

## **BOARD OPERATIONAL GOALS**

The Board is responsible to the people for whose benefit the school district has been established, and committed to the education of all students as appropriate to the best of their individual abilities. It is charged with accomplishing this while also being responsible for wise management of resources available to the district. By virtue of its responsibility and commitment the Board must establish those purposes, programs, and procedures that will respond to the district's immediate problems and long-range needs.

The Board must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy and by evaluating the results. Further, it must carry out its functions openly, while seeking the involvement and contributions of public, students and staff in its decision-making processes.

Additionally, the Board commits itself to the following objectives:

1. To interpret the educational needs and aspirations of the community, and to meet them through the formulation of policies that stimulate the learner and the learning process;
2. To continually evaluate the district's educational goals and their implementation in the district schools;
3. To formulate a sound fiscal policy in the interests of fiscal economy;
4. To provide the superintendent with sufficient and adequate guidelines to effectively carry out the goals and objectives of the school district;
5. To maintain effective communication with the public served by the schools, and with staff and students in order to maintain awareness of attitudes, opinions, desires and ideas.

Adopted: January 29, 1985

Reviewed: May 9, 2016

## **ANTI-FRAUD PROGRAMS AND CONTROLS (SAS99)**

The Statement of Auditing Standards (SAS) #99 indicates that management is responsible for designing and implementing systems and procedures for the prevention and detection of fraud and for ensuring a culture and environment that promotes honesty and ethical behavior.

Research suggests that the most effective way to implement measures to reduce wrongdoing is to base them on a set of core values that are embraced by the entity. These values provide an overarching message about the key principles guiding all employees' actions.

Three fundamental elements have been identified to assist schools to prevent, deter and detect fraud. Broadly stated, these fundamental elements are as follows:

### **Creating a culture of honesty and high ethics**

- Setting the tone at the top
- Creating a positive workplace environment
- Hiring and promoting appropriate employees
- Training discipline

### **Evaluating anti-fraud processes and controls**

- Identifying and measuring fraud risks
- Mitigating fraud risks
- Implementing and monitoring appropriate internal controls

### **Developing an appropriate oversight process**

- Governing board awareness
- Management's role
- Internal auditors
- Independent auditors

Adopted: March 14, 2005

Reviewed: May 9, 2016

## **SCHOOL BOARD LEGAL STATUS**

The School Board derives its authority from the Constitution of the State of South Dakota, from the acts of the State Legislature, the electorate of the district and the regulations of the State Board of Education and State Board of Vocational Education.

As expressed in the law, the Board is the governing board of a school district, and is created ". . . for the purpose of organizing, maintaining, and locating schools and for providing educational opportunities and services for all citizens residing within the school district."

The Board will consist of five members, elected at large by the registered voters of the district. Except as otherwise provided by law, Board members will hold office for terms of three years.

Adopted: January 29, 1985

Reviewed: May 9, 2016

LEGAL REFS.: SDCL 13-6-13.1

SDCL 13-8-7.1

SDCL 13-6-2

CROSS REFS.: AA: School District Legal Status

BBA: School Board Powers and Duties

BBB: School Board Elections

## SCHOOL BOARD POWERS AND DUTIES

Under the laws of South Dakota, the School Board acts as the governing body of the public schools with full powers of direction and control. The Board derives its authority from the state legislature and will function within the framework of state and federal laws and regulations, court decisions and attorney general opinions.

Recognizing the authority of the state, the Board considers the following its general functions:

1. To select and employ a Superintendent of schools and support him or her in the discharge of his or her responsibilities.
2. To formulate and enact policy and to delegate the application of policies to the Superintendent and his staff, who will be held responsible for the effective administration and supervision of the entire school system.
3. To provide for the planning, expansion, improvement, financing, construction and maintenance of the physical plant of the school system.
4. To establish and maintain records, accounts, archives, management methods and procedures incidental to the conduct of school business.
5. To approve the budget, financial reports, audits, major expenditures, payment of obligations and policies that enable the administration to formulate regulations and other guides for the orderly accomplishment of business.
6. To estimate and levy taxes for the operation, support, maintenance, improvement and extension of the school system.
7. To adopt courses of study, and provide instructional materials.
8. To employ support and certificated personnel to carry out school programs, and provide fair and equitable compensation.
9. To evaluate the educational program to determine the effectiveness with which the schools are achieving the educational purpose of the school system.
10. To provide for the dissemination of school district information to the public and maintain open lines of communication with the community.

Adopted January 29, 1985

Reviewed: May 9, 2016

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

## **BOARD MEMBER AUTHORITY**

The powers delegated to a School Board by the state are delegated to the Board as a whole. No authority is granted Board members acting as individuals.

The Board exercises its powers and duties only in properly called meetings, where a majority of the Board constitutes a quorum to transact business. Except when performing a specific duty as ordered by the Board, the decision and actions of a single member of the Board are not binding on the entire Board.

Adopted: January 29, 1985

Reviewed: May 9, 2016

**Policy References:** Legal references indicate the basis or authority for the board to enact this policy, and policy cross-references identify additional policies related to the subject matter of the above policy.

<b>State Reference</b>	<b>Description</b>
SDCL 13-8-10	<u>Meetings of board</u>
SDCL 13-8-39	<u>Management of schools by board - general powers</u>
SDCL 2-14-15	<u>Majority exercising joint authority</u>

  

<b>Policy Reference</b>	<b>Description</b>
BBF	<u>BOARD MEMBER CODE OF ET</u>

## SCHOOL BOARD ELECTIONS

The school board shall select the date of the annual school election by resolution no later than the first regular meeting after January first of each year. The annual election shall be set between the second Tuesday in April and the third Tuesday in June between the hours of 7:00 a.m. and 7:00 p.m. on Election Day.

The school district and the municipality have the option of holding combined school district-municipal elections. Subject to approval of the governing bodies, the combined election may be held on the date set by the school district or the general municipal election (second Tuesday in April). Expenses and all other governmental responsibilities of a combined election are to be shared in an agreed upon manner by the governing bodies of the school district and the municipality.

If the election is held in April, the nominating petition must be filed between 40 and 20 days before the date of the election.

If the election is held in June, a nominating petition must be filed on behalf of the candidate with the school district business manager, no earlier than the third Monday in April and no later than 5 p.m. on the second Friday in May, prior to the date of the election.

The nominating petition must contain the names of at least 20 electors of the district, not including candidates.

The Secretary of State must be notified in writing, by telephone, or electronic mail within 15 days of scheduling the date for conducting an election.

Adopted: January 29, 1985

Reviewed: May 9, 2016

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

## BOARD MEMBER QUALIFICATIONS

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

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

Adopted: January 29, 1985

Reviewed: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 12-3-1	<u>General qualifications of voters</u>
SDCL 13-7-3	<u>Public offices incompatible with board membership</u>
SDCL 3-1A	<u>Officers' statements of financial interest</u>
<b>Policy Reference</b>	<b>Description</b>
BBF	<u>BOARD MEMBER CODE OF ETHICS</u>
BBFA	<u>BOARD MEMBER CONFLICT OF INTEREST</u>

**BOARD MEMBER OATH OF OFFICE**

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

Appointed members will take and subscribe the oath at the meeting following their appointment.

All oaths will be administered by the Business Manager and will remain on file in the office of the Business Manager.

Adopted: January 29, 1985

Reviewed: May 9, 2016

SD Constitution Article 21 Section 3

SDCL 13-8-14 Assumption of office by new members

SDCL 13-8-15 Filing and administration of oaths

SDCL 3-1-5 Oath of office for civil officers; Acting as officer without qualifying—

SDCL 3-1-8 Misdemeanor

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**BOARD MEMBER OATH OF OFFICE**

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

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**Board Member Signature**

Or the following may be used:

**I SWEAR THAT:**

1. I will observe and enforce state laws and regulations pertaining to education.
2. I will accept office as a board member as a means of unselfish service.
3. I will transact school business only in regular sessions.
4. I will represent the entire community without fear or favor.
5. I will remember at all times that I am one of a team.
6. I will accept all board decisions once they are made and assist in carrying them out effectively.
7. I will delegate action to the chief school administrator as the board executive and confine board action to policy making, planning and appraisal.
8. I will employ only competent, trained personnel and these only on the recommendations of the chief school administrator.
9. I will preserve the right and obligation of teachers to teach controversial issues fairly and without bias.  
(Source: Associated School Boards of South Dakota)

Adopted: January 29, 1985

Reviewed: May 9, 2016

## BOARD MEMBER RESIGNATION/REMOVAL FROM OFFICE

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

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

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

Adopted: May 9, 2016

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

## UNEXPIRED TERM FULFILLMENT

When a vacancy occurs on the Harding County School Board due to the failure to elect a person to succeed a school board member whose term has expired, or an elected school board member's failure to qualify, or a school board member's resignation, the vacancy shall be filled by all school board members, including the vacating member.

When a vacancy occurs on the board due to death of a board members, is removed from the board pursuant to law, ceases to be a resident of the school district or representation area where elected, Is convicted of any infamous crime or of any offense involving a violation of the member's official oath, has a judgment obtained against the member for breach of the member's official bond, is incapacitated and is unable to attend to the duties of the position, or assumes the duties of an office incompatible with the duties of a school board member, the remaining board members are responsible for the appointment of a new board member.

The new appointee will qualify as if elected, at or before the next school board meeting. The appointee will serve until the next succeeding election, at which time a successor will be elected to serve the unexpired term.

Adopted: January 29, 1985

Revised: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 13-8-14	<u>Assumption of office by new members</u>
SDCL 13-8-23	<u>Events creating vacancy on board</u>
SDCL 13-8-25	<u>Appointments to fill vacancies on board</u>
SDCL 3-14	<u>Expiration of term of office</u>

  

<b>Policy Reference</b>	<b>Description</b>
BBEA	<u>UNEXPIRED TERM FULFILLMENT PROCEDURE</u>

**UNEXPIRED TERM FULFILLMENT PROCEDURE**

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

1. An announcement of the vacancy will be published in the official newspaper.
2. The announcements will invite individuals to submit applications or nominations to the Board by a date set by the Board. An application form may be obtained at the school business office.
3. The Board will meet in executive session to discuss qualifications, interests, attitudes, and goals of the potential candidate.
4. The Board will interview potential appointees in executive session.
5. The appointment of the new member will be made by a majority of the Board members at an open meeting.
6. Action on the appointment will be included on the published agenda for the meeting.

Adopted: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 13-8-14	<u>Assumption of office by new members</u>
<b>Policy Reference</b>	<b>Description</b>
BBE	<u>UNEXPIRED TERM FULFILLMENT</u>

### **School Board Member Code of Ethics**

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

1. adhere to the principle that the responsibility of the school board is to govern the District, which includes but is not limited to establishing goals, planning, developing effective policies, and evaluation;
2. practice good stewardship of the District's resources;
3. leave the daily administration of schools to the Superintendent;
4. professional development;
5. recognize and follow the legal principles that (a) the authority vests with the majority of the members of the governing board when assembled in meetings as authorized by law, (b) no individual school board member has, or a minority of school board members have, the legal right to bind the District, and (c) no individual school board member may make decisions on behalf of the District unless upon approval of a majority of school board members.
6. make informed decisions on matters brought before the school board;
7. recognize and adhere to the policy that it is the responsibility of the school board to plan, make, implement, appraise, and enforce policies and that it is not the responsibility of the school board or school board members to run the day-to-day operations of the District;
8. observe and enforce federal and state laws and regulations;
9. respect the limited intent and scope of executive sessions as set forth in statute;
10. respect confidential communications made during executive sessions held pursuant to SDCL 1-25-2 and shall not divulge privileged communications made during executive session held pursuant to SDCL 1-25-2 unless required by law, and shall respect confidential communications related to students and employees, and shall not discuss such confidential information at home, at work or in public;
11. distinguish between personal views and those of the school board when making public comments regarding school district matters;
12. present information to the school board without distortion and accurately represent facts concerning school district matters in direct or indirect public statements;
13. maintain professional relationships in a manner which are free of vindictiveness, recrimination and harassment;
14. refer persons having complaints to the applicable complaint policy and appropriate school administrator; refrain from giving an opinion on the merits of the complaint unless, following the complaint procedure required in the school board complaint policy, the matter is before the school

board;

15. respect the legitimacy of the goals and interests of other school board members and respect the rights of other school board members to pursue goals and policies different from their own;
16. respect, require and contribute to the maintenance of order and decorum in proceedings before the school board;
17. be honest, patient, dignified, and courteous to those with whom he/she deals with in his/her official capacity;
18. diligently discharge responsibilities and dispose promptly of the business of the school district for which he/she is responsible;
19. inform the school board president or school district business manager as soon as possible upon learning that he/she will not be in attendance at a school board meeting;
20. refrain from personal, professional, business and financial dealings that interfere with or are in conflict with, or give the appearance of interfering with or being in conflict with, the performance of official duties;
21. not use the office of a school board member to promote political candidates or partisan political activities;
22. not accept nor offer any gratuities, gifts, services, or things of value that (a) impair professional judgment, (b) offer special advantage or benefit to any person or organization, or (c) provide a direct or indirect personal benefit.
23. not commit any act of moral turpitude or gross immorality;
24. render a decision as a school board member only after having discussed the matter with other board members in a legal school board meeting, after having reviewed applicable information and data, and after having considered recommendations including but not limited to recommendations from school administration;
25. support Board decisions made by the majority of governing board members, subject to a board member's right to formally make a motion at a school board meeting to have the decision reconsidered or rescinded;
26. not have any direct pecuniary interest in a contract with the school district or furnish directly any labor, equipment or supplies to the district unless the amount involved is less than five thousand dollars (\$5,000).
27. not participate in discussion or vote on any issue in which I have an actual or the potential of a conflict of interest in the following circumstances:
  - a. a "direct pecuniary interest, (a matter benefiting the board member's own property or affording a direct financial gain);

- b. an “indirect pecuniary interest” (a matter that financially benefits one closely tied to the board member, such as an immediate family member or an employer);
- c. a “direct personal interest” (a matter that benefits a blood relative or close friend in a non-financial way); and
- d. an “indirect personal interest” (a matter in which the board member individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies); or
- e. when at least two-thirds of the governing board members vote that there is an identifiable conflict of interest that should prohibit the member from voting on a specific matter.

28. Pursuant to SDCL 1-25-2(1), the Board of Education may enter into executive session to discuss the performance of an elected school board member, which may include discussing a perceived or alleged violation of this policy. Should the majority of school board members determine that a school board member has violated one or more provisions of this policy, the school board may, in open session, reprimand the school board member for a violation of the School Board Member Code of Ethics.

Adopted: January 29, 1985

Revised: May 9, 2016

<b>State Reference</b>	<b>Description</b>
Hanig V. City of Winner	2005 SD 10, 692 N.W.2d 202
SD Constitution Article 8 §17	<u>Interest in sale of school equipment prohibited</u>
SDCL 13-20-2.1	<u>Interest in sale of school equipment unlawful</u>
SDCL 13-43-1	<u>Employment of board member in same district prohibited</u>
SDCL 13-7-3	<u>Public offices incompatible with board membership</u>
SDCL 3-16	<u>Malfeasance, misfeasance and nonfeasance in office</u>
SDCL 6-1-1	<u>Local officer’s interest in public purchase or contract unlawful</u>
SDCL 6-1-17	<u>Prohibition from discussion or voting on issue if conflict of interest exists</u>
SDCL 6-1-2	<u>Conditions which contract with local officer permitted</u>

<b>Policy Reference</b>	<b>Description</b>
BBA	<u>SCHOOL BOARD POWERS AND DUTIES</u>
BBAA	<u>BOARD MEMBER AUTHORITY</u>
BBBA	<u>BOARD MEMBER QUALIFICATIONS</u>
BBFA	<u>BOARD MEMBER CONFLICT OF INTEREST</u>

**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. As public officials holding the respect and trust of the community, Harding County School Board members will not use the office for personal advantage.

A board member will not have any direct pecuniary interest in a contract with the school district or furnish directly any labor, equipment or supplies to the district unless the amount involved is less than five thousand dollars (\$5,000).

Each member shall decide if any potential conflict of interest requires disqualification from participation in board discussion or action. No board member may participate in discussion or vote on any issue in which the member has a conflict of interest if the following circumstances apply:

1. "Direct pecuniary interests," when a school board member votes on a matter benefiting the board member's own property or affording a direct financial gain;
2. "Indirect pecuniary interests," when a school board member votes on a matter that financially benefits one closely tied to the official, such as an employer, or family member;
3. "Direct personal interest," when a school board member votes on a matter that benefits a blood relative or close friend in a non-financial way; and
4. "Indirect Personal Interest," when a school board member votes on a matter in which an individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies; or
5. At least two-thirds of the Board votes that a member has an identifiable conflict of interest that should prohibit the member from voting on a specific matter.

Adopted: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SD Constitution Article 8 §17	<u>Interest in sale of school equipment prohibited</u>
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SDCL 6-1-2	<u>Conditions which contract with local officer permitted</u>





## ANNUAL BOARD ORGANIZATIONAL MEETING

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

The meeting will be called to order by the Business Manager and the oath of office will be given by the business manager to all newly elected Board members. The business manager will conduct the election for the School Board President. The Board President will assume office and will conduct the election for the Vice-President. The persons elected as President and Vice President shall serve in the positions until the next annual meeting.

### **BUSINESS ITEMS**

Items of business to come before the annual meeting may include but are not limited to:

1. Setting of date, time and place for regular meetings (required);
2. Designation of official depository or depositories (required);
3. Designation of the custodians of all accounts (required);
4. Authorize business manager to electronically transfer funds for specifically authorized purposes;
5. Designation of official legal newspaper (required);
6. Designation of school board member(s) who in addition to the school board president have the authority to countersign checks drawn by the business manager (required);
7. Authorization of continuation of existing funds or accounts and the establishment of any new accounts;
8. Establishment of school board committees (such as finance, curriculum, negotiations, facility, transportation, policy review and development and such other committees as determined by the school board) and school board representatives to serve on other boards as applicable (i.e., educational cooperative board, equalization board, ASBSD Delegate Assembly, etc.);
9. Setting bond for school business manager (required), and in discretion of school board, set bonds for school board members and other employees;
10. Appointment of truancy officer;
11. Appointment of Title IX compliance officer;
12. Appointment of Rehabilitation Act Section 504 compliance officer;
13. Appointment of Americans with Disabilities Act compliance officer;
14. Appointment of Age Discrimination Act compliance officer;

15. Appointment of Asbestos compliance officer;
16. Designation of parliamentary procedure guidelines for Board meetings;
17. Authorization of business manager to invest and reinvest funds in institution, which serves greatest advantage to school district;
18. Selecting date of annual school election;
19. Setting school activities admission fees;
20. Authorization of superintendent to close school in emergency situations and in case of inclement weather and setting chain of command in event superintendent is absent;
21. Establish Board of Education compensation;
22. Designation of School District Attorney(s);
23. Authorize participation in associations (i.e., ASBSD, SDHAA, etc.).

Adopted: January 29, 1985

Reviewed: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 13-8-10	<u>Meetings of board</u>
SDCL 13-8-14	<u>Assumption of office by new members</u>
SDCL 13-8-18	<u>Amount of business manager's bond</u>

## **SCHOOL BOARD OFFICERS**

### **PRESIDENT**

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

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

### **VICE PRESIDENT**

The Vice President of the Board will assume the duties and responsibilities of the president in his absence. The vice president will also perform such other duties as may be assigned by the Board.

Adopted: January 29, 1985

Reviewed: May 9, 2016

#### **LEGAL REFS.:**

- |              |   |
|--------------|---|
| SDCL 13-8-10 | Meetings of the board                   |
| SDCL 13-8-26 | Duties of president of the school board |

## **APPOINTED BOARD OFFICIALS**

The Harding County School Board will employ a business manager who may be authorized to make all purchases for the school board, in compliance with state law and within the budget approved by the board.

Other duties of the business manager include:

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

Adopted: January 29, 1985

Reviewed: May 9, 2016

LEGAL REFS.: SDCL 13-8-11; 13-8-27; 13-8-28

CROSS REFS.: DH, Bonded Employees and Officers

DIC, Financial Reports and Statements

## **SCHOOL BOARD & SUPERINTENDENT RELATIONSHIP**

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

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

The board believes that the legislation of policies is its most important function and that the execution of those policies is the function of the superintendent.

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

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

Adopted: January 29, 1985

Revised: May 9, 2016

### SCHOOL BOARD-SUPERINTENDENT RELATIONSHIP

SCHOOL BOARD FUNCTIONS	SUPERINTENDENT FUNCTIONS
Decides the nature and extent of the instructional program, such as the requirements for graduation, curriculum adoption and extracurricular activities.	Directs the instructional program, such as putting the curriculum into effect, supervising the teachers, classifying the students and setting up student records.
Employees personnel	Nominates and assigns all personnel, teaching and non-teaching
Establishes personnel policy—sets qualifications, defines sick leave, defines leave of absence	Administers personnel policy—administers sick leave, arranges for substitutes, keeps personnel records.
Adopts the budget, with or without modification	Prepares the budget
Adopts salary schedules with or without modification	Prepares and recommends salary schedules
Reviews the monthly receipts and expenditures	Supervises proper accounting procedures and reports
Adopts the school calendar	Prepares the school calendar
Approves purchases of equipment, supplies and textbooks	Recommends purchases of equipment, supplies and textbooks
Purchases sites and adopts building plans	Prepares building plans with assistance of an architect.
Adopts public relations policy	Directs the public relations program
Evaluates the school program	Helps board evaluate by submitting studies, reports or surveys.

SOURCE: Associated School Boards of South Dakota

Adopted: January 29, 1985

Reviewed: May 9, 2016

## **BOARD COMMITTEES**

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

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

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

Adopted: January 29, 1985

Reviewed: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 13-8-26	Duties of president of school board



## **ADVISORY COMMITTEES TO THE BOARD**

The Harding County School Board will, when it deems appropriate, appoint citizens committees to counsel and assist the district in planning programs and projects. The Board will have the power to dissolve any advisory committee and will reserve the right to exercise this power at any time during the life of any committee.

### **COMMITTEE APPOINTMENT AND FUNCTIONS**

The following policies will govern the appointment and functioning of citizens committees:

1. The composition of a citizens committee will be broadly representative and will take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to such committee as members or consultants, as found desirable.
2. All appointments will be made by the Board, which may name a community selection committee to make nominations for the purpose of obtaining broader community presentation. The appointment of any staff members to such committees will be made by the Board upon recommendation of the Superintendent.
3. Each committee will be clearly instructed as to:
  - a) The length of time each member is being asked to serve;
  - b) The service the Board wishes the committee to render, and the extent and limitations of its responsibility;
  - c) The resources the Board will provide;
  - d) The approximate dates on which the Board wishes to receive major reports;
  - e) Board policies governing citizens committees and the relationship of these committees to the Board as a whole, to individual Board members, to the Superintendent, and other members of the professional staff;
  - f) Responsibilities for the release of information to the press.
4. Recommendations of citizens committees will be based on research and fact.
5. A school board possesses certain legal powers and prerogatives, which cannot be delegated or surrendered to others. Therefore, all recommendations of a citizens committee must be submitted to the Board for official action.

Adopted: May 9, 2016

## SCHOOL ATTORNEY

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

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

Adopted: May 9, 2016

### State Reference

SDCL 13-10-2

SDCL 13-8-39

### Description

General power of school boards to employ personnel

Management of schools by board - general powers

## SCHOOL BOARD MEETINGS

### REGULAR MEETINGS

All regular meetings of the Harding County School Board will be held on the second Monday of each month, unless otherwise designated at the annual organizational meeting of the Board.

### SPECIAL MEETINGS

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

### TELEPHONE CONFERENCE CALL

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

Adopted: May 9, 2016

**Policy References:** Legal references indicate the basis or authority for the board to enact this policy, and policy cross-references identify additional policies related to the subject matter of the above policy.

<b>State Reference</b>	<b>Description</b>
SDCL 1-25-1	<u>Official meetings open to the public</u>
SDCL 1-25-1.1	<u>Notice of meetings of public bodies</u>
SDCL 1-25-1.2	<u>Teleconference defined</u>
SDCL 1-26-4	<u>Notice, service, &amp; hearing required for adoption of rules</u>
SDCL 1-26-8	<u>Effective date of rules</u>
SDCL 1-27-1.16	<u>Material relating to open meeting agenda item to be available</u>
SDCL 13-8-10	<u>Meetings of board</u>

## **ELECTRONIC COMMUNICATION BY BOARD MEMBERS**

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

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

Adopted: May 9, 2016

## SCHOOL BOARD STUDY SESSIONS AND WORK RETREATS

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

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

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

Adopted: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 1-25-1	<u>Official meetings open to the public</u>
SDCL 1-25-1.1	<u>Notice of meetings of public bodies</u>
SDCL 1-27	<u>Public records and files</u>
SDCL 13-8-35	<u>Publication of minutes of board</u>

## EXECUTIVE SESSIONS

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

However, the Board more properly discusses some matters in private session. As permitted by law, an executive or closed meeting may be held for the sole purposes of:

1. Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term "employee" does not include any independent contractor;
2. Discussing the expulsion, suspension, discipline, assignment of or the educational program of a student;
3. Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters;
4. Preparing for contract negotiations or negotiating with employees or employee representatives;
5. Discussing marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business. All discussions will be considered confidential, but all official actions concerning the matters discussed will be made only at an open official meeting.

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

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

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

Adopted: February 25, 1985

Revised: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 1-25-1	<u>Official meetings open to the public</u>
SDCL 1-25-1.1	<u>Notice of meetings of public bodies</u>
SDCL 1-25-1.2	<u>Teleconference defined</u>
SDCL 1-25-2	<u>Executive or closed meetings</u>
SDCL 1-25-3	<u>State agencies to keep minutes of proceedings</u>

## NOTIFICATION OF SCHOOL BOARD MEETINGS

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

Public notice shall be given by posting the proposed agenda on the schools website and in a place that is visible, readable and accessible at least 24 hours prior to any meeting. The notice shall be posted at the building in which the school board holds its meeting. Local news media that have requested notice will be notified in person, by mail, email or telephone. Meetings conducted via telephone conference call are subject to the public notice law.

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

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

Adopted: February 25, 1985

Revised: May 9 2016

<b>State Reference</b>	<b>Description</b>
SDCL 1-25-1.1	<u>Notice of meetings of public bodies</u>
SDCL 1-27-1.16	<u>Material relating to open meeting agenda item to be available</u>
SDCL 13-8-10	<u>Meetings of board</u>

## **BOARD MEETING AGENDAS AND FORMAT**

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

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

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

### **CONSENT AGENDA**

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

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

### **AGENDA FORMAT**

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

1. Call to order.
2. Pledge of Allegiance
3. Staff/student presentations
4. Consent agenda including:
  - Roll call
  - Approve agenda
  - Financial reports
5. Action items, including bills for payment
6. Discussion items



7. Administrative reports
8. Special committee reports.
9. Administrative reports.
10. Adjournment.
11. Open Forum time will be held at each meeting.

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

Adopted: February 25, 1985

Revised: April 11, 2005

Reviewed: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 1-25-1	<u>Official meetings open to the public</u>

## **OPEN FORUM**

The “Open Forum” is a means whereby patrons of the Harding County School District may address the school board on school issues that are not on the agenda.

The following are the guidelines for the Open Forum:

1. The “Open Forum” is declared by the chairman;
2. Anyone present may address the board on relevant school issues;
3. The presenter may address the board only once on a single issue;
4. This is not a time for debate or rebuttal;
5. Questions for clarification may be asked by board members and/or administration
6. The person presenting will address the Chairman;
7. The board will take no action during the “Open Forum” session’
8. When the board returns to its agenda, they shall determine which subjects (as a result of the open forum) will be agenda items for the next regular or special meeting.

Adopted: November 9, 1987

Reviewed: May 9, 2016

**AGENDA PREPARATION AND DISSEMINATION**

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

Items of business may be suggested by any Board member, staff member or citizen of the district. The agenda, however, will always allow suitable time for the remarks of the public who wish to speak briefly before the Board.

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

The agenda, together with supporting materials, will be distributed to Board members at least 24 hours prior to the Board meeting to permit them time to give items of business careful consideration. The Board shall provide public notice, with proposed agenda, that is visible, readable, and accessible for at least an entire, continuous twenty-four hours immediately preceding any meeting, by posting a copy of the notice, visible to the public, at the building in which the Superintendent's office is located. The proposed agenda shall include the date, time, and location of the meeting. The notice shall also be posted on the public body's website upon dissemination of the notice, if such a website exists. For special or rescheduled meetings, the information in the notice shall be delivered in person, by mail, by email, or by telephone, to members of the local news media who have requested notice.

Adopted: February 25, 1985

Revised: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 1-25-1.1	<u>Notice of meetings of public bodies</u>
SDCL 1-27-1.16	<u>Material relating to open meeting agenda item to be available</u>

**AGENDA RELATED SUPPLEMENTAL INFORMATION**

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

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

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

Adopted: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 1-27	<u>Public records and files</u>
<b>Federal Reference</b>	<b>Description</b>
USC Title 20 Chapter 31 § 1232g	<u>Family educational and privacy rights (FERPA)</u>

**QUORUM**

A majority of the Harding County School Board membership constitutes a quorum for the transaction of school business.

Adopted: February 25, 1985

Reviewed: May 9, 2016

State Reference	Description
SDCL 13-8-10	<u>Meetings of board</u>
SDCL 2-14-15	<u>Majority exercising joint authority</u>
Policy Reference	Description
BDDF	<u>VOTING METHOD</u>

## **PARLAMENTARY PROCEDURE**

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

The purpose of parliamentary procedure is:

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

Adopted: February 25, 1985

Revised: May 9, 2016

## RULES OF ORDER

### Parliamentary Procedure:

- To obtain the floor to speak your mind, first address the chairman.
- To introduce a motion, say, “I move that...”
- A motion may be withdrawn by the maker with general consent, or by majority vote, if objection to withdraw is made.
- To amend a motion, say, “I move to amend the motion by...”. Ways of amending are: Striking out parts of the motion, inserting one or more words, striking out and inserting, and substituting a new motion.
- To close discussion on a motion when everyone seems to have made up his mind, informally call for the question to be voted. Just say “Question”. If others join you in this request, the chairman will call for a vote on the motion under discussion. The chair should avoid closing a discussion when members wish to speak. If a member calls out “Question” he must be supported by a majority in the judgment of the chair. The formal procedure is to say, “I move the previous question.” This formal motion, if made subsequent to recognition by the chairman, needs no second, is not debatable, and must be put to a vote immediately.
- A motion to reconsider a decision made by the board must be introduced by one who voted with the prevailing side in that previous vote, but is not in order if any part of the decision has been put into action.
- If the parliamentary procedure of the board is to be questions, say, “Point of order!” The chairman must allow you to state your point, and then he must rule in it—as taken or not taken. If the chairman denies a point of order his decision may be appealed and either upheld or not upheld by a majority vote.
- If you have a question to ask about a matter under discussion or a procedure to be followed, say, “Point of information!” The chairman must allow you to state your question and see whether or not the information can be supplied.
- All members of the board, including the chairman, should vote on all matters before the board. A tie vote does not gain a majority and means that the motion is defeated.
- A school board is a public board and the vote of its official actions should be part of the published minutes. A roll call vote may not be necessary, if at the beginning of the minutes all those present are listed. Later a list of those voting nay and any abstentions would be adequate. But it should be clear from the minutes how members of the board have voted. The business manager should rotate the person voting first on a matter before the board.
- Some boards provide for citizenry comment before committee reports and others just before adjournment. In any case once citizens have their opportunity to speak, they should be allowed to address the board only upon invitation of the chairman.
- The primary vehicle of action is through a main motion before it is acted upon. The chairman may assist the mover with wording for clarity.
- Each motion may deal with only one issue or idea. A chairman or a member can ask that a motion be rephrased or rewritten or divided into two motions if it deals with two or more different matters.
- Debate should follow, not precede, a main motion. A chairman should require a motion to be stated and seconded before debate is allowed. A chairman may allow general informal discussion but not debate before the motion.
- Debate must be limited to the issue at hand. Speakers who wander or attempt to enter new matters should be ruled out of order.

- No new main motions may be made while another is on the floor.
- Main motions may be amended. Votes on amendments must be taken before the original motion.
- No more than one amendment to an amendment can be allowed or accepted for discussion.
- Before a vote on a main motion is taken, business can be interrupted by a motion to lay it on the table, to postpone action, to refer it to a committee, to withdraw it from consideration or to adjourn the meeting.
- Debate can be closed formally with a subsidiary motion (to close debate or to move the previous question) and a 2/3 affirmative vote. In cases where the chairman believes discussion to have ended, a vote on the main motion may be taken without a formal motion to close debate unless a member objects.
- Board members need not stand before speaking.
- A motion once voted down cannot be renewed at the same meeting of the board without the consent of a majority of the members of the board.
- When a blank is to be filled, the question shall be first taken on the largest sum, the greatest number and the most remote day.
- If any member acts in any respect in a disorderly manner, it shall be the privilege of any member, and the duty of the president, to call him to order.
- If any member considers himself aggrieved by a decision of the chair, it shall be his privilege to appeal to the board, and the vote on such appeal shall be taken without debate.
- Members should not decline to vote on any question without weighty reasons, conflict of interest for example
- When the chairman has commenced taking a vote no further debate or remark shall be admitted, unless there has evidently been some mistake, in which case the mistake shall be rectified, and the chairman shall recommence taking the vote.

SOURCE: Associated School Boards of South Dakota

Adopted: February 25, 1985

Reviewed: May 9, 2016

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**VOTING METHOD**

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

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

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

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

Adopted: February 25, 1985

Reviewed: May 9 2016

SDCL 13-8-10	<u>Meetings of board</u>
SDCL 2-14-15	<u>Majority exercising joint authority</u>
SDCL 6-1-17	<u>Prohibition from discussion or voting on issue if conflict of interest exists</u>

<b>Policy Reference</b>	<b>Description</b>
BBFA	<u>BOARD MEMBER CONFLICT OF INTEREST</u>
BDDD	<u>QUORUM</u>

## **MINUTES**

The minutes of the meetings of the Harding County School Board are the written permanent records of the school district. The business manager will keep minutes of all the official actions of the board. The minutes will include:

1. A record of all actions taken by the Board, with the vote of each member recorded except in cases of unanimous votes.
2. Resolutions and motions in full. This will include a detailed statement of all expenditures of money, with names of persons to whom payment is made and service rendered or goods furnished; a detailed statement of receipts and balance on hand; and expenditures and receipts of trust and agency funds.
3. A record of the disposition of all matters on which the Board considered but did not take action.
4. The salaries of teachers and other employees will be published after the July organizational meeting.

Within 20 days after a board meeting, minutes of the meeting will be published in the legal newspaper, as in accordance with law. The business manager will sign each legal publication submitted to the newspaper.

The board will approve the minutes of every meeting within 45 days after that meeting. The presiding officer and the business manager will sign the minutes of all regular and special meeting after approval by the board. Any change or correction in the minutes will be reflected in the minutes of the meeting at which the changes are made.

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

Adopted: February 25, 1985

Reviewed: May 9, 2016

LEGAL REFS.: SDCL 6-1-10; 13-8-34; 13-8-35; 13-8-36; 13-8-43

## PUBLIC PARTICIPATION AT BOARD MEETINGS

The Harding County School Board welcomes the public to attend its sessions so they may become better acquainted with the operation and programs of the schools.

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

1. Any individual who desires to speak about an item on the agenda, is asked to present the "request to speak" to the Superintendent, the business manager or the Board President. The request may be communicated orally prior to the meeting or in written form.
2. Persons, who wish to speak about an item that is not on the agenda, are asked to present such request to the Superintendent or the Board President, prior to the beginning of the meeting. Persons who present such a request will be allowed to speak about the topic before the meeting is adjourned.
3. Citizens, who desire Board action on an item not on the agenda, will submit the item to the Superintendent's office, at least 10 days prior to the meeting of the Board, at which they wish for the item to be considered.
4. Presentations should be as brief as possible. Unless an extension of time is granted, a speaker will be limited to five minutes.

The Board vests in its President or other presiding officer, authority to terminate the remarks of any individual when they do not adhere to the rules established above.

Adopted: February 25, 1985

Revised: May 9, 2016

<b>State Reference</b>	<b>Description</b>
SDCL 1-25-1	<u>Official meetings open to the public</u>

## **BOARD POLICY DEVELOPMENT**

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

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

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

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

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

Adopted: March 20, 1985

Reviewed: May 9, 2016

## **PRELIMINARY DEVELOPMENT OF POLICIES**

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

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

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

Adopted: March 20, 1985

Reviewed: May 9, 2016

## **POLICY ADOPTION**

Adoption of new policies or changing existing policies is solely the responsibility of the Harding County School Board. Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the Board when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all new policies or amendments to policies and to provide an opportunity for others to react, proposed policies or amendments will be presented as an agenda item to the Board in the following sequence:

1. Information item – distribution with agenda (this may be an announcement that a policy is being developed in a particular area and that interested persons may submit suggestions).
2. Discussion item – first reading of proposed policy or policies; response from superintendent; report from any Board or advisory committee assigned responsibility in the area; Board discussion and directions for any redrafting.
3. Action item – discussion, adoption or rejection.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Board so directs. In instances, the Board may dispense with the above sequence to meet emergency conditions. Policies will be effective upon adoption by the Board. Once adopted, policies of the Board shall be distributed to the community, staff and students.

Except in an emergency situation, policies will not be adopted at the meeting at which they are initially introduced.

Adopted: March 20, 1985

Revised: May 9, 2016

Legal Ref.: ARSD 24:03:04:08

## **POLICY DISSEMINATION**

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

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

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

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

Adopted: March 20, 1985

Reviewed: May 9, 2016

**ADMINISTRATION IN POLICY ABSENCE**

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

In each case in which the superintendent must take such action, the matter will be presented to the board for its consideration at the next board meeting.

Adopted: December 10, 1984

Reviewed: May 9, 2016



## **SUSPENSION OF POLICIES**

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

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

Adopted: March 20, 1985

Revised: May 9, 2016

## **POLICY REVIEW AND EVALUATION**

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

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

1. The Superintendent is given the continuing commission of calling to the Board's attention all policies that are out of date or for other reason appear to need revision.
2. Each Board policy that is reviewed by the Superintendent shall be presented to the Board as part of the District's effort to continually review board policy.
3. The Board directs the Superintendent to recall all policy and regulation manuals periodically for purposes of administrative updating and Board review.

Adopted: March 20, 1985

Reviewed: May 9, 2016

## **NEW BOARD MEMBER ORIENTATION**

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

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

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

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

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

Adopted: March 20, 1985

Revised: May 9, 2016

**BOARD MEMBER EDUCATION**

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

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

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

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

Adopted: May 9, 2016

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**Policy References:** Legal references indicate the basis or authority for the board to enact this policy, and policy cross-references identify additional policies related to the subject matter of the above policy.

<b>State Reference</b>	<b>Description</b>
SDCL 13-8-10.1	<u>Associations of school boards</u>
SDCL 13-8-10.2	<u>Attendance at association meetings</u>
SDCL 13-8-37	<u>Compensation of board members</u>
SDCL 13-8-38	<u>Travel allowance of school board members</u>

## **BOARD MEMBER DEVELOPMENT OPPORTUNITIES**

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

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

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

Adopted: March 20, 1985

Reviewed: May 9, 2016

### **State Reference**

SDCL 13-8-10.1

SDCL 13-8-10.2

### **Description**

Associations of school boards

Attendance at association meetings

## BOARD MEMBER COMPENSATION AND EXPENSES

The Harding County School Board will vote at the annual organizational meeting to set the per diem rate of compensation for school board members. The per diem (not to exceed seventy-five dollars) is for attendance of each meeting of the board. A board member may receive the per diem only for each meeting actually attended, and also for each day the member was actually engaged in the service of the Board when authorized by the Board.

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

Adopted: March 20, 1985

Revised: May 9, 2016

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

## **SCHOOL BOARD MEMBERSHIPS**

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

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

Adopted: March 20, 1985

Reviewed: May 9, 2016

**State Reference**

SDCL 13-8-10.1

**Description**

Associations of school boards

## **EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES**

The Harding County School Board will annually review its own performance in terms of generally accepted principles of successful board operations and in relation to its goals and objectives. The Board self-evaluation shall address performance in the key functions of vision, structure, accountability, conduct, ethics and advocacy. The results of the self-evaluation shall be used in setting goals for the subsequent year. Evaluation will indicate the strengths of the Board and the areas of needed improvement.

To help the Board meet this goal, the following elements will be included in the self-evaluation process.

1. Board members will be involved in the development of an evaluation instrument and procedures by which they will evaluate themselves.
2. The Board evaluation instrument will be completed by individual board members on a confidential basis and submitted to the Board Chair, or the designee, for compilation.
3. The Board will meet, with no other items on the agenda, at a study or executive session and with all members present, to review and discuss the composite results.
4. Each conclusion will be supported by objective evidence.

Upon final discussion of the results, the Board will develop both short and long-range goals and objectives to ensure continued proficiency in its areas of excellence, to strengthen weak areas, and to improve the efficiency of the Board.

Adopted: March 20, 1985

Revised: May 9, 2016