person's intent to record. At the beginning of the meeting, the school board president will then inform all persons present of the recording.
2. The quantity and type of recording equipment used shall be subject to the discretion of the school board, and the school board president/chairperson shall have the discretion to exclude or terminate recording of the meeting. This discretion is not to be exercised in an effort to restrict the public's right to be informed of school board meeting proceedings, but only where these rules have been violated.
3. Recording equipment must not produce distracting light or noise, and no artificial lighting device of any kind shall be employed with a video camera.
4. Recording equipment must not obstruct the vision of persons attending the school board meeting and their ability to see all school board members.
5. Any person violating the rules set forth above may be directed to cease the recording or leave the premises

### 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 by mail, e-mail, delivered in person or telephone prior to the meeting.

### Telephone Conference Call

Any official meeting, including executive meetings, may be conducted by teleconference. A teleconference is an exchange of information by audio, video, or electronic medium, including the internet. A member is deemed present if the member answers present to the roll call conducted by teleconference for the purpose of determining a quorum. Each vote at an official meeting held by teleconference shall be taken by roll call. A teleconference may be used to conduct a hearing. If the school board conducts an official meeting by teleconference, the school board shall provide a place at which the public may listen to and participate in the teleconference meeting. For any official meeting held by teleconference, which has less than a quorum of school board members participating in the meeting who are present at the location open to the public, arrangements shall be provided for the public to listen to the meeting via telephone or internet. The requirement to provide one or more places for the public to listen to the teleconference does not apply to an executive meeting.

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### **State References**

SDCL 10-9	South Dakota Supreme Court (audio/video recording of court proceedings)
SDCL 1-25-1	Official meetings open to the public
SDCL 1-25-1.1	Notice of meetings of public bodies
SDCL 1-25-1.2	Teleconference defined
SDCL 1-27-1.16	Material relating to open meeting agenda item to be available
SDCL 13-8-10	Meetings of board
SDCL 22-18-35(3)	Disorderly conduct – Disturbing any lawful assembly or meeting of persons without lawful authority

Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

**ELECTRONIC COMMUNICATION BY BOARD MEMBERS**

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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 policies BD and 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.
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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

## SCHOOL BOARD STUDY SESSIONS AND WORK RETREATS

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The Board is tasked with the 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 at the discretion of the Board Chair.

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### State References

SDCL 1-25-1	Official meetings open to the public
SDCL 1-25-1.1	Notice of meetings of public bodies
SDCL 1-27	Public records and files
SDCL 13-8-35	Publication of minutes of board

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

## EXECUTIVE SESSIONS

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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. 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.

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**State References**

SDCL 1-25-1

SDCL 1-25-1.1

SDCL 1-25-1.2

SDCL 1-25-2

SDCL 1-25-3

Official meetings open to the public

Notice of meetings of public bodies

Teleconference defined

Executive or closed meetings

State agencies to keep minutes of proceedings

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

**NOTIFICATION OF SCHOOL BOARD MEETINGS**

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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 on the schools website and in a place that is visible, readable and accessible at least 24 hours prior to any meeting. The notice shall be posted at the building in which the school board holds its meeting. Local news media that have requested notice will be notified in person, by mail, email 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.

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**State References**

SDCL 1-25-1.1

Notice of meetings of public bodies

SDCL 1-27-1.16

Material relating to open meeting agenda item to be available

SDCL 13-8-10

Meetings of board

Original Adopted Date: February 2018

Reviewed: January 2018

Revised: February 2018

**BOARD MEETING AGENDAS AND FORMAT**

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The superintendent, conferring with the president of the Board, will arrange the order of items on meeting agendas so that the Board can accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting in keeping with the business at hand.

The Board will follow the order of business established by the agenda, except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Board or to expedite Board business.

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**State References**

SDCL 1-25-1

Official meetings open to the public

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

**AGENDA PREPARATION AND DISSEMINATION**

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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. The agenda, however, will always allow suitable time for the remarks of the public who wish to speak briefly before the Board.

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 Board shall provide public notice, with proposed agenda, that is visible, readable, and accessible for at least an entire, continuous twenty-four hours immediately preceding any meeting, by posting a copy of the notice, visible to the public, at the building in which the Superintendent's office is located. The proposed agenda shall include the date, time, and location of the meeting. The notice shall also be posted on the public body's website upon dissemination of the notice, if such a website exists. For special or rescheduled meetings, the information in the notice shall be delivered in person, by mail, by email, or by telephone, to members of the local news media who have requested notice.

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**State References**

SDCL 1-25-1.1

Notice of meetings of public bodies

SDCL 1-27-1.16

Material relating to open meeting agenda item to be available

Original Adopted Date: February 2018

Reviewed: January 2018

Revised: February 2018



**AGENDA RELATED SUPPLEMENTAL INFORMATION**

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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 Board's 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 the 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.

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**State References**

SDCL 1-27

Public records and files

**Federal References**

USC Title 20 §1232g

Family Educational Rights and Privacy Act (FERPA)

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

**QUORUM**

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

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**State References**

SDCL 13-8-10

SDCL 2-14-15

Meetings of board

Majority exercising joint authority

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

## RULES OF ORDER

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The Board of Education shall utilize Robert's Rules of Order for Parliamentary Procedure as the guide for conducting official meetings held by the Board of Education. However, in utilizing Robert's Rules of Order for Parliamentary Procedure as a guide it is not intended nor is it required that there be strict compliance with Robert's Rules of Parliamentary Procedure. The Board President/Chairperson shall make all decisions related to parliamentary procedure that may arise during the course of a meeting. Any Board member may appeal the decision of the Board President/Chairperson to the full Board (school board members present at the meeting), and the Board shall, by majority vote, decide the procedural issue or question pending before the Board.

The purpose of modified rules adopted by the Board are:

- To establish guidelines by which the business of the governing board can be conducted in a regular and internally consistent manner;
- 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;
- 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
- 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.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

**PARLIAMENTARY PROCEDURE GUIDE**

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The Board of Education shall utilize Robert's Rules of Order for Parliamentary Procedure as the guide for conducting official meetings held by the Board of Education. However, in utilizing Robert's Rules of Order for Parliamentary Procedure as a guide it is not intended not is it required that there be strict compliance with Robert's Rules of Parliamentary Procedure. The Board President shall make all decisions related to parliamentary procedure that may arise during the course of a meeting. Any Board member may appeal the decision of the Board President to the full Board (school board members present at the meeting), and the Board shall, by majority vote, decide the procedural issue or question pending before the Board.

1. To obtain the right to speak, address the President and be recognized by the President before speaking. (Member: Mr./Madame President..." and President: "the chair recognizes \_\_\_\_\_").
2. To introduce a motion, say, "I move that..."
3. A motion may be withdrawn by the maker with consent of the person who seconded the motion or by majority vote if objection to withdraw the motion is made.
4. 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 into the motion;
  - c. Striking out and inserting one or more words into the motion; and
  - d. Substituting a completely new (different) motion.
5. 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 out of order (cannot be made) if any part of the decision has been put into action.
6. If the parliamentary procedure of the board is to be questioned, say, "Point of order". The President must allow the member to state his/her point, and then the President must rule on it. If the President denies a point of order, the President's decision may be appealed and either upheld or not upheld by a majority vote.
7. If a board member has a question to ask about a matter under discussion or a procedure to be followed, say, "Point of information". The President must allow the board member to state the question and provide if possible the information requested.

8. All members of the board, including the President, should participate in discussion and vote on all matters before the board unless the board member has a conflict of interest, in which case the board member must abstain. Abstentions should be noted in the minutes, but do not count as an affirmative or negative vote on the matter before the board.
9. A tie vote does not gain a majority and means that the motion is defeated.
10. A legal quorum of the board is required to be present in order to conduct official school business and board action requires the approval of a majority of those members voting.
11. 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 required. Roll call votes are required only when one or more school board members are participating via the phone, or when requested by a school board member. It should be clear from the minutes how members of the board have voted.
12. Some boards provide for public comments at some point in the meeting (i.e., during a public forum before or after approval of the agenda, or just before adjournment). At all other times, the public should speak only after being recognized by the President (who may, but does not have to, recognize a person wishing to speak).
13. The vehicle of action is through a motion. The chair may assist the mover with wording for clarity.
14. A motion should deal with only one issue or idea. The President 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.
15. The President may allow general information to be presented on an agenda item before a motion is made, but the President should require a motion to be made and seconded before discussion and debate on the item under consideration is allowed.
16. Debate must be limited to the issue at hand. Speakers who wander or attempt to enter new matters should be ruled out of order.
17. No new main motions may be made while another is on the floor.
18. Main motions may be amended. Votes on amendments must be taken before there is a vote on the original motion.
19. No more than one amendment to an amendment should be permitted.

20. Before a vote on a main motion is taken, business can be interrupted by a motion to:
  - a) Lay it on the table – A motion to “lay it on the table,” often referred to as a motion to table, is properly used only when there is urgent business to be addressed while a main motion is on the floor and debate on the pending motion is temporarily suspended and resumed during the current meeting or at the next meeting. A motion to remove the motion from the table is required to resume debate on a motion that was tabled;
  - b) Postpone action to a certain time or indefinitely – A motion to postpone to a certain time is used when the intent is to make the decision after more information is available or for some other scheduling reason. A motion to postpone to a certain time should include when the main motion under consideration shall be taken up again by the governing board. A motion to postpone indefinitely is used when the intent is to kill the motion under consideration. Passing a motion to postpone indefinitely is to defeat the motion without voting against the motion;
  - c) Refer it to a committee;
  - d) Withdraw it from consideration; or
  - e) Adjourn the meeting.
21. The chair should avoid closing a discussion when members wish to speak. A governing board member may seek to close discussion on a motion and have a vote by making a motion (“I move the previous question”). If there is a second to the motion (the motion to “move the previous question” is not subject to debate), immediately there is a vote on the motion to close debate. A two-thirds majority vote is required to pass the motion to close debate, and if the motion passes, the President must put the question to a vote without further debate. In cases where the President believes discussion to have ended, the President may call for a vote on the main motion without a formal motion to close debate unless a member objects.
22. A motion once voted down cannot be reconsidered at the same meeting of the board without the consent of a majority of the members of the board.
23. 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 the member to order.
24. 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 the appeal should be taken without debate.
25. When the President has commenced taking a vote no further debate or remark should be permitted, unless there has evidently been some mistake, in which case the mistake shall be rectified, and the President shall recommence taking the vote.
26. The President has the primary responsibility for conducting the meeting.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

## PARLIAMENTARY PROCEDURE MOTIONS CHART

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A motion with a higher number takes precedence over a motion with a lowery number (i.e., a motion with the higher number dictates what is to be addressed at that time by the school board.)

	MOTION TO:	2 <sup>ND</sup> REQUIRED?	DEBATE?	AMEND?	VOTE REQUIRED?
1	Make a decision on a matter before the School Board (main/original motion)	Yes	Yes	Yes	Majority
2	Amend or Substitute Motion	Yes	Yes	Yes	Majority
3	Amend the Amendment	Yes	No	Yes	Majority
4	Refer to Committee	Yes	Yes	Yes	Majority
5	Postpone to a Certain Time	Yes	Yes	Yes	Majority
6	Close Debate	Yes	No	Yes	2/3
7	Take a Recess	Yes	No	Yes	Majority
8	Adjourn	Yes	No	No	Majority

The following motions or inquiries may be made at any time during the meeting when there is no other agenda item currently pending or being addressed by the school board:

MOTION TO:	2 <sup>ND</sup> REQUIRED?	DEBATE?	AMEND?	VOTE REQUIRED?
Address a matter which has been tabled (take matter from table)	Yes	Yes	No	Majority
Reconsider Prior Action	Yes	Yes	No	Majority
Rescind Prior Action	Yes	Yes	Yes	Majority

The following motions deal with the conduct of the meeting and may be brought up at any time when business is being conducted:

MOTION TO:	2 <sup>ND</sup> REQUIRED?	DEBATE?	AMEND?	VOTE REQUIRED?
Point of Order (on parliamentary procedure)	No	No	No	None
Request for Information	No	No	No	None
Appeal the Decision of the President	Yes	Yes	No	Majority
Require a Roll Call Vote	No	No	No	None

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Original Adopted Date: July 2003  
 Reviewed: January 2018  
 Revised: February 2018



**VOTING METHOD**

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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 hands vote will be made and the vote of members will be recorded. On a voice vote, any member may request that his/her vote be recorded.

All motions must be carried by a majority of the School Board membership.

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**State References**

SDCL 2-14-15

Majority exercising joint authority

SDCL 6-1-17

Official prohibited from discussing or voting on issue if conflict of interest exists – Legal remedy

SDCL 13-8-10

Meetings of board – Election of officers – Designation of depository and newspaper -- Quorum

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

**MINUTES**

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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 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. Governing board shall publish in their minutes, at least monthly, a total of payroll by department.

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 legal 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.

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**State References**

SDCL 6-1-10

SDCL 13-8-34

SDCL 13-8-35

Publication of payroll information

Approval and signing of minutes of school board

Publication of minutes of board – Contents – Changes after publication – Business manager to sign

SDCL 13-8-43

Records of business manager open to public  
inspection

Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

## **PUBLIC PARTICIPATION AT BOARD MEETINGS**

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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. 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 or by a raised hand during the meeting.
2. Persons who wish to speak about an item or desires Board action on an item not on the agenda, will submit the item to the superintendent's office, at least 10 days prior to the Board meeting. Presentations should be as brief as possible. Unless an extension of time is granted, a speaker will be limited to five minutes. An extension of time may be granted by two-thirds of school board members present and voting.

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### **State References**

SDCL 1-25-1

Official meetings open to the public

SDCL 1-25-2

Executive or closed meetings

SDCL 13-32-6

Disturbance of school as a misdemeanor

SDCL 13-8-39

Management of schools by board – general powers

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

## BOARD POLICY DEVELOPMENT

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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.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

**PRELIMINARY DEVELOPMENT OF POLICIES**

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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, superintendent, a consultant, a civic group, or state regulations and/or laws.

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/her recommendations on the outcomes of study and upon the judgment of the professional staff and study committees.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

**POLICY ADOPTION**

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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.

The new or amended policy shall either be posted on the governing body's website or made available at the official business office of the governing body at least twenty-four hours prior to the meeting or at the time the material is distributed to the governing body, whichever is later. If the new or amended policy is not posted to the governing body's website, at least one copy of the printed material shall be available in the meeting room for inspection by any person while the governing body is considering the new or amended policy.

The Board may approve the new or amended policy, amend and approve the proposed new policy or policy amendment, reject the new or amended policy, or defer action on the new or amended policy until a later date.

Policies will be effective upon adoption by the Board. Once adopted, policies of the Board shall be placed on the school district website.

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**State References**

SDCL 13-8-39

Management of school by board – general powers

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

**POLICY DISSEMINATION**

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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.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018



**ADMINISTRATION IN POLICY ABSENCE**

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In the absence of Board policy specifically covering any action that the superintendent determines he/she must be taken for administration, the superintendent may take temporary action that is believed to 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, it will be presented to the Board for its consideration at its next meeting.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

**SUSPENSION OF POLICIES**

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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.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

**POLICY REVIEW AND EVALUATION**

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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.

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 shall 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 regulations manuals periodically for purposes of administrative updating and Board review.

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Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

## **NEW BOARD MEMBER ORIENTATION**

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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--from the time that he/she is sworn into office.

To maintain high standards and continuity in operating the school system, new Board members will be given special attention promptly after election. The Superintendent will compile copies of policies and regulations, which are revised regularly, to be given each new member upon election.

The superintendent will be responsible for arranging a conference or conferences 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 member has a responsibility to inform himself or herself about the educational program, employed personnel, laws and Board procedure, and Board policies., The new Board member also has a responsibility to inform himself or herself about needs of community, interested public service organizations, and techniques of good public relations.

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Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

**BOARD MEMBER EDUCATION**

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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.

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**State References**

SDCL 13-8-10.1	Associations of school boards
SDCL 13-8-10.2	Attendance at association meetings
SDCL 13-8-37	Compensation of board members
SDCL 13-8-38	Travel allowance of school board members

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

**BOARD MEMBER DEVELOPMENT OPPORTUNITIES**

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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.

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**State References**

SDCL 13-8-10.1

Associations of school boards

SDCL 13-8-10.2

Attendance at association meetings

Original Adopted Date: July 2003

Reviewed: January 2018

Revised: February 2018

## BOARD MEMBER COMPENSATION AND EXPENSES

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All board members may receive a per diem as set in the Annual July Meeting of the Board for attendance of each regularly scheduled meeting, special meeting, or committee 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.

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### State References

SD Constitution Article 21 §2	Salary of constitutional officers
SDCL 13-8-10.2	Attendance at association meetings
SDCL 13-8-37	Compensation of board members
SDCL 13-8-38	Travel allowance of school board members
SDCL 4-7-10.4	Budgeting and appropriations for compensation of board members

Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018

**SCHOOL BOARD MEMBERSHIPS**

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The Board may 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.

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**State References**

SDCL 13-8-10.1

Associations of school boards

Original Adopted Date: July 2003  
Reviewed: January 2018  
Revised: February 2018