

BOARD OF DIRECTORS AND ADJOINING DISTRICT BOARD OF DIRECTORS

The board may work with adjoining school district boards to provide additional opportunities in the school district's education programs as well as to operate the school district more economically and efficiently. As part of this joint effort, the board shall pay particular attention to opportunities to share students, programs and employees.

Legal Reference: Iowa Code §§ 28E; 273.8(2); 279.8; 280.13A, .15 (2005).

Cross Reference: 410.2 Shared Licensed Employees
606.1 Shared Students

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BOARD OF DIRECTORS AND AREA EDUCATION AGENCY

The board shall utilize the resources of the Keystone Area Education Agency (AEA 1). Resources may include, but not be limited to, school psychologists, speech therapists, nurses, social workers, general and special education consultants, and educational materials.

The board may also utilize the AEA to work with other school districts in the region for program offerings or for purchase of supplies.

Legal Reference: Iowa Code §§ 28E; 273; 279.8 (2005).
1978 Op. Att'y Gen. 224.

Cross Reference: 302.4 Administration and Area Education Agency
603.3 Special Education
605.4 Technology and Instructional Materials

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BOARD OF DIRECTORS AND ELECTED OFFICIALS

Being aware of, and expressing their opinion on, proposed law revisions and new laws is essential to maintaining and creating an education program to meet the needs of the school district community.

It shall be the responsibility of the board to maintain contact with the elected official representing the school district. It shall be the responsibility of the superintendent to assist the board in keeping up-to-date on proposed laws and in contacting the elected officials who represent the school district.

Legal Reference: Iowa Code §§ 39.11, 68B; 279.8 (2005).

Cross Reference: 221 Gifts to Board of Directors

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BOARD OF DIRECTORS' RECORDS

The board shall keep and maintain permanent records of the board including, but not limited to, records of the minutes of board meetings and other required records of the board.

It shall be the responsibility of the board secretary to keep the minutes of the board meetings. The minutes of each board meeting shall include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member, and the schedule of bills allowed shall be attached. This information shall be available within two weeks of the board meeting and forwarded to the newspaper designated as the official newspaper for publication. The information does not need to be published within two weeks. The schedule of bills allowed may be published on a once monthly basis in lieu of publication with the minutes. The permanent records of the board minutes may include more detail than is required for the publication of the minutes.

Minutes waiting approval at the next board meeting will be available for inspection at the central administration office after the board secretary transcribes the notes into typewritten material which has been proofread for errors and retyped.

Legal Reference: Iowa Code §§ 21; 22; 279.8, .35, .36; 291.6, .7; 618.3 (2005).
281 I.A.C. 12.3(1).
1982 Op. Att'y Gen. 215.
1974 Op. Att'y Gen. 403.
1952 Op. Att'y Gen. 133.

Cross Reference: 206.3 Secretary
206.4 Treasurer
209 Committees of the Board of Directors
214 Board of Directors' Meeting Agenda
708 Care, Maintenance and Disposal of School District Records
901.1 Public Examination of School District Records

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BOARD MEETING MINUTES

Since the official minutes of the board are the only basic legal record, it is important that they be recorded with extreme care and completeness. The board secretary will follow the following guidelines in writing board minutes:

With respect to content, the minutes should show the following:

1. The place, date, and time of each meeting.
2. The type of meeting--regular, special, emergency, work session.
3. Members present and members absent, by name.
4. The call to order and adjournment.
5. The departure of members by name before adjournment.
6. The late arrival of members, by name.
7. The time and place of the next meeting.
8. Approval, or amendment and approval, of the minutes of the preceding meeting.
9. Complete information as to each subject of the board's deliberation and the action taken.
10. The maker and seconder of the motion, what action was taken, and the vote on the motion detailed enough to attribute a vote to each member present.
11. Complete text of all board resolutions, numbered consecutively for each fiscal year.
12. A record of all contracts entered into, with the contract documents kept in a separate file.
13. A record of all change orders on construction contracts.
14. All employment changes, including resignations or terminations.
15. A record, by number, of the bills of account approved by the board for payment.
16. A record of all calls for bids, bids received, and action taken thereon.
17. Approval of all transfers of funds from one budgetary fund to another.
18. Important documents forming a part of a motion should be made a part of the minutes by exhibit and placed in the minute book along with the minutes.
19. Board policy and administrative guides should be made a part of the minutes by exhibit.
20. Adoption of textbooks and establishment of bus routes by the board for the school year as well as the school calendar should become a part of the minutes.
21. Approval or disapproval of open enrollment requests with justification for disapproval or approval after the deadline.
22. A record of all delegations appearing before the board and a record of all petitions.
23. At the annual meeting each year the record should indicate that the books of the treasurer and secretary and the Certified Annual Report have been examined and approved subject to audit.
24. The election or appointment of board officers.
25. The appointment of auditors to examine the books.

At the annual or organizational meeting, in odd numbered years, the minutes should reflect the following:

26. Appointment of a temporary chairperson if not specified in policy.
27. Oath of office administered to newly elected board members.
28. Nominations taken for the office of president and vice-president.
29. Election of the president and vice-president, the votes and the oath of office administered to the president and vice-president.
30. The resolution to pay bills when the board is not in session.
31. A resolution to automatically disburse payroll along with a roster of all employees under contract.
32. A resolution naming depositories along with the maximum deposit for each depository.
33. Resolution authorizing the use of a check protector and signer and the proper control of the signer.
34. Motion designating a member or a committee to examine the bills of account for a designated period of time on a rotation basis if desired for the balance of the school year.

NOTE: There are no legal requirements for the contents of board minutes other than those stated in the policy. The contents of this exhibit are suggestions and may be amended, altered or deleted. For more detailed discussion of this issue, see IASB's Policy Primer, Vol. 14 #2 – June 8, 2001.

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Code No. 219.1

ASSOCIATION MEMBERSHIP

Participation in board member associations are beneficial to the board. The board shall maintain an active membership in the Iowa Association of School Boards and in organizations the board determines will be of benefit to the board and the school district.

Legal Reference: Iowa Code § 279.38 (2005).

Cross Reference: 219.2 Board of Directors' Member Development and Training
219.4 New Board of Directors' Member Orientation

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BOARD OF DIRECTORS' MEMBER DEVELOPMENT AND TRAINING

The board may participate in conferences sponsored by educational associations and agencies in addition to its own in-service programs and work sessions.

The board shall work closely with the Iowa Association of School Boards' Academy of Board Learning Experiences and encourage the board members to participate in conferences to achieve the Better Boardmanship Award.

Legal Reference: Iowa Code §§ 279.8, .38 (2005).

Cross Reference: 219.1 Association Membership
219.4 New Board of Directors' Member Orientation

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BOARD OF DIRECTORS' MEMBER COMPENSATION AND EXPENSES

As an elected public official, the board member is a public servant who serves without compensation for the board member's time spent as a board member. Board members shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

Prior to reimbursement of actual and necessary expenses, the board member must submit a detailed receipt indicating the date, purpose and nature of the expense for each claim item. Failure to provide a detailed receipt shall make the expense a personal expense. Personal expenses shall be reimbursed by the board member to the school district no later than ten working days following the date of the expense. In exceptional circumstances, the board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances shall be maintained as part of the school district's record of the claim.

Travel outside of the school district must be pre-approved. Pre-approved expenses for transportation within three-hundred miles of the central administration office of the school district shall be by automobile. If a school district vehicle is not available, the board member will be reimbursed at the maximum rate per mile allowed by the state of Iowa. Pre-approved expenses for transportation outside of three-hundred miles shall be by public carrier. Reimbursement for air travel shall be at the tourist class fares. Should a board member choose to travel by automobile, reimbursement shall be limited to the public carrier amount. Pre-approved expenses for transportation in a rental car is limited to the cost of a Class "C" rental car at a medium priced agency unless the number of board members traveling on behalf of the school district warrant a larger vehicle. Travel inside the school district in the board member's personal vehicle will be reimbursed at the maximum rate per mile allowed by the state of Iowa.

Pre-approved expenses for lodging within the state is required. Pre-approved expenses for lodging outside the state is required. Lodging may be pre-approved for a larger amount if special circumstances require the board member to stay at a particular hotel.

Pre-approved expenses for meals within the state are limited to \$ 4.00 for breakfast, \$ 4.00 for lunch and \$ 7.00 for dinner. Pre-approved expenses for meals outside the state are limited to \$ 5.00 for breakfast, \$ 6.00 for lunch and \$ 9.00 for dinner. Meals may be pre-approved for a larger amount at the discretion of the board.

It shall be the responsibility of the board secretary to compile the expenses of board members and bring them to the board for audit and approval in the same manner as other claims of the school district. It shall be the responsibility of the board to determine through the audit and approval process of the board whether the expenses incurred by a board member are actual and necessary expenses incurred in the performance of their official duties.

Legal Reference: Iowa Code §§ 68B; 277.27; 279.7A, .8, .32 (2005).

Cross Reference: 203 Board of Directors' Conflict of Interest
401.12 Employee Travel Compensation
401.16 Credit Cards

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NEW BOARD OF DIRECTORS' MEMBER ORIENTATION

It is the responsibility of the board to educate new board members of the duties of their position. To acquaint new board members with the duties and role of the board of directors, each new board member may meet with the superintendent and the board secretary to become familiar with the responsibilities and the role of being a board member. New board members will have an opportunity to attend the IASB Academy of Board Learning Experiences Program.

It shall be the responsibility of the superintendent to ensure that new board members have an opportunity to attend an orientation conference and meet with the superintendent. It shall also be the responsibility of the superintendent to ensure that each new board member has necessary documents and board materials including a current board policy manual.

Legal Reference: Iowa Code § 279.8 (2005).

Cross Reference: 219.1 Association Membership
219.2 Board of Directors' Member Development and Training

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ACTIVITY PASSES FOR BOARD MEMBERS

In recognition of the great amount of time, energy, and talent as well as the interest of board members in the school district, past and present board members and their guest shall receive lifetime activity passes to school-sponsored activities.

It shall be the responsibility of the superintendent to ensure board members and their guest receive activity passes.

Legal Reference: Iowa Code § 279.8 (2005).

Cross Reference: 219 Board of Directors' Member Services
401.13 Employee Activity Passes

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SCHOOL VISITATION BY BOARD OF DIRECTORS

Board members are always welcome to visit the school building to observe the operations of the school district. It is recommended that board members notify the building office when they are in the building for board-related business.

It shall be the responsibility of each board member to check in with the building office when they are in the building.

Legal Reference: Iowa Code § 279.8 (2005).

Cross Reference: 904.3 Visitors to School District Buildings and Sites

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GIFTS TO BOARD OF DIRECTORS

Board members may receive a gift on behalf of the school district. Board members shall not, either directly or indirectly, solicit, accept or receive a gift, series of gifts or an honorarium unless the donor does not meet the definition of "restricted donor" stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below.

A "restricted donor" is defined as a person or other entity which:

- Is seeking to be or is a party to any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
- Will be directly and substantially affected financially by the performance or nonperformance of the board member's official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
- Is a lobbyist or a client of a lobbyist with respect to matters within the school district's jurisdiction.

A "gift" is the giving of anything of value in return for which something of equal or greater value is not given or received. However, "gift" does not include any of the following:

- Contributions to a candidate or a candidate's committee;
- Information material relevant to a board member's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the board recipient;
- Items received from a charitable, professional, educational or business organization to which the board member belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;
- Actual expenses of a board member for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the board member has participation or presentation responsibilities;
- Plaques or items of negligible resale value given as recognition for public service;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member for purposes of a business or educational conference, seminar or other meeting or solicited by or given to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;

GIFTS TO BOARD OF DIRECTORS

- Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts which are given to a public official for the public official's wedding or twenty-fifth or fiftieth wedding anniversary;
- Payment of salary or expenses by a board member's employer or the firm in which the board member is a member for the cost of attending a meeting of a subunit of an agency when the board member whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the board member is not entitled to receive compensation or reimbursement of expenses from the school district;
- Gifts other than food, beverages, travel and lodging received by a board member which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the board member; or
- Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

An "honorarium" is anything of value that is accepted by, or on behalf of, a board member as consideration for an appearance, speech or article. An honorarium does not include any of the following:

- Actual expenses of a board member for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the board member has participation or presentation responsibilities;
- A nonmonetary gift or series of nonmonetary gifts donated within thirty days to a public body, an educational or charitable organization or the department of general services; or
- A payment made to a board member for services rendered as part of a private business, trade or profession in which the board member is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as a board member but, rather, because of some special expertise or other qualification.

It shall be the responsibility of each board member to know when it is appropriate to accept or reject gifts or honorariums.

GIFTS TO BOARD OF DIRECTORS

Legal References: Iowa Code ch. 68B (2005).
1972 Op. Att'y Gen. 276.
1970 Op. Att'y Gen. 319.

Cross References: 203 Board of Directors' Conflict of Interest
217.5 Board of Directors and Elected Officials
402.4 Gifts to Employees
704.4 Gifts - Grants - Bequests

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NEGOTIATIONS

The board shall select a chief spokesperson who shall have the authority to represent the board in the phases of collective bargaining including, but not limited to, reaching a tentative agreement. Only the board has the authority to ratify master labor agreements.

Upon appointment of the chief spokesperson, negotiations between the certified bargaining unit and its members shall be directed to the board's chief spokesperson. Individual board members shall not be contacted directly by members of or representatives for, the bargaining unit concerning issues relating to the negotiation process.

The board, in conjunction with its chief spokesperson, shall determine the composition of the board's bargaining team.

The board shall set the parameters and goals for the negotiations. Periodic strategy sessions shall be considered with the entire board to maintain open communications between the board and its chief spokesperson. Strategy sessions are exempt from the open meetings law.

Legal Reference: Burlington Community School District v. PERB, 268 N.W.2d 517 (Iowa 1978).
Iowa Code §§ 20.17; 21.9 (2005).
621 I.A.C. 6.
1982 Op. Att'y Gen. 162.

Cross Reference: 213 Closed Sessions
400 Role of and Guiding Principles for Employees

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