

TABLE OF CONTENTS

SECTION B - SCHOOL BOARD GOVERNANCE AND OPERATIONS

Section B contains policies, regulations and exhibits about the school board -- how it is elected; how it is organized; how it conducts meetings and how it operates. This section includes policies establishing the board's internal operating procedures as well as policies on board communications and policy adoption.

BB School Board Legal Status

- BBA School Board Powers and Responsibilities
- BBAA Board Member Authority and Responsibilities
- BBBA Board Member Qualifications
- BBBB Board Member Oath of Office
- BBBC Board Member Resignation
- BBBD Board Member Removal from Office
- BBBE Unexpired Term Fulfillment/Vacancies
- BBBG Board Elections

BC School Board Member Conduct

- BCA Board Member Code of Ethics
- BCB Board Member Conflict of Interest

BD Organization of the School Board

- BDA Board Organizational Meeting
- BDF Advisory Committees
- BDFA **District Personnel performance Evaluation Council*
- BDG School Attorney/Legal Services

BE School Board Meetings

- BEA Regular Board Meetings
- BEB Special Board Meetings
- BEC Executive Sessions/Open Meetings (also KDB)
- BEDA Notification of Board Meetings
- BEDB Agenda
- BEDC Quorum
- BEDD Rules of Order
- BEDF Voting Method
- BEDG Minutes
- BEDH Public Participation at Board Meetings

BF School Board Work Sessions and Retreats

BG School Board Policy Process

- BGA Policy Development System
- BGB Policy Adoption

BGC Policy Revision and Review
BGD Board Review of Regulations (Also CHB)
BGE Policy Communication/Feedback
BGF Suspension/Repeal of Policy

BI School Board Member Services

BIB Board Member Development Opportunities
BIC Board Facilities and Services
BID Board Member Compensation and Expenses
BIE Board Member Insurance/Liability

BK School Board Memberships

SECTION B: SCHOOL BOARD GOVERNANCE AND OPERATIONS

Section B of the NEPN/NSBA classification system contains policies, regulations, and exhibits on the school board — how it is appointed or elected; how it is organized; how it conducts meetings, and how the board operates. This section includes bylaws and policies establishing the board's internal operating procedures.

BA	School Board Operational Goals
BAA	Evaluation of School Board/Board Self-Evaluation
BB	School Board Legal Status
BBA	Board Powers and Responsibilities
BBAA	Board Member Authority and Responsibilities
BBB	Board Membership - Elections/Appointment
BBBA	Board Member Qualifications
BBBB	Board Member Oath of Office
BBBC	Board Member Resignation
BBBD	Board Member Removal from Office
BBBE	Unexpired Term Fulfillment/Vacancies
BBBF	Board Candidates
BBBG	Board Elections
BBC	School Board Liability
BC	School Board Member Conduct
BCA	Board Member Code of Ethics
BCB	Board Member Conflict of Interest
BD	Organization of the School Board
BDA	Board Organizational Meeting
BDB	Board Officers
BDC	Appointed Board Officials
BDD	Board-Superintendent Relationship
BDE	Board Committees
BDEA	Committee of the Whole
BDF	Advisory Committees
BDG	School Attorney/Legal Services
BDH	Board Consultants/Staff Assistants
BE	School Board Meetings
BEA	Regular Board Meetings
BEB	Special Board Meetings
BEC	Executive Sessions/Open Meetings (also KDB)
BED	Meeting Procedures/Bylaws
BEDA	Notification of Board Meetings
BEDB	Agenda
BEDC	Quorum
BEDD	Rules of Order
BEDDA	Parliamentarian
BEDDB	Suspension of Rules of Order
BEDE	Second Language Procedures for Board Meetings
BEDF	Voting Method
BEDG	Minutes
BEDH	Public Participation at Board Meetings
BEDI	News Media Services at Board Meetings
BEDJ	Broadcasting/Taping of Board Meetings
BEDK	Reporting Board Meeting Business

BEE	Board Hearings/Appeal Proceedings
BF	School Board Work Sessions and Retreats
BG	School Board Policy Process
BGA	Policy Development System
BGB	Policy Adoption
BGC	Policy Revision and Review
BGD	Board Review of Regulations (Also CHB)
BGE	Policy Communication/Feedback
BGF	Suspension/Repeal of Policy
BH	School Board Communications
BHA	School District Logo and/or Motto
BHB	Use of School District/Board Member Name
BHC	Board Communications with Staff (Also GBD)
BHD	Board Communications with Public
BI	School Board Member Services
BIA	New Board Member Orientation/Handbook
BIB	Board Member Development Opportunities
BIBA	Board Member Conferences, Conventions, and Workshops
BIC	Board Facilities and Services
BID	Board Member Compensation and Expenses
BIE	Board Member Insurance/Liability
BJ	School Board Legislative Program
BJA	State Legislative Program
BJB	Federal Legislative Program
BK	School Board Memberships
BJA	Liaison with School Boards Associations

SECTION B:
Contents Supplement

BDFA* District Personnel Performance Evaluation Council

School Board Legal Status

The Constitution of Colorado assigns to locally elected boards of education control of instruction in the public schools of their respective districts. As charged by the constitution, the General Assembly has provided for the organization of school districts, including the composition of district boards and the election of school directors.

Legally, then, local school boards are political subdivisions of the state and derive their power from the state constitution and acts of the General Assembly. They also have responsibilities to the local citizenry they serve and by whom they are elected.

There are five directors on the Board of Education of Hinsdale County School District RE-1, each of whom is elected for a four -year term.

Statutory

LEGAL REFS.: Constitution of Colorado, Article IX, Sections 2,15
C.R.S. 22-31-105

Note: This section provides a district electorate with certain leeway in the number of directors and in the length of the term of office.

CROSS REFS.: AA, School District Legal Status
BBA, Board Powers and Responsibilities
BBBG, Board Elections

Board Powers and Responsibilities

Powers and mandatory duties of the Board are defined in state statutes.

This Board considers that its most important functions fall into the following categories:

1. **Legislative or policymaking.** The Board is responsible for the development of policy and for the employment of a superintendent who will carry out its policy through the development and implementation of regulations.
2. **Educational planning and appraisal.** The Board is responsible for acquiring reliable information from responsible sources which will enable it to make the best possible decisions about the scope and nature of the educational program. The Board is responsible for requiring appraisal of the results of the educational program.
3. **Staffing and appraisal.** The Board is responsible for employing the staff necessary for carrying out the instructional program and establishing salaries and salary schedules and other terms and conditions of employment, as well as for personnel policies districtwide in application. The Board is responsible for appraising the effectiveness of its staff by providing for regular evaluation.
4. **Financial resources.** The Board is responsible for adopting a budget that will provide the financial basis for buildings, staff, materials and equipment which will enable the district to carry out the educational program. The Board is responsible for exercising control over the finances of the district to insure proper use of, and accounting for, all district funds.
5. **School facilities.** The Board is responsible for determining school housing needs, for communicating these needs to the community, for purchasing sites, and for approving building plans that will support and enhance the educational program.
6. **Communication with the public.** The Board is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself informed about the wishes of the public.
7. **Judicial.** The Board is responsible for acting as a court of appeal for school staff members, students and the public when issues involve Board policies and their fair implementation.

The Board may exercise the above powers and duties only when convened in a legally constituted meeting.

File: BBA

Adopted July 6, 1992

Revised to conform with practice: date of manual adoption

LEGAL REFS.: C.R.S. 22-9-101 *et seq.*
C.R.S. 22-32-109
C.R.S. 22-32-110

Hinsdale County School District RE-1, Lake City, Colorado

Board Member Authority and Responsibilities

Because all powers of the Board lie in its action as a group, individual Board members exercise authority over district affairs only as votes are taken at a legal meeting of the Board.

In other instances, an individual Board member has power only when the Board has lawfully delegated authority to him.

Adopted November 6, 1984

Revised to conform with practice: date of manual adoption

Board Member Qualifications

A candidate for the office of school director shall be a registered voter of the school district and a resident of the director district from which he is seeking election for at least 12 consecutive months prior to the election and be nominated in the manner prescribed by law.

No candidate may run representing a political party.

In addition, any person who has been convicted of, pled guilty or nolo contendere to, or received a deferred judgment or sentence for commission of a sexual offense against a child is ineligible for election to a school district board of education. Similarly, any board member who is convicted of, pleads guilty or nolo contendere to, or receives a deferred judgment for a sexual offense against a child while serving on a board shall become ineligible to serve and a vacancy shall be created. Any person who is the subject of a pending charge of commission of a sexual offense against a child at the time of election is ineligible for election to a school district board of education.

It is important that the candidate be sincerely and honestly interested in serving the whole school district for the best interests of all children. Board members shall be nonpartisan in dealing with school matters. The Board does not wish to subordinate the education of children and youth to any partisan principle, group interest or personal ambition. In addition, a candidate should have a genuine interest in and devotion to public education, a willingness to give time and effort to the work, a capacity for understanding people and the ability to work cooperatively with others.

Adopted July 6, 1989

Revised to conform to practice: date of manual adoption

Revised March 17, 2005

LEGAL REFS.: C.R.S. 22-31-107 (*qualifications and nomination of candidates for school director*)
C.R.S. 1-2-101,102 (*qualification and registration of elections*)
C.R.S. 1-4-803 (*petitions for nominating school directors*)

Board Member Oath of Office

Each school board member within 15 days following the survey of votes is required to take an oath of office that he will faithfully perform the duties of his office as required by law and will support the Constitution of the United States, the Constitution of Colorado and laws made pursuant thereto. Such oath shall be filed with the designated election official for the school district.

Statutory

LEGAL REFS.: C.R.S. 22-31-104
C.R.S. 22-31-125

Note: The survey of votes is to be completed no later than seven days following the election.

Board Member Resignation/Removal from Office

Vacancies may occur on the Board because of a member's resignation, death, his moving outside of the district, his moving outside of his director district or other reasons provided by law. Or a member may be recalled or removed from office for such reasons as specified in law.

A member's office shall be declared vacant by the Board of Education if he does not attend three consecutive regular meetings of the Board unless the Board by resolution approves any additional absences or unless such absences are due to temporary disability or illness.

Statutory

LEGAL REFS.: C.R.S. 22-31-128
C.R.S. 22-31-129

Unexpired Term Fulfillment/Vacancies

When a vacancy occurs on a board of education, the board is required by law to appoint a person to fill the vacancy within 60 days. Should the board not act, the president of the board shall make the appointment.

Whether the appointee serves for the remainder of the unexpired term or until the next, or the next succeeding, election depends on the number of days until the next regular biennial election and the number of years left in the unexpired term.

1. If the vacancy occurs more than 90 days before the election and the unexpired term is for more than two years, the term of appointment is until the next election, when a successor for the remainder of the term is elected.
2. If the vacancy occurs *within* 90 days of the election and the unexpired term is for more than two years, the term of appointment is until the next *succeeding* election, when a successor is elected for the remainder of the term.
3. Otherwise, the term of appointment is for the remainder of the unexpired term.

Revised July 28, 2005

LEGAL REF.: C.R.S. 22-31-129 (2), (3), (4)

Board Elections

Registered voters of the district elect directors to the Board of Education at regular school elections held on the first Tuesday of November in each odd-numbered year. At every other biennial election, three directors are elected; at the other biennial election two directors are elected.

The county clerk and recorder is responsible for conducting the regular biennial school election when a coordinated election is being conducted in the county. The election shall be conducted pursuant to an intergovernmental agreement between the district and the county clerk and recorder. The agreement shall allocate responsibilities between the county clerk and the district for the preparation and conduct of the election and shall be signed no less than 60 days prior to the election. The Board shall designate a school election official to whom some election responsibilities may be delegated pursuant to the agreement.

Candidates are nominated in the manner prescribed by law. Nomination petitions shall be filed 66 days prior to the election. In accordance with state law, candidates for school district directors shall file a candidate affidavit with the county clerk's office and submit reports on contributions and expenditures during the campaign.

Any person registered as a district elector may vote. Voter qualifications are the same as those for voting in general elections.

Any decision about conducting the election by mail ballot in accordance with state law and rules promulgated by the secretary of state shall be made in conjunction with the county clerk.

If 63 days before the election, there is only one candidate for each position to be filled (including candidates filing affidavits of intent to be write-ins), the Board by resolution may instruct the designated election official to cancel the election and declare the candidates elected, pursuant to state law.

Revised July 28, 2005

LEGAL REFS.: C.R.S. 1-1-101 through 1-13-108 *et seq.* (Uniform Election Code of 1992)
C.R.S. 1-45-101 *et seq.* (Fair Campaign Practices Act)
C.R.S. 22-31-101 *et seq.*

School Board Member Conduct

Public office is a trust created by the confidence which the public places in the integrity of its public officers. To preserve this confidence, it is the desire of the Board to operate under the highest ethical standards.

In carrying out his fiduciary duties, a Board member shall not:

1. Disclose or use confidential information acquired in the course of official duties to further substantially the member's financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the Board member's public duties or which the member knows or should know is primarily for the purpose of a reward for official action taken.
3. Engage in a substantial financial transaction for the member's private business purposes with a person whom the member supervises in the course of official duties.
4. Perform an official act which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.

It shall not be considered a breach of conduct for a Board member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

Current practice codified 1995
Adopted: Date of manual adoption
Revised October 24, 2013

LEGAL REFS. C.R.S. 1-45-101 et seq. (*Fair Campaign Practices Act*)
 C.R.S. 22-32-110 (k) (*specific powers of boards*)

C.R.S. 24-6-201 *et seq.* (Public Official Disclosure Act)
C.R.S. 24-18-104 (rules of conduct for all public officers, general assembly, local government officials and employees)
C.R.S. 24-18-109 (rules of conduct for local government officials and employees)

NOTE 1: State law defines "economic benefit tantamount to a gift of substantial value" to include: 1. A loan at a rate of interest substantially lower than the prevailing commercial rate; 2. Compensation received for private services rendered at a rate substantially exceeding the fair market value; and 3. Goods or services for the Board member's personal benefit offered by a person who is at the same time providing goods or services to the district under a contract or other means by which the person receives payment or other compensation from the district. C.R.S. 24-18-104 (2). However, state law permits a Board member to receive such goods or services if the "totality of the circumstances" indicates the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the Board member does not receive any substantial benefit resulting from the Board member's status that is unavailable to members of the public generally. C.R.S. 22-18-104 (2)(b).

NOTE 2: State law lists the type of items that are not considered "gifts of substantial value or substantial economic benefit tantamount to a gift of substantial value" and are therefore permissible for a Board member to receive. See, C.R.S. 24-18-104 (3). Such items include campaign contributions or contributions in kind that are reported in accordance with the Fair Campaign Practices Act; an unsolicited item of trivial value (i.e. currently less than \$53), "such as a pen, calendar, plant, book, notepad or similar item;" and an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item. *Id.*; see also, Colo. Const. Art. XXIX, Section 3.

NOTE 3: The amount of the gift limit (\$53) is identical to the gift limit under section 3 of article XXIX of the state constitution. This amount shall be adjusted for inflation contemporaneously with any adjustment to the constitutional gift limit. C.R.S. 24-6-203 (8). The state constitution requires an adjustment for inflation every four years. The next adjustment must occur in the first quarter of 2015. Colo. Const. Art. XXIX, Section 3 (6).

School Board Member Financial Disclosure

Board members are required by law to disclose certain items received in connection with serving on the Board. If Board members receive such items, they must file a report with the county clerk and recorder on forms supplied by the secretary of state. Such report must be filed on or before January 15, April 15, July 15 and October 15 of each year, and shall cover the period since the last report. The report must contain the name of the person from whom the reportable item was received, its value and the date of receipt. Board members who do not receive any items that must be reported are not required to file a report.

Items which must be reported include the following:

1. Any money received including a loan, pledge, advance or guarantee of a loan with a value of \$25 or more.
2. Any gift of any item of real or personal property other than money with a value of \$50 or more.
3. Any loan of real or personal property if the value of the loan is \$50 or more. "Value of the loan" means the cost saved or avoided by the Board member by not borrowing, leasing or purchasing comparable property from a source available to the general public.
4. Any payment for a speech, appearance or publication.
5. Tickets to a sporting, recreational, educational or cultural event with a value of \$50 or more for a single event or a series of tickets to sporting events of a specific team during a season or to cultural events of a specific company with a total value of \$100 or more.
6. Payment of or reimbursement for actual and necessary expenses for travel and lodging for attendance at a convention or other meeting at which the Board member or candidate for the Board is scheduled to participate unless the payment for such expenditures is made from public funds or from the funds of any association of public officials or public entities such as the Colorado Association of School Boards (CASB).
7. Any gift of a meal to a fund-raising event of a political party.

File: BC-R

To avoid misunderstandings about the value of an item, the donor must furnish the Board member with a written statement of the dollar value of the item when it is given.

Current practice codified 1995

Approved: date of manual adoption

Revised January 25, 2007

Revised October 24, 2013

LEGAL REF.: C.R.S. 24-6-201 *et seq.* (Colorado Sunshine Act – public official disclosure)

NOTE 1: The amount of the gift limit (\$53) is identical to the gift limit under section 3 of article XXIX of the state constitution. This amount shall be adjusted for inflation contemporaneously with any adjustment to the constitutional gift limit. C.R.S. 24-6-203 (8). The state constitution requires an adjustment for inflation every four years. The next adjustment must occur in the first quarter of 2015. Colo. Const. Art. XXIX, Section 3 (6).

NOTE 2: The gifts and items that do not require a disclosure report are listed in C.R.S. 24-6-203 (4). They include campaign contributions or contributions in kind that are reported in accordance with the Fair Campaign Practices Act; an unsolicited item of trivial value (i.e. currently less than \$53), "such as a pen, calendar, plant, book, notepad or similar item;" and an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item. Id.; see also, Colo. Const. Art. XXIX, Section 3.

Code of Ethics for School Board Members

As a member of my local board of education, I will strive to improve public education and to that end I will:

- Attend all regularly scheduled board meetings insofar as possible and become informed concerning the issues to be considered at those meetings.
- Recognize that I should endeavor to make policy decisions only after full discussion at publicly held board meetings.
- Render all decisions based on the available facts and my independent judgment and refuse to surrender that judgment to individuals or special interest groups.
- Encourage the free expression of opinion by all board members and seek systematic communications between the board and students, staff and all elements of the community.
- Work with other board members to establish effective board policies and to delegate authority for the administration of the schools to the superintendent.
- Communicate to other board members and the superintendent expressions of public reaction to board policies and school programs.
- Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations.
- Support the employment of those persons best qualified to serve as school staff and insist on a regular and impartial evaluation of all staff.
- Avoid being placed in a position of conflict of interest and refrain from using my board position for personal or partisan gain.
- Take no private action that will compromise the board or administration and respect the confidentiality of information that is privileged under applicable laws.
- Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

School Board Member Conflict of Interest

Public office is a trust created in the interest of the common good and for the benefit of the people. A conflict of interest can arise when a public officer is unable to devote himself/herself with complete loyalty and singleness of purpose to the general public interest.

It is the intent of this policy to protect the public trust placed in directors of this school district. For purposes of this policy, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite and demonstrable and which is or may be in conflict with the public interest.

A Board member who has a personal or private interest in a matter proposed or pending before the Board shall disclose such interest to the Board, shall not vote on it and shall not attempt to influence the decisions of other Board members in voting on the matter.

However, if a Board member has complied with statutory disclosure requirements by notifying the secretary of state of an interest in the matter, the member may vote if participation is necessary to obtain a quorum or otherwise enable the Board to act. If a member votes under these circumstances, that member shall state for the record the fact and summary nature of the potential conflict of interest.

The written disclosure to the secretary of state shall list as applicable the amount of the member's financial interest, the purpose and duration of any services rendered, compensation received for services or such other information necessary to describe the interest.

Members may be reimbursed for authorized expenses in carrying out Board duties as provided by law.

The Board shall not enter into any contract with any of its members or with a firm or corporation in which a member has a financial interest unless one or more of the following apply:

1. The contract is awarded to the lowest responsible bidder based on competitive bidding procedures.
2. The merchandise is sold to the highest bidder at a public auction.
3. The transaction involves investing or depositing money in a financial institution which is in the business of loaning money or receiving money.
4. If, because of geographic restrictions, the district could not otherwise reasonably afford the contract because the additional cost to the district would be greater than 10 percent of the contract with the interested member or if the contract is for services that must be performed within a limited time period and no other contractor can perform the services.

5. If the contract is one in which the Board member has disclosed a personal interest and is one on which the member has not voted or has voted as allowed in state law following disclosure to the secretary of state and to the Board.

Except as described above, a Board member shall not be a purchaser at any sale or a vendor for any purchase made by the district.

Adopted July 6, 1989

Revised to conform with practice: Date of manual adoption

Revised October 24, 2013

LEGAL REFS.: Colorado Constitution, Article X, Section 13

C.R.S. 22-32-109 (1)(y) (*duty of board to adopt bylaws on conflicts of interest*)

C.R.S. 24-18-109 through 24-18-111 (*government rules of conduct*)

C.R.S. 24-18-201 (*standards of conduct – interests in contracts*)

C.R.S. 24-18-202 (*standards of conduct – interests in sales*)

CROSS REFS.: BC, School Board Member Conduct

BCA-E-1, Code of Ethics for School Board Member

BEDF, Voting Method

DJE, Bidding Procedures

Board Member Code of Ethics

According to the Colorado Revised Statutes 24-18-105, the following ethical principles for school board members "are intended as guides to conduct and do not constitute violations as such of the public trust of office..."

1. A board member "should not acquire or hold an interest in any business or undertaking which he has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which he has substantive authority."
2. A board member "should not, within six months following the termination of his office..., obtain employment in which he will take direct advantage, unavailable to others, of matters with which he was directly involved during his term of [office]. These matters include rules, other than rules of general application, which he actively helped to formulate and applications, claims or contested cases in the consideration of which he was an active participant."
3. A board member "should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when he has a substantial financial interest in a competing firm or undertaking."

Board Organizational Meeting

Within 15 days after the regular biennial election, the Board shall meet in an organizational session at a regular or special meeting for the purpose of selecting officers.

The incumbent president of the Board shall preside until a successor is elected, whereupon the successor will assume the chair.

Following the swearing in of the newly-elected Board member or members, the following officers, in order, shall be elected or appointed: president, vice president, secretary and treasurer.

Nominations for president and vice president shall be made from the floor and voting shall be by roll call or secret ballot. Should no nominee receive a majority vote of Board members, the election shall be declared null and void, further nominations may be made and the roll call or secret ballot vote shall be retaken.

The president and vice president shall serve until their successors are elected.

The Board shall then appoint a secretary and treasurer who may or may not be members of the Board. The secretary and treasurer shall hold their offices for terms at the pleasure of the Board.

Following election and appointment of the officers, the Board shall appoint the staff member who will fill the office of secretary to the Board.

Then such other items of business shall be considered by the Board as are scheduled on the agenda.

Officer resignation

Should one or more officers of the Board resign, the Board shall select another member or members to fill the vacant office or offices as provided by law, using the procedures described above. A newly-selected officer shall assume his duties immediately upon selection. Inasmuch as the selection of a new officer on a four-officer, five-member board frequently requires a shifting of officers it shall be permissible for a member to be nominated for another office without resigning his current office. Upon his acceptance of the nomination and election to the new office, his former office shall be declared vacant and another member elected to fill that position.

Adopted July 6, 1989

Revised to conform with practice: date of manual adoption

File: BDA

LEGAL REFS.: C.R.S. 1-10-201 *et seq.*
C.R.S. 22-31-104 (3)
C.R.S. 22-32-104 (1),(2),(3),(4)
C.R.S. 22-32-108 (6)

Board Organizational Meeting

Within 15 days after the school district receives the official abstract of votes, the Board shall meet in an organizational session at a regular or special meeting for the purpose of selecting officers.

The incumbent president of the Board shall preside until a successor is elected, whereupon the successor will assume the chair.

Following the swearing in of the newly-elected Board member or members, the following officers, in order, shall be elected or appointed: president, vice president, secretary and treasurer.

Nominations for president and vice president shall be made from the floor and voting shall be by roll call or secret ballot. Should no nominee receive a majority vote of Board members, the election shall be declared null and void, further nominations may be made and the roll call or secret ballot vote shall be retaken.

The president and vice president shall serve until their successors are elected.

The Board shall then appoint a secretary and treasurer who may or may not be members of the Board. The secretary and treasurer shall hold their offices for terms at the pleasure of the Board.

Following election and appointment of the officers, the Board shall appoint the staff members who will fill the offices of secretary to the Board.

Then such other items of business shall be considered by the Board as are scheduled on the agenda.

Officer resignation

Should one or more officers of the Board resign, the Board shall select another member or members to fill the vacant office or offices as provided by law, using the procedures described above. A newly-selected officer shall assume the duties immediately upon selection. Inasmuch as the selection of a new officer on a four-officer, five-member board frequently requires a shifting of officers it shall be permissible for a member to be nominated for another office without resigning the current office. Upon acceptance of the nomination and election to the new office, the former office shall be declared vacant and another member elected to fill that position.

Adopted July 6, 1989

Revised to conform with practice: date of manual adoption

Revised October 24, 2013

LEGAL REFS.:

C.R.S. 22-31-104 (3) *(biennial school elections)*

C.R.S. 22-32-104 (1),(2),(3),(4) *(organization of the board)*

C.R.S. 22-32-108 (5) *(meetings of the board)*

C.R.S. 22-32-108 (6) *(meetings of the board – voting procedure)*

File: BDA

NOTE 1: The law permits the election of the president and vice president by secret ballot.

NOTE 2: Each school board member is required to sign an affidavit stating the board member is aware of and will comply with the confidentiality requirements and restrictions applicable to executive sessions of the board, as described in C.R.S. 24-6-402. The affidavit shall be signed at the board's organizational meeting called pursuant to C.R.S. 22-32-104 (1). The affidavits shall be kept with the minutes of the board meeting. C.R.S. 22-5-108 (5)(a).

Board Officers

President and Vice President

The president of the Board, in addition to the duties prescribed by law, shall exercise such powers as properly pertain to his office. In carrying out his responsibilities, the president shall:

1. Preside at all meetings of the Board.
2. Consult with the superintendent in planning agendas.
3. Bring before the Board such matters as in his judgment may require the attention of the Board.
4. Be responsible for the orderly conduct of Board meetings.
5. Confer with the superintendent on crucial matters which may occur between Board meetings.
6. Call special meetings of the Board as found necessary.
7. Appoint special committees, subject to the approval of the Board.
8. Sign any written contracts to which the school district may be a party.
9. Sign all official reports of the district except as otherwise provided by law.
10. Appear in behalf of the Board in all actions brought by or against it, unless individually a party in which case his duty shall be performed by the secretary.

In the absence of the president, the vice president shall have the power of the president and perform his duties.

Secretary

The secretary of the Board shall perform or cause to be performed the following duties:

1. Insure that a record is kept of all business transacted by the Board at either regular or special meetings.
2. Cause written notice to be given to each Board member of all special meetings of the Board.

3. Be custodian of the seal of the district.
4. Cause all notices of school elections to be published and posted and perform such other duties in the conduct of school elections as required by law.
5. Attest any written contract to which the district may be a party and affix the district seal thereto.
6. Perform such other duties as may be assigned by the Board.

Treasurer

The treasurer shall perform or cause to be performed the following duties:

1. Account for all moneys belonging to the district.
2. Report to the Board as required for all moneys of the district.
3. Sign either by written signature or facsimile all warrants or orders drawn on the county treasurer or checks drawn on a district depository. The Board may require the countersignature of another person.
4. Deposit to the credit of the district all moneys withdrawn from the custody of the county treasurer and all other moneys belonging to the district in one or more depositories designated by the Board.
5. Perform such other duties as may be assigned by the Board.

Current practice codified 1995

Adopted: date of manual adoption

LEGAL REFS.: C.R.S. 22-32-104 (3); 22-32-105
(president and vice president)
C.R.S. 22-32-104 (4); 22-32-106
(secretary)
C.R.S. 11-10.5-111; 22-32-104 (4); 22-32-107
(treasurer)

CROSS REFS.: DG, Depository of Funds
DGA, Banking Services (and Deposit of Funds)
DH, Bonded Employees and Officers

Hinsdale County School District RE-1, Lake City, Colorado

Advisory Committees

The Board of Education of Hinsdale County encourages the participation of citizens of the district in decisionmaking processes. However, the legal responsibility for decision-making in all matters of policy and operation rests with the Board. (See Board Policy GP-6 and GP-7.)

1. **Board-appointed advisory committees**, both district-wide and at the school level, shall function within organizational frameworks approved by the Board. A staff member or members will be assigned to each group to help it develop governing documents, carry out its functions and coordinate its work with other advisory and staff groups. Only the Board shall have the authority to dissolve committees it has created.
2. **School- and district-level advisory committees that are required under federal and state programs** shall be formed and shall function in accordance with the requirements pertaining to each specific federal or state program. The Board shall grant to those bodies the advisory responsibilities relevant to the planning, implementation and evaluation of such program or project as required by law.
3. **Community groups** that are neither appointed by the Board nor formed as required under federal or state programs are encouraged to offer suggestions and advice to the Board in order to assist it in the decisionmaking process. The final responsibility for all decisions, however, rests with the Board of Education alone.

Appointments of citizens to advisory committees shall be approved by the Board. An advisory committee member may be removed from office by the Board if that member does not attend three consecutive meetings unless the committee by resolution approves any additional absences or unless such absences are due to temporary disability or illness. In addition, the committee by majority vote may request the removal from office of any member. Such removal shall require subsequent Board approval.

All committee meetings shall be open to the public. Meeting notices shall be posted in the same place and manner as notices of Board meetings.

Adopted June 13, 1984

Revised December 4, 1984

Revised to conform with practice: date of manual adoption

Revised October 11, 2000

Legal references and note updated April, 2013

LEGAL REFS.: C.R.S. 22-9-107 (*performance evaluation councils*)
C.R.S. 22-11-301,401 (*accountability committees*)
C.R.S. 22-32-109.1 (2) (*community consultation on safe school plan, including conduct and discipline code*)
C.R.S. 24-6-402 (*open meeting law*)

CROSS REFS.: AE, Accountability/Commitment to Accomplishment
BDFA*, District Personnel Performance Evaluation Council
BDFB*, Career and Technical Advisory Council (Career and Technical Program Advisory Committees)
BEDA, Notification of Board Meetings
CBI, Evaluation of Superintendent
GCOA, Evaluation of Instructional Staff
GCOC, Evaluation of Administrative Staff
JIC, Student Conduct
JK, Student Discipline
KCB, Community Involvement in Decision Making

NOTE: Colorado's open meetings law (OML) permits "local public bodies" to elect its leadership by secret ballot. C.R.S. 24-6-402(2)(d)(IV). Therefore, any advisory committee that falls within the definition of "local public body" that is subject to the OML may elect its chair and co-chair by secret ballot. If the election of the chair and co-chair are by secret ballot, the outcome of the vote shall be recorded contemporaneously in the minutes. Id.

District Personnel Performance Evaluation Council

The Board of Education shall appoint, pursuant to state law, an advisory school district personnel performance evaluation council which shall, as a minimum, consist of one teacher, one administrator, one principal, one parent and one person who does not have a child in school.

The council may be composed of any other school district committee having membership as defined above.

The council shall consult with the Board as to the fairness, effectiveness, credibility and professional quality of the certificated personnel performance evaluation system and its processes and procedures and shall conduct a continuous evaluation of the system.

Current practice codified 1995
Adopted: date of manual adoption

LEGAL REF.: C.R.S. 22-9-107

CROSS REFS.: CBI, Evaluation of Superintendent
CDA, Evaluation of Management Team
CFB, Evaluation of Principals/Building Administrators
GCOA, Evaluation of Instructional Staff
GCOC, Evaluation of Administrative Staff

School Attorney/Legal Services

The Board recognizes that the increasing complexities of school district operations frequently require professional legal services. Therefore, it shall retain a competent attorney or legal firm to systematically provide such services.

A decision to seek legal advice or assistance from such attorney shall originate from the Board, the superintendent or persons specifically authorized by the Board or superintendent. The superintendent shall inform the Board prior to requesting unusual types or amounts of legal services.

Adopted February 2, 1988

Revised to conform with practice: date of manual adoption

School Board Meetings

All meetings of three or more members of the Board at which any public business may be discussed or any formal action taken shall be open to the public at all times except for periods in which the Board is in executive session. All such meetings will be properly noticed and minutes will be taken and recorded as required by law.

No business may be conducted unless a quorum is present. A quorum shall consist of a simple majority (more than half) of the members serving on the Board.

A recording shall be made of regular and special meetings as required by law and at a minimum, shall be an audio recording. Recordings shall be maintained for 90 days.

Regular meetings

Regular meetings of the Board of Education shall be held in the Lake City Community School, 614 N. Silver St., Lake City, Colorado.

Meetings of the Board shall be held on the fourth Thursday of each month at 5:30 p.m. unless otherwise established by the Board.

Special meetings

Special meetings of the Board may be called by the Board president at any time and shall be called by the president upon the written request of a majority of the members.

The secretary of the Board shall be responsible for giving a written notice of any special meeting to each Board member at least 72 hours in advance of the meeting if mailed and 24 hours in advance if hand-delivered personally to the member. The notice must contain time, place and purpose of the meeting and names of the members requesting the meeting.

Any member may waive notice of a special meeting at any time before, during or after such meeting, and attendance at a special meeting shall be deemed to be a waiver.

No business other than that stated in the notice of the meeting shall be transacted unless all members are present and agree to consider and transact other business.

Work sessions and retreats

The Board, as a decision-making body, is confronted with a continuing flow of problems, issues and needs which require action. While the Board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming and thoughtful discussion without action. Therefore, from time to time the Board may schedule work sessions or retreats, which shall be open to the public. No action shall be taken during such sessions. Public notice of the session, including the topics for discussion and study, shall be provided.

Adopted 1985

Revised to conform with practice: date of manual adoption
Revised November 5, 1997
Revised September 22, 2005
Revised October 24, 2013

LEGAL REFS.: C.R.S. 22-32-108 (*board meetings*)
C.R.S. 24-6-401 *et seq.* (*open meetings law*)

CROSS REFS.: BEAA*, Electronic Participation in School Board Meetings
BEC, Executive Sessions
BEDA, Notification of Board Meetings

NOTE 1: The Board is not required to take minutes if through its notice and agenda it has not retained the option to take formal action. The Board must make a recording of each regular and special meeting of the Board at which votes are taken and recorded and shall make the recording available to the public. The Board, at its discretion, shall use appropriate technology available at the time the recording is made and shall, at a minimum, make an audio recording. Such recordings must be maintained for a minimum of 90 days.

NOTE 2: The Board is required to electronically record executive sessions, which shall include the specific statutory citation to the executive session law that allows the Board to meet in executive session. However, if the executive session is held to discuss an individual student matter, the Board is not required to make an electronic or written record of the executive session. If the executive session is held to receive legal advice from an attorney on a particular matter, an electronic record must be made of the statutory citation to the executive session law that allows the Board to meet in executive session to receive legal advice, but the Board is not required to make an electronic or written record of the discussion that occurs in executive session, on the basis that it constitutes privileged attorney-client communication.

NOTE 3: A quorum is defined as a simple majority (more than half) of the members serving on a Board, as follows:

- *for a 5-member board a quorum is 3*
- *for a 6-member board a quorum is 4*
- *for a 7-member board a quorum is 4*

Executive Sessions

All meetings of the Board shall be open to the public except that at any regular or special meeting the Board may proceed into executive session upon affirmative vote of two-thirds of the quorum present.

The Board shall not make final policy decisions nor shall any resolution, policy or regulation be adopted or approved nor shall any formal action of any kind be taken during any executive session.

Prior to convening in executive session, the Board shall announce the topic of the executive session which shall be reflected in the minutes. The Board shall include the specific citation to statute authorizing it to meet in executive session when it announces the session and identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.

The Board may hold an executive session for the sole purpose of considering any of the following matters:

1. Purchase, acquisition, lease, transfer or sale of any real, personal or other property. However, no executive session shall be held to conceal the fact that a member of the Board has a personal interest in such property transaction. C.R.S. 24-6-402 (4)(a).
2. Conferences with an attorney for the purpose of receiving legal advice on specific legal questions. C.R.S. 24-6-402 (4)(b). The mere presence or participation of an attorney at an executive session shall not be sufficient to satisfy this requirement.
3. Matters required to be kept confidential by federal or state law or regulations. C.R.S. 24-6-402 (4)(c). An announcement will be made indicating the specific citation to state or federal law which is the reason the matter must remain confidential.
4. Specialized details of security arrangements or investigations. C.R.S. 24-6-402 (4)(d).
5. Determination of positions relative to matters that may be subject to negotiations, development of strategy for negotiations and instruction of negotiators. C.R.S. 24-6-402 (4)(e).
6. Personnel matters except if an employee who is the subject of an executive session requests an open meeting. C.R.S. 24-6-402 (4)(f). If the personnel matter involves more than one employee, all of the employees must request an open meeting. Discussion of personnel policies that do not require discussion of matters specific to particular employees are not considered "personnel matters."

The Teacher Employment, Compensation and Dismissal Act shall prevail in teacher dismissal hearings. (It provides that a dismissal hearing shall be open unless either the administration or employee requests that the hearing be closed.)

Discussions concerning a member of the Board, any elected official or the appointment of a Board member are not considered "personnel matters."

7. Consideration of any documents protected under the mandatory nondisclosure provision of the Open Records Act, except that consideration of work product documents and documents subject to the governmental or deliberative process privilege must occur in a public meeting, unless an executive session is otherwise allowed. C.R.S. 24-6-402 (4)(g).
8. Discussion of individual students where public disclosure would adversely affect the person or persons involved. C.R.S. 24-6-402 (4)(h).

Only those persons invited by the Board may be present during any executive session regardless of the topic of the session (including personnel matters).

The Board shall cause an electronic recording to be made of the executive session in accordance with applicable law. Such record shall be retained by the Board for 90 days following the session.

Adopted September 22, 2005
Revised May 25, 2006
Revised October 24, 2013

LEGAL REFS.: C.R.S. 22-32-108 (5) (*meetings of the board*)
C.R.S. 24-6-402 (*open meetings law*)

CROSS REF.: KDB, Public's Right to Know/Freedom of Information

NOTE 1: School districts must make an "electronic recording" of any executive session, which shall include the specific statutory citation to the executive session law that allows the Board to meet in executive session. However, if the executive session is held to discuss an individual student matter, the Board is not required to make an electronic or written record of the executive session. If the executive session is held to receive legal advice from an attorney on a particular matter, an electronic record must be made of the statutory citation to the executive session law that allows the Board to meet in executive session to receive legal advice, but the Board is not required to make an electronic or written record of the discussion that occurs in the executive session, on the basis that it constitutes privileged attorney-client communication. If no electronic recording is made because the discussion constitutes a privileged attorney-client communication, this must be stated on the electronic recording, or the attorney representing the board must provide a signed statement attesting that the portion of the executive session that was not recorded constituted a privileged attorney-client communication. The board should put a procedure in place to assure that the record of any executive session is routinely destroyed once the 90-day deadline expires.

NOTE 2: Each school board member is required to sign an affidavit stating the board member is aware of and will comply with the confidentiality requirements and restrictions applicable to executive sessions of the board, as described in C.R.S. 24-6-402. The affidavit shall be signed at the board's organizational meeting called pursuant to C.R.S. 22-32-104 (1). The affidavits shall be kept with the minutes of the board meeting. C.R.S. 22-5-108 (5)(a).

Notification of School Board Meetings

The Board shall give full and timely notice to the public of any meeting of three or more Board members at which public business may be discussed or any formal action taken, including special, regular and work session meetings and retreats.

Dates of regular meetings of the Board shall be provided in annual announcements and made available in printed form to the news media and public. At its first regular meeting of the calendar year, the Board shall designate the public place or places at which notice of all Board meetings shall be posted. In the event such action is not taken annually, the designated public places used in the previous year shall continue as the official posting sites.

At a minimum, the Board shall cause notice of regular and special meetings and work sessions to be posted at the designated public place no less than 24 hours prior to the meeting. This notice shall include specific agenda information where possible.

Copies of the agenda shall be available to representatives of the community and staff and others at the district office upon publication and dissemination to the Board.

The district shall maintain a list of persons who, within the previous two years, have requested notification of all meetings or of meetings when certain specified policies will be discussed. These individuals will be provided reasonable advance notification of Board meetings unless the meeting is a special meeting and there is insufficient time prior to the meeting to mail notice to persons on the list.

Notice to the Board

The superintendent shall mail the agenda, together with meeting materials and the minutes of the last regular meeting, to Board members no later than 72 hours before the next regular meeting.

Current practice codified 1995

Adopted: date of manual adoption

Revised September 22, 2005

Legal references updated April 2013

LEGAL REFS.: C.R.S. 22-32-108 (2),(3) (*meetings of the board*)
C.R.S. 24-6-402 (2)(c) (*notice of meeting "shall include specific agenda information where possible"*)

CROSS REFS.: BE, School Board Meetings
BEDB, Agenda

Agenda

To expedite the Board's proceedings and provide a framework for the orderly conduct of business, the superintendent in cooperation with the Board president shall prepare an agenda outlining the matters to be brought to Board attention at meetings.

The Board shall follow the order of business set by the agenda unless the order is altered or new items are added in accordance with this policy. At regular and special meetings, the Board may add to or take action on matters not appearing on the posted agenda if the item is reasonably related to the subject matter on the posted agenda or if an exigency exists. Amending the agenda of a regular meeting requires a majority vote of Board members present. All Board members must be present and cast a unanimous vote to amend the agenda of a special meeting.

Consent grouping

A consent grouping on the agenda shall be used for those items which usually do not require discussion or explanation as to the reason for Board action. Any Board member may request the withdrawal of any item under the consent grouping for independent consideration.

Agenda format

The order of business at regular meetings shall be as follows:

1. Call to order
2. Roll call
3. Approval of minutes
4. Request from audience for presentation related to agenda items
5. Modifications to and/or approval of agenda
6. Speaker, if any
7. Community communications (non-agenda items)
8. Committee reports
9. Action items

Consent agenda

10. Policy proposals and amendments
11. Discussion items

12. Superintendent's report
13. Board member reports
14. Review and approval of bills and monthly financial reports
15. Executive Session (if needed)
16. Board self-assessment
17. Adjournment

Adopted July 6, 1989

Revised to conform with practice: date of manual adoption

Revised April 25, 2013

LEGAL REFS.: C.R.S. 22-32-108 (4) (*board meetings*)
C.R.S. 24-6-402 (2)(c) (*notice of meeting "shall include specific agenda information where possible"*)

CROSS REFS.: BEDA, Notification of School Board Meetings
BEDH, Public Participation at School Board Meetings

Rules of Order

Except as otherwise specified by state law or Board policies pertaining to its own operating procedures, the Board shall operate by the rules prescribed in *Robert's Rules of Order, Newly Revised* as those rules can reasonably be applied to the conduct of school board business.

It shall be the responsibility of the Board president to utilize such rules when appropriate to do so.

Adopted 1985

Revised to conform with practice: date of manual adoption

Revised September 22, 2005

NOTE: Under Robert's Rules, parliamentary rules of order may be suspended by a two-thirds vote.

Voting Method

All voting shall be by roll call with each member present voting "Aye" or "No" alphabetically. However, election of the president and vice president may be by secret ballot. If a vote is taken by secret ballot, the outcome of the vote shall be recorded contemporaneously in the minutes.

A member may abstain from voting only if excused by the Board for good cause.

A Board member who has a personal or private interest in any proposed or pending matter which presents a conflict of interest in accordance with Board policy shall disclose such interest and shall not vote unless participation is necessary to obtain a quorum or otherwise enable the Board to act. Under such circumstances, the member shall comply with the voluntary disclosure requirements set out in state law.

To pass, any motion must be approved by a majority of the members present except as state law or policies of this Board may require a majority of full membership or a two-thirds majority.

Adopted 1985

Revised to conform with practice: date of manual adoption

Revised April 25, 2013

LEGAL REFS.: C.R.S. 22-32-104 (3) *(president and vice president must be elected by majority of the entire membership)*
C.R.S. 22-32-108 (6) *(voting by roll call, excused for good cause)*
C.R.S. 24-6-402 (2)(d)(IV) *(outcome of a secret ballot vote must be recorded contemporaneously in the minutes)*
C.R.S. 24-6-402 (4) *(a two-thirds majority of the quorum present is required to go into executive session)*
C.R.S. 24-18-109 (3) *(conflict of interest and voting)*
C.R.S. 24-18-110 *(voluntary disclosure of conflict of interest)*

CROSS REFS.: BCB, School Board Member Conflict of Interest
BE, School Board Meetings

Minutes

Minutes of any Board meeting at which the adoption of any policy or formal action occurs or could occur shall be taken and promptly recorded. Such records shall be open to public inspection.

Official minutes of the meetings of the Board of Education constitute the written record of all proceedings of the Board. Therefore, the minutes shall include:

1. The nature of the meeting, whether regular or special; time and place; members present; approval of the minutes of the preceding meeting or meetings.
2. A record of all actions taken by the Board, the motion, the name of the member making the motion and seconding it; the record of the vote, with the vote of each member recorded. If a vote is taken by secret ballot, the outcome of the vote shall be recorded contemporaneously in the minutes. Reports and documents related to a formal motion may be omitted if they are referred to by title and date.
3. A record of all business that comes before the Board through reports of the superintendent and others and through communications from the staff and the public.
4. The names of all persons who speak before the Board and the topic of their remarks.
5. A record that an executive session was held, including the names of those present and the topic of discussion, unless including names of individuals would reveal information that should remain confidential, and the specific citation to the statute that authorizes the Board to meet in executive session.
6. The record of adjournment.

The official minutes shall be signed by the secretary. Following their approval, the official copy also shall be signed by the president of the Board of Education.

The official minutes shall be in the custody of the Board secretary and shall be made available to the public at the administrative offices of the district upon request during normal office hours.

Adopted 1985

Revised to conform with practice: date of manual adoption

Revised April 25, 2013

LEGAL REFS.: C.R.S. 22-32-106 (*duties of the secretary*)
C.R.S. 22-32-109 (1)(e) (*specific duties of the board*)
C.R.S. 24-6-402 (2)(d)(II) (*open meeting law minutes*)
C.R.S. 24-6-402 (2)(d)(IV) (*outcome of a secret ballot vote must be recorded contemporaneously in the minutes*)

Public Participation at School Board Meetings

All regular and special meetings of the Board shall be open to the public. Because the Board desires to hear the viewpoints of all citizens throughout the district and also needs to conduct its business in an orderly and efficient manner, it shall schedule time during some Board meetings for brief comments and questions from the public. Some public comment periods may relate to specific items on the agenda. The Board shall set a time limit on the length of the public participation time and a time limit for individual speakers. Public participation meeting rules will be available at all meetings to all meeting participants.

During times of general public comment at a regular meeting, comments and questions may deal with any topic related to the Board's role in policy-making or the content of its policies. Comments at special meetings must be related to the call of the meeting. During times of public comment on specific agenda items, comments shall be confined to the topic of the agenda item being considered by the Board. Speakers may offer such criticism of school operations and programs as concern them, but are encouraged to exercise their speech rights responsibly. The Board encourages the discussion of all personnel matters to be conducted in executive session in accordance with the Board's meeting rules.

The Board president shall be responsible for recognizing all speakers who shall properly identify themselves, for maintaining proper order and for adherence to any time limits set. Questions asked by the public shall, when possible, be answered immediately by the president or referred to staff members present for reply. Questions requiring investigation shall be referred to the superintendent for consideration and later response.

Members of the public will only be recognized by the president during Board meetings as noted in this policy or at Board president's discretion.

Members of the public wishing to make formal presentations before the Board should make arrangements in advance with the superintendent so that such presentations, when appropriate, may be scheduled on the agenda, or may speak during the Community Communications section of the agenda, in compliance with the Board's rules concerning speaking on Non-Agenda items.

In addition to public participation time during Board meetings, the Board is committed to engaging members of the community on an ongoing basis regarding community values about education during times other than the Board's regular meetings.

Adopted 11/6/1984

Revised to conform with practice: date of manual adoption
Revised 12/12/03

LEGAL REFS.: C.R.S. 24-6-401 *et seq.* (*open meetings law*)

CROSS REF.: Quality Governance Policy GP-16, Public Participation at School
Board Meetings
KE. Public Concerns and Complaints

Board of Education General Meeting Rules

Goal: Foster working relationships between board, administration, staff, parents, and community.

- Board of Education will follow the "Roberts' Rules of Order"
- Presentations will be limited to five minutes unless lengthened or shortened by the chairperson.
- Comments must be limited to issues within school policies and programs.
- Issues with people must be cleared with the Board prior to the board meeting to determine if they would require an executive session.
- All participants will please listen attentively while others are speaking.
- Respectful communication is required:
 - No derogatory comments
 - No name calling
 - No raised voices
 - No threats
- You must be recognized before you speak:
 - Please stand
 - Give your name
 - Come to the front and address the Board and the audience.

Board of Education
Meetings
Speaking on Non-Agenda Items

- You will be recognized during the community communications section of the meeting
- You will have five minutes to speak unless the time period is lengthened or shortened by the chairperson.
- You may address policies and programs of the school. Issues with people must be cleared with the Board prior to the meeting.
- The Board will not respond to the issues, discuss the issues, or take action. However, the issue will be set for superintendent action, board workshop, or other action.
- The issue will appear on the next month's board agenda. The resolution of that issue or progress toward resolution will be reported at that time.

Board of Education
Community Participation
Sign Up Sheet

Name _____

Address _____

Telephone _____

Representing what group? _____

Speaking time _____

Subject to speak on _____

Board President Notes:

Workshop _____ Date _____

Executive session _____ Date _____

Superintendent referral _____ Date _____

School Board Policy Process

It is the intent of the Board to develop policies and put them in writing so that they may serve as guidelines for its own operations and for the successful and efficient functioning of the public schools.

The Board endorses for use in this district the policy development and codification system of the National Education Policy Network/National School Boards Association (NEPN/NSBA), as recommended by the Colorado Association of School Boards.

This system, while it may be modified to meet needs, is to serve as a general guideline for such tasks as policy research, drafting of preliminary policy proposals, reviewing policy drafts with concerned groups, presenting new and revised policies to the Board for consideration and action, policy dissemination, policy evaluation and the continuous maintenance of the Board policy manual.

The Board considers policy development one of its chief responsibilities. Proposals regarding policies may originate with a member of the Board, the superintendent, staff members, parents, students, consultants, civic groups or other resident of the district. A careful and orderly process shall be used in examining such proposals prior to action upon them by the Board. The Board shall take action after hearing the recommendations of the superintendent and the viewpoints of persons and groups affected by the policy.

The policies of the Board are framed and meant to be interpreted in terms of state laws and regulations and other regulatory agencies within state and federal levels of government.

Policy Governance policy adoption by the Board

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Board of Education.

The Board shall adhere to the following procedure (**GP-13**) in considering and adopting policy proposals to ensure that they are well examined before final adoption.

It is the Board's responsibility to develop governing policy. A systematic, predictable means of developing policy will prevent surprise, coercion and haste in the adoption of policy; promote community, school, parent and student involvement in policy decisions of the Board; and encourage careful and well informed decision making by the Board. Accordingly the Board will develop new policy as follows:

1. Informal Introduction of New Policy Ideas

Any new policy idea may be introduced, informally, at a meeting of the Board, by any person, during the public comment portion of the Board meeting. The policy idea will be discussed by the Board at that time or scheduled for in depth discussion at a Board workshop. No formal action will be taken on informal policy proposals, other than discussion, referral to a workshop or referral for formal drafting.

2. Formal Introduction of New Policy Ideas

Prior to formal approval, all new policy ideas must be submitted to the Board in writing.

- a. A Board member may introduce a new policy idea, in written form, if the proposed policy has been provided to each Board member prior to the meeting at which the policy is to be introduced and placed on the agenda. No new policy shall be introduced without submission in written form.
- b. A community member, student, parent, staff member, teacher or administrator may introduce a new policy idea by discussing it with a Board member or giving it to a Board member in writing. The Board member may then introduce it as provided above.
- c. A community member, student, parent, staff member, teacher or administrator may introduce a new policy idea directly, in written form, if the written policy has been provided to each Board member prior to the meeting at which the policy is to be introduced and the policy is placed on the agenda. No new policy shall be introduced without submission in written form.

3. First Reading

Any policy that is formally introduced pursuant to paragraph 2 above, must be given a "first reading" by the Board at the scheduled time on the agenda. After the first reading, the Board will open discussion to those attending the meeting. After all comments have been received, the Board will discuss the policy.

If the policy fails to meet with the approval of a majority of the Board, it will be eliminated from further discussion. The policy may be redrafted and resubmitted for another first reading.

If the policy, with or without amendments, meets with approval of a majority of the Board it will be placed on the agenda for the next monthly business meeting under "action items."

4. Second Reading

A policy that is placed on the agenda as an action item pursuant to paragraph 3 above, shall receive a second reading. After the reading, the Board will open discussion to those attending the meeting. After all comments have been received, the Board will discuss the policy.

5. Adoption

After the second reading, upon motion and second, the policy may be adopted, *without* amendments, by approval of a majority of the Board. If amendments are necessary, the policy will be rescheduled as an action item, as amended, for the next monthly business meeting of the Board and will receive another reading pursuant to paragraph 4 above.

6. Form of Readings

Reading may be aloud or silent, at the discretion of the President. If the reading is silent, copies of the proposal will be provided for those attending the meeting.

Any portion of this policy may be waived by a majority vote of the Board, for good cause or in case of emergency.

Policy revision and review

In an effort to keep its written policies up-to-date, the Board shall review its policies on a continuing basis.

The superintendent is given the continuing commission of calling to the Board's attention all policies that are out of date or for other reasons appear to need revision. Policy revision shall be accomplished in the same manner as policy adoption.

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

Administrative Policy Adoption

The Superintendent shall not operate without written policies that are consistent with law and Board policy and that ensure reasonable progress toward achieving the Board's ends.

Accordingly the Superintendent shall not fail to develop, with input and assistance from staff, students, parents and other community members, administrative policies that:

1. Are designed to achieve the Board's ends

2. Are consistent with constraints set forth in the Board's executive limitations policies
3. Are consistent with federal and state law
4. Contain all legally required and recommended policies (**EL-21**)

New or revised policies shall be placed on the agenda as action items for official Board approval.

The Board reserves the right to review regulations issued by the administration at its discretion, but it shall revise or veto such regulations only when, in the Board's judgment, they are inconsistent with policies and regulations adopted by the Board. The Board shall be provided with copies of all district-wide regulations issued by the administration.

Regulations shall be officially approved by the Board when this is required by state or federal law or when strong community, staff or student attitudes make it advisable for the regulations to have Board approval.

Before issuance, regulations shall be properly titled and coded as appropriate to the policy codification system selected by the Board.

Policy communication/feedback

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

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

The Board shall evaluate how the policies have been executed by staff and shall weigh the results. It shall rely on the staff, students and community for providing evidence of the effect of the policies which it has adopted.

All policy manuals distributed to anyone shall remain the property of the district and shall 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 is a public record and shall be open for inspection at the administrative offices of the district.

Suspension/repeal of policy

In the event of special circumstances, the operation of any section or sections of Board policies, including those governing its own operating procedures, may be temporarily suspended by a majority vote of Board members present at any regular or special meeting. This, however, does not apply to any section of Board policies that may be established by law or by contract.

Policy repeal shall be accomplished in the same manner as policy adoption.

Current practice codified 1995

Adopted: date of manual adoption

Revised October 11, 2000

LEGAL REFS.: C.R.S. 22-32-109 (1)(a-c), (y)(I) *(specific duties of board)*

Policy Adoption (Waiver Requests)

The school-level accountability committee may request a waiver of Board policy to facilitate attainment of a school-level goal by submitting a written application to the Board of Education. The request for waiver or renewal of an existing waiver must be supported by a majority of committee members and the building principal.

Waivers will be good for two years and may be renewed without limit for additional two-year periods after review by the Board.

The waiver or waiver renewal request must include:

1. Coding and title of the policy to be waived
2. Specific documentation demonstrating how the policy prohibits the school from achieving a school goal
3. Expected outcome of the waiver or waiver renewal
4. Duration requested for the waiver or waiver renewal
5. Explanation of how the waiver or waiver renewal would assist the school in reaching its goal
6. Financial impact of the waiver

The written request for a waiver or waiver renewal must be received by the Board at least 45 days prior to proposed implementation.

The waiver or waiver renewal will be granted if the Board determines that the school has clearly demonstrated that the waiver or waiver renewal will result in the school's accomplishing its goal.

The Board will provide a written response to the waiver or waiver renewal request within 30 days of receipt of the request.

Current practice codified 1995
Approved: date of manual adoption

Board Member Development Opportunities

The school board in modern America faces a difficult set of challenges. It must fashion a quality educational program, must decide complex policy issues and must oversee the prudent management of school facilities.

The public expects its elected Board members to demonstrate high qualities of leadership as they deal with affairs of the public schools. In turn, the Board expects public support for its efforts to enlarge the horizons and abilities of its members.

The Board of Education places a high priority on the importance of a planned and continuing program of inservice education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance. The Board shall plan specific inservice activities designed to assist Board members in their efforts to improve their skills as members of a policymaking body; to expand their knowledge about trends, issues and new ideas affecting the continued welfare of local schools, and to deepen their insights into the nature of leadership in a modern, democratic society.

Funds shall be budgeted annually to support the program. Individual Board members shall be reimbursed for out-of-pocket costs incurred through participation in approved activities. The Board as a whole shall retain the authority to approve or disapprove the participation of members in planned activities.

The public shall be kept informed through the news media about the Board's continuing inservice education and about the programs anticipated for short- and long-range benefits to the schools.

The Board regards the following as the kinds of activities and services appropriate for implementing this policy:

1. Participation in school board conferences, workshops and conventions held by the state and national school boards associations
2. District-sponsored training sessions for Board members
3. Subscriptions to publications addressed to the concerns of Board members

Current practice codified 1995

Adopted: date of manual adoption

Board Member Development Opportunities

In order to facilitate inservice training for Board members, the following procedures will apply:

1. All Board members will be encouraged to attend all in-state conferences, conventions and workshops of the Colorado Association of School Boards.
2. Attendance at conferences, conventions, workshops and/or other meetings to be conducted by the Colorado Association of School Boards maybe brought to the Board for action with the primary purpose being representation by the Board at these meetings.
3. Out-of-state conferences such as the National School Boards Association convention held each year may be attended by representatives of the Board of Education. Requests by Board members to attend out-of-state conferences will be dealt with on a per request basis with a decision made in accordance with any budgetary restraints.
4. The superintendent is directed to establish within the budget funds to cover the costs of Board member participation in such conferences, conventions and workshops as stated above. This will be reviewed annually in the budget presentation.

Current practice codified 1995

Approved: date of manual adoption

School Board Member Compensation/Expenses/Insurance/Liability

Board members shall receive no compensation for their services. However, upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Board, Board members may be reimbursed from district funds.

Such expenses may include the cost of attendance at conferences of school boards associations and other professional meetings/visitations when such attendance and expense payment has had prior Board approval.

The Board shall purchase liability insurance and errors-and-omissions insurance to protect its members individually and collectively for claims made against them as a result of their membership on the Board.

The Board shall rely on the Colorado Governmental Immunity Act, C.R.S. 24-10-101 *et seq.* (the Act) as the statement of its obligation to defend and indemnify Board members. If the Board elects to provide for the defense of a Board member in a claim which alleges willful and wanton conduct by the Board member, the Board may require the Board member to post a reasonable bond to ensure reimbursement of any amounts advanced, in accordance with the Act.

Current practice codified 1995

Adopted: date of manual adoption

Legal references updated July 24 2003

Legal references updated September, 2003

Legal references updated September, 2007

Revised October 24, 2013

LEGAL REFS.: 20 U.S.C. 2361 through 2368 (*Coverdell Teacher Protection Act contained in No Child Left Behind Act of 2001 limits the liability of school board members*)
C.R.S. 22-12-101 *et seq.* (*Teacher and School Administrator Protection Act also limits liability of school board members*)
C.R.S. 22-32-104 (5) (*board member compensation*)
C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law also apply to school board members*)
C.R.S. 22-32-110 (1)(n), (u) (*power to provide necessary expenses*)
C.R.S. 24-10-101 *et seq.* (*Colorado Governmental Immunity Act*)
C.R.S. 24-18-104 (3)(d), (e) (*reimbursements are not considered gifts*)

CROSS REF.: EI, Insurance Program/Risk Management

School Board Memberships

The Board shall maintain membership in the Colorado Association of School Boards. Through its membership in this organization it is an indirect member of the National School Boards Association. The Board and its members shall actively participate in the activities of these organizations insofar as possible.

The district shall hold institutional membership in such other educational associations and groups as approved by the Board.

Current practice codified 1995

Adopted: date of manual adoption

LEGAL REF.: C.R.S. 22-32-110 (1)(n)

