

PRESIDENT

It shall be the responsibility of the board president to lead a well-organized board in an efficient and effective manner. The board president shall set the tone of the board meetings and, as the representative of the consensus of the board, speak on behalf of the board to the public.

The president of the board shall be elected by a majority vote at the organizational meeting in odd numbered years, or at the annual meeting, in even numbered years to serve a one year term of office.

The president, in addition to presiding at the board meetings, shall take an active role in board decisions by discussing and voting on each motion before the board in the same manner as other board members. However, before making or seconding a motion, the board president shall turn over control of the meeting to either the vice president or other board member.

The board president has the authority to call special meetings of the board. Prior to board meetings, the board president shall consult with the superintendent on the development of the agenda for the meeting.

The board president, as the chief officer of the school district, shall sign employment contracts and sign other contracts and school district warrants approved by the board and appear on behalf of the school corporation in causes of action involving the school district.

NOTE: If another method for electing the board president is used, that method should be outlined in this policy as well as Policy 200.1. This policy reflects the legal responsibilities of the board president including the signing of employment contracts.

Legal Reference: Iowa Code §§ 279.1-.2; 291.1 (2005).

Cross Reference: 200.2 Organization of the Board of Directors
202.2 Oath of Office
206.2 Vice President

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VICE PRESIDENT

If the board president is unable or unwilling to carry out the duties required, it shall be the responsibility of the vice president of the board to carry out the duties of the president. If the president is unable or unwilling to complete the term of office, the vice president shall serve as president for the balance of the president's term of office, and a new vice president shall be elected.

The vice president of the board shall be elected by a majority vote at the organizational meeting in odd numbered years, or at the annual meeting, in even numbered years to serve a one-year term of office.

The vice president shall accept control of the meeting from the president when the president wishes to make or second a motion. The vice president shall take an active role in board decisions by discussing and voting on matters before the board in the same manner as other board members.

NOTE: If another method for electing the board vice-president is used, that method should be outlined in this policy as well as Policy 200.1.

Legal Reference: Iowa Code § 279.5 (2005).

Cross Reference: 200.2 Organization of the Board of Directors
202.2 Oath of Office
206.1 President

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SECRETARY-TREASURER

A board secretary-treasurer may be appointed from employees, other than a position requiring a teaching certificate, or from the public. To finalize the appointment, the board secretary-treasurer will take the oath of office during the meeting at which the individual was appointed or no later than ten days thereafter. It is the responsibility of the superintendent to evaluate the board secretary-treasurer annually.

It is the responsibility of the board secretary-treasurer, as custodian of school district records, to preserve and maintain the records and documents pertaining to the business of the board; to keep complete minutes of special and regular board meetings, including closed sessions; to keep a record of the results of regular and special elections; to keep an accurate account of school funds; to sign warrants drawn on the school funds after board approval; and collect data on truant students. The board secretary-treasurer will also be responsible for filing the required reports with the Iowa Department of Education.

It shall be the responsibility of the secretary-treasurer to oversee the investment portfolio, to receive funds of the school district, to pay out the funds for expenses approved by the board, to maintain accurate accounting records for each fund, to report monthly regarding the investment portfolio and the status of each fund and to file required reports with the appropriate state agencies and other entities.

In the event the board secretary-treasurer is unable to fulfill the responsibilities set out by the board and the law, the superintendent secretary/purchasing manager will assume those duties until the board secretary-treasurer is able to resume the responsibility or a new board secretary-treasurer is appointed. The board secretary-treasurer will give bond in an amount set by the board. The cost of the bond will be paid by the school district.

Legal Reference: Iowa Code §§ 12B.10; 12C; 64; 279.3, .5, .7, .31-.33, .35; 291.2-4, .6-.15; 299.10, .16 (2005).
281 I.A.C. 12.3(1).
1978 Op. Att'y Gen. 328.

Cross Reference: 202.2 Oath of Office
210.1 Annual Meeting
215 Board of Directors' Records
501.10 Truancy - Unexcused Absences
704.3 Investments
707 Fiscal Reports
708 Care, Maintenance and Disposal of School District Records

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BOARD OF DIRECTORS' LEGAL COUNSEL

It shall be the responsibility of the board to employ legal counsel to assist the board and the administration in carrying out their duties with respect to the numerous legal issues confronting the school district. The board may appoint legal counsel at its annual meeting.

The superintendent and board secretary shall have the authority to contact the board's legal counsel on behalf of the board when the superintendent or board secretary believes it is necessary for the management of the school district. The board president may contact and seek advice from the school board's legal counsel. The board's legal counsel shall attend both regular and special school board meetings upon the request of the board or the superintendent. Board members may contact legal counsel upon approval of a majority of the board. It shall be the responsibility of each board member to pay the legal fees, if any, of an attorney the board member consulted regarding matters of the school district unless the board has authorized the board member to consult an attorney on the matter.

It shall be the responsibility of the superintendent to keep the board informed of matters for which legal counsel was consulted, particularly if the legal services will involve unusual expense for the school district.

Legal Reference: Bishop v. Iowa State Board of Public Instruction, 395 N.W.2d 888 (Iowa 1986).
Iowa Code § 279.37 (2005).

Cross Reference: 200 Legal Status of the Board of Directors

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BOARD OF DIRECTORS' SELF-EVALUATION

Periodically, the board shall conduct an evaluation of itself. The goal of the self-evaluation is not to criticize fellow board members but rather to point out strengths as well as weaknesses of the board.

The evaluation will focus on board policies, board meetings, education program, financial management, board members' personal qualities, and the board's relationship with the superintendent, employees, school district community, and students.

It shall be the responsibility of the board president to develop a board evaluation program. The board may employ an outside facilitator if the board determines the facilitator is necessary.

Legal Reference: Iowa Code § 279.8 (2005).

Cross Reference: 105 Long-Range Needs Assessment

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AD HOC COMMITTEES

Whenever the board deems it necessary, the board may appoint a committee composed of citizens, employees or students to assist the board. Committees formed by the board are ad hoc committees.

An ad hoc committee is formed by board resolution which shall outline the duties and purpose of the committee. The committee is advisory in nature and has no duty or responsibility other than that specifically stated in the board resolution. The committee shall automatically dissolve upon the delivery of its final recommendation to the board or upon completion of the duties outlined in the board resolution. The board will receive the report of the committee for consideration. The board retains the authority to make a final decision on the issue. The committee may be subject to the open meetings law.

The method for selection of committee members shall be stated in the board resolution. When possible, and when the necessary expertise required allows, the committee members will be representative of the school district community and shall consider the various viewpoints on the issue. The board may designate a board member and the superintendent to serve on an ad hoc committee. The committee will select its own chairperson, unless the board designates otherwise.

Legal Reference: Iowa Code §§ 21; 279.8; 280.12(2) (2005).
281 I.A.C. 12.3(3), .3(8); .5(8).
O.A.G., Nov. 18, 1993

Cross Reference: 104 The People and Their School District
105 Long-Range Needs Assessment
212 Open Meetings
213 Closed Sessions
218 Board of Directors' Records
605.1 Instructional Materials Selection
900 Principles and Objectives for Community Relations

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AD HOC COMMITTEES EXHIBIT

Ad Hoc Committee Purpose and Function

The specific purpose of each ad hoc committee varies. Generally, the primary function of an ad hoc committee is to give specific advice and suggestions. The advice and suggestions should focus on the purpose and duties stated in the board resolution establishing the committee. It is the board's role to take action based on information received from the ad hoc committee and other sources. Ad hoc committees may be subject to the open meetings law.

Role of an Ad Hoc Committee Member

The primary role of an ad hoc committee member is to be a productive, positive member of the committee. In doing so, it is important to listen to and respect the opinions of others. When the ad hoc committee makes a recommendation to the board, it is important for the ad hoc committee members to support the majority decision of the ad hoc committee. An ad hoc committee will function best when its members work within the committee framework and bring items of business to the ad hoc committee.

Ad Hoc Committee Membership

Ad hoc committee members may be appointed by the board. The board may request input from individuals or organizations, or it may seek volunteers to serve. Only the board or superintendent has the authority to appoint members to an ad hoc committee. Boards must follow the legal limitations or requirements regarding the membership of an ad hoc committee.

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DEVELOPMENT OF POLICY

The board has jurisdiction to legislate policy for the school district with the force and effect of law. Board policy provides the general direction as to what the board wishes to accomplish while allowing the superintendent to implement board policy.

The written policy statements contained in this manual provide guidelines and goals to the citizens, administration, employees and students in the school district community. The policy statements shall be the basis for the formulation of regulations by the administration. The board shall determine the effectiveness of the policy statements by evaluating periodic reports from the administration.

Policy statements may be proposed by a board member, administrator, employee, student or member of the school district community. Proposed policy statements or ideas shall be submitted to the superintendent's office for possible placement on the board agenda. It shall be the responsibility of the superintendent to bring these proposals to the attention of the board.

Legal Reference: Iowa Code §§ 274.1-.2; 279.8 (2005).
281 I.A.C. 12.3(2).
1970 Op. Att'y Gen. 287.

Cross Reference: 101 Educational Philosophy of the School District
200.1 Role of the Board of Directors
200.3 Powers of the Board of Directors
200.4 Responsibilities of the Board of Directors
210 Board of Directors' Management Procedures

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ADOPTION OF POLICY

The board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two regular board meetings. The proposed policy changes shall be distributed and public comment will be allowed at both meetings prior to final board action. This notice procedure shall be required except for emergency situations. If the board adopts a policy in an emergency situation, a statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The board shall have complete discretion to determine what constitutes an emergency situation.

The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the board at the next regular meeting after the meeting allowing public discussion. The policy will be effective on the later of the date of passage or the date stated in the motion.

In the case of an emergency, a new or changed policy may be adopted by a majority vote of a quorum of the board. The emergency policy shall expire at the close of the third regular meeting following the emergency action, unless the policy adoption procedure stated above is followed and the policy is reaffirmed.

Legal Reference: Iowa Code § 279.8 (2005).
281 I.A.C. 12.3(2).
1970 Op. Att'y Gen. 287.

Cross Reference: 200.1 Role of the Board of Directors
200.3 Powers of the Board of Directors
200.4 Responsibilities of the Board of Directors
210 Board of Directors' Management Procedures

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DISSEMINATION OF POLICY

A board policy manual shall be housed in each school attendance center and in the central administration office. Each board member shall have a personal copy of the board policy manual. Persons wishing to review the board policy manual shall contact the board secretary, who shall have a board policy manual available for public inspection.

It shall be the responsibility of the board secretary to ensure copies of new and revised policy statements are distributed to the custodians of board policy manuals no later than the first regular board meeting following the policy's adoption. Copies of changes in board policy shall also be included in or attached to the minutes of the meetings in which the final action was taken to adopt the new or changed policy.

It shall be the responsibility of each board member, during the board member's term of office, to keep the manual current and up-to-date and to surrender the manual to the board secretary at the conclusion of the board member's term of office.

Legal Reference: Iowa Code §§ 277.31; 279.8 (2005).
281 I.A.C. 12.3(2).

Cross Reference: 200.4 Responsibilities of the Board of Directors
210 Board of Directors' Management Procedures

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SUSPENSION OF POLICY

Generally, the board shall follow board policy and enforce it equitably. The board, and only the board, may, in extreme emergencies of a very unique nature, suspend policy. It shall be within the discretion of the board to determine when an extreme emergency of a very unique nature exists. Reasons for suspension of board policy shall be documented in board minutes.

Legal Reference: Iowa Code § 279.8 (2005).
281 I.A.C. 12.3(2).

Cross Reference: 200.4 Responsibilities of the Board of Directors
210 Board of Directors' Management Procedures

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ADMINISTRATION IN THE ABSENCE OF POLICY

When there is no board policy in existence to provide guidance on a matter, the superintendent is authorized to act appropriately under the circumstances surrounding the situation keeping in mind the educational philosophy and financial condition of the school district.

It shall be the responsibility of the superintendent to inform the board of the situation and the action taken and to document the action taken. If needed, the superintendent shall draft a proposed policy for the board to consider.

Legal Reference: Iowa Code § 279.8 (2005).
281 I.A.C. 12.3(2).

Cross Reference: 200.4 Responsibilities of the Board of Directors
210 Board of Directors' Management Procedures
303.4 Superintendent Duties
306 Policy Implementation

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REVIEW AND REVISION OF POLICY

The board shall, at least once every four years, review board policy. Once the policy has been reviewed, even if no changes were made, a notation of the date of review shall be made on the face of the policy statement.

The board will review one-fourth of the policy manual annually according to the established review cycle:

It shall be the responsibility of the superintendent to keep the board informed as to legal changes at both the federal and state levels. The superintendent shall also be responsible for bringing proposed policy statement revisions to the board's attention.

If a policy is revised because of a legal change over which the board has no control or a change which is minor, the policy may be approved at one meeting at the discretion of the board.

Legal Reference: Iowa Code § 279.8 (2005).
281 I.A.C. 12.3(2).

Cross Reference: 200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedures

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REVIEW OF ADMINISTRATIVE REGULATIONS

Board policy sets the direction for the administration of the education program and school district operations. Some policies require administrative regulations for implementation.

It shall be the responsibility of the superintendent to develop administrative regulations to implement the board policies. The regulations, including handbooks, will be reviewed and approved by the board prior to their use in the school district.

The administrative regulations will be available within sixty days after the adoption of the board policy unless the board directs otherwise.

Legal Reference: Iowa Code §§ 279.8, .20 (2005).

Cross Reference: 200.4 Responsibilities of the Board of Directors
210 Board of Directors' Management Procedures

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ANNUAL MEETING

Each year after August 31 and prior to the organizational meeting of the board, in odd-numbered years, the board will hold its annual meeting. In even-numbered years it should be at the board's first regular meeting after August 31, if possible. In even-numbered years the board president and vice-president are elected to one-year terms.

At the annual meeting, the board will examine the financial books and settle the secretary's and treasurer's statements for the fiscal year ending the preceding June 30. As part of the annual reports, the treasurer will present affidavits from depository banks.

The board may also appoint the board's legal counsel at the annual meeting.

NOTE: The requirement that the treasurer present an affidavit for depository banks is a legal requirement. The range of dates for a board's annual meeting comply with Iowa law. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 17 #1 – August 5, 2003.

Legal Reference: Iowa Code §§ 279.3, .33 (2005).

Cross Reference: 206.3 Secretary-Treasurer
701.1 Depository of Funds
707 Fiscal Reports

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REGULAR MEETING

The regular meeting time and date shall be set by the board at its annual organizational meeting. The regular meetings of the board will be held on the second Monday of each month.

Meetings will begin promptly at 6:30 p.m. All meetings are held at the high school media center. The board shall adhere to these meeting dates and time unless the board requires additional meetings or, due to circumstances beyond the board's control, the meeting cannot be held on the regular meeting date, and the meeting will be re-scheduled at the board's convenience.

Public notice of the meetings shall be given.

Legal Reference: Iowa Code §§ 21.3, .4; 279.1 (2005).
1980 Op. Att'y Gen. 148.

Cross Reference: 200.2 Organization of the Board of Directors
211 Board of Directors' Meetings

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SPECIAL MEETING

It may be necessary for the board to conduct a special meeting in addition to the regularly scheduled board meeting. Special meetings may be called by the president of the board or by the board secretary at the request of a majority of the board. Should a special meeting be called, public notice shall be given.

If the special meeting called is an emergency meeting and the board cannot give public notice in its usual manner, the board shall give public notice of the meeting as soon as practical and possible in light of the situation. The reason for the emergency meeting and why notice in its usual manner could not be given shall be stated in the minutes.

Only the purpose or issue for which the special meeting was called may be discussed and decided in the special meeting. The board shall strictly adhere to the agenda for the special meeting and action on other issues shall be reserved for the next regular or special board meeting.

Legal Reference: Iowa Code §§ 21.3, .4; 279.2 (2005).
1980 Op. Att'y Gen. 148.

Cross Reference: 200.2 Organization of the Board of Directors
211 Board of Directors' Meetings

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WORK SESSIONS

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, the board may schedule work sessions and retreats in order to provide its members and the administration with such opportunities. The board has the authority to hire an outside facilitator to assist them in work sessions.

Topics for discussion and study will be announced publicly, and work sessions and retreats will be conducted in open session. No board action will take place at the work session.

Legal Reference: Iowa Code §§ 21; 279.8 (2005).
1982 Op. Att'y Gen. 162.
1980 Op. Att'y Gen. 167.
1976 Op. Att'y Gen. 384, 514, 765.
1972 Op. Att'y Gen. 158.
1970 Op. Att'y Gen. 287.

Cross Reference: 211 Board of Directors' Meetings
212 Open Meetings

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MEETING NOTICE

Public notice shall be given for meetings and work sessions held by the board. Public notice shall indicate the time, place, date and tentative agenda of board meetings. The public notice shall be posted on the bulletin board in the central administration office at least three work days before it is scheduled, but, at the minimum, twenty-four hours notice needs to be given.

A copy of the public notice will be provided to those who have filed a request for notice with the secretary. These requests for notice must be in writing. A copy of the public notice will also be accessible to employees and students.

In the case of special meetings, public notice shall be given in the same manner as for a regular meeting unless it is an emergency meeting. In that case, public notice of the meeting shall be given as soon as practical and possible in light of the situation. The media and others who have requested notice shall be notified of the emergency meeting. Attendance at a special meeting or emergency meeting by the media or board members shall constitute a waiver of notice.

It shall be the responsibility of the board secretary to give public notice of board meetings and work sessions.

Legal Reference: Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).
Iowa Code §§ 21.2-.4; 279.1, .2 (2005).
1952 Op. Att'y Gen. 133.

Cross Reference: 211 Board of Directors' Meetings
214 Board of Directors' Meeting Agenda

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QUORUM

Action by the board regarding the affairs of the school district may be taken only when a quorum, a majority of the board members, is in attendance at the board meeting.

While board members are encouraged to attend board meetings, three members shall constitute a quorum and are a sufficient number to transact business of the school corporation. The adjournment of a meeting may be executed without a quorum.

An affirmative vote of a majority of the votes cast shall be sufficient to pass a motion or take action unless law or board policy requires a vote of a greater number.

It is the responsibility of each board member to attend board meetings.

Legal Reference: Iowa Code §§ 21.5(1); 279.4 (2005).

Cross Reference: 211 Board of Directors' Meetings

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RULES OF ORDER

An orderly board meeting allows the board members to participate in the discussion and decision process on an issue confronting the school district. Rules of order for board meetings allow school district business and the relative information concerning the business to be brought to the attention of the board. They also allow the board to discuss, act upon and make a clear record of school district business in a regular, ordered, reasonable and consistent manner.

It shall be the responsibility of each board member to follow the rules of order stated in this policy at each meeting, and it shall be the responsibility of the presiding officer to conduct the board meeting within these rules.

The board shall follow Robert's Rule of Order, Revised, latest edition as modified by this policy and subsequent rule.

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 all necessary matters can be brought to the board and decisions of the board can be made in an orderly and reasonable manner;
- To ensure members of the board, concentrating on the substantive issues at hand, have the necessary information to make decisions, and to ensure adequate discussion of decisions to be made; and,
- To ensure meetings and actions of the board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

Legal Reference: Iowa Code §§ 21.2, .7; 279.8 (2005).

Cross Reference: 211 Board of Directors' Meetings
214.2 Order of the Regular Board of Directors' Meeting

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RULES OF ORDER REGULATION

The following rules of procedure have been adopted by the board at the annual or organizational meeting:

1. Board members need not rise to gain the recognition of the board president.
2. All motions will be made as a positive action.
3. A motion will be adopted or carried if it receives an affirmative vote from more than half of the votes cast. Only "yes" and "no" votes are counted in this calculation. It should be noted that some motions require larger numbers of affirmative votes, such as to move into a closed session.
4. All motions shall receive a second, prior to opening the issue for discussion of the board. If a motion does not receive a second, the board president may declare the motion dead for lack of a second.
5. The board president may decide the order in which board members will be recognized to address an issue. An attempt should be made to alternate between pro and con positions.
6. The board president shall rule on all motions that come before the board.
7. The board president may rule on points of order brought before the board.
8. The board president shall have complete authority to recognize a member of the audience regarding a request to participate in the board meeting. Members of the public who wish to participate shall follow board policy.
9. The board president has the authority to declare a recess at any time for the purpose of restoring decorum to the meeting.
10. The board president has the same authority and responsibility as each board member to vote on all issues.

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METHOD OF VOTING

In keeping with the public nature of the meeting, votes by the board, except those required by law to be roll call, shall be by voice vote unless a board member requests a roll call vote. An affirmative vote of the majority of votes cast, excluding abstentions, is sufficient to adopt a motion unless a higher percentage of affirmative votes is required by law or board policy.

It shall be the responsibility of the board secretary to publicly announce the vote and record the vote of each board member in the minutes of the board meetings. The minutes should be written so that a reader can determine how each board member present at the meeting voted on each issue.

Legal Reference: Iowa Code §§ 21.3, .5(1); 279.8 (2005).

Cross Reference: 211 Board of Directors' Meetings

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