SECTION 200

SCHOOL BOARD

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**Board Powers and Responsibilities**

Official actions may be taken only at duly convened regular or special meeting of the board. In cases of emergency, the board may convene an emergency meeting in the manner as provided by law and subject to any other permissible legal provisions pertaining to emergencies.

A board member or group of board members, as an individual, should not give a decision on matters affecting the operation of the school district to residents, patrons, teachers, employees, pupils or persons having business with the board of education when not in a regular or special meeting of the board, unless authorized by the board to do so.

In general practice, whenever a teacher or other employee, a resident of the district, patron, pupil or person having business with the school district makes a request to a board member, as an individual, for some action or a change in some action on the part of employees or the board, the board member should be willing to listen to such request but should not commit him/herself to a course of action until the matter is presented at a board meeting.

All Class III school boards must abide by the statutes of the Nebraska Legislature and by ruling of the Department of Education until such rulings are overturned by legal action.

The constitution provides that: "The legislature shall provide for the free instruction, in the common schools of this state, of all persons birth to twenty-one years of age." (Section 6 Article VII of Nebraska's Constitution.)

"The district school boards shall have the general care and upkeep of the schools, shall provide the necessary supplies and equipment, and, except as herein otherwise provided, shall have the power to cause pupils to be taught in such branches and classified in such grades or departments as may seem best adapted to a course of study which the school board shall establish with the consent and advice of the Department of Education.

Each school board in this state shall make provision for pupils that may enter at any time during the school year. It shall cause to be kept, in a book provided for such purpose, a record of the advancement of all pupils in each branch of study. It shall make such rules and regulations as it may think necessary for the government and health of the pupils, and devise such means as may seem best to secure the regular attendance and progress to children at school." (Sec. 79-443, Nebraska Statutes.)

The board shall employ such personnel as may be necessary to carry out the proper functions of the school.

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Since good teaching can be expected only from well prepared and professionally minded teachers, the school board insists that only the best available be employed. Within its means, the school board will safeguard and promote the economic welfare and professional advancement of teachers.

The school board will not accept applications from teachers who will not hold a valid teaching certificate for the position to which the teacher is applying.

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**Board Membership – Elections/Appointment**

The Board of Education shall be composed of six (6) members. Election of these members will be held in conjunction with the statewide primary and general elections. The election of officers shall take place at the regular January meeting of the Board when new members are installed. The officers of the Board shall be President, Vice-President, Secretary and Treasurer.

The Board of Education may appoint a recording Secretary and set appropriate compensation.

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**Qualifications**

No person shall be nominated. elected, or serve as a member of the Board of Education unless she/he is a registered voter in the Red Cloud School District.

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**Oath of Office**

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Nebraska, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely and without mental reservation or purpose of evasion; and that I will faithfully and impartially perform the duties of the office of school board member of Red Cloud Community Schools; according to law, and to the best of my ability. And I do further swear that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such times as I am in this position I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence. So help me God.

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Signature Date

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Witness

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**Term of Office**

Term of office shall be staggered allowing for the election of three positions each even year with all elected members serving a four year term. The term of office for all such members shall commence on the First Thursday after the first Tuesday in January following each state-wide general election.

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**Vacancies**

A vacancy on the Board resulting from causes other than expiration of the term shall be filled by a vote of the remaining members until the next general election.

Should a vacancy occur involving an officer of the Board, the remaining Board members may appoint a member to complete the annual term of office.

Every school district office shall become vacant by the death, resignation, removal from office, or removal from the district of the incumbent, by absence from the district for a continuous period of sixty days at one time, or by absence from more than two consecutive regular meetings of the board, unless excused by a majority of the remaining members of the board.

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**Board Member Liability (Insurance)**

Board members shall not be held personally liable for actions taken in the performance of their duties and responsibilities vested in them by the laws of Nebraska and the members of the school district community. In carrying out the duties and responsibilities of their office, board members shall act in good faith.

The school district shall defend, save harmless and indemnify board members against tort claims or demands, whether groundless or otherwise, arising out of an alleged act of omission occurring within the scope of their official duties, unless it constitutes willful or wanton act or omission. However, the school district shall not save harmless or indemnify board members for punitive damages.

A thorough review of the insurance coverage for the school shall be conducted at least every five years.

Legal Reference: Neb. Statute 79-516

Cross Reference: 805.01 Insurance **202.01**

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**Board Member Code of Ethics**

As a member of my local board of education, I shall do my utmost to represent the public interest in education by adhering to the following commitments.

1. I shall represent all school district constituents honestly and equally and refuse to surrender my responsibilities to special interest or partisan political groups.

2. I shall avoid any conflict of interest or the appearance of impropriety which could result from my position, and shall not use my board membership for personal gain or publicity.

3. I shall recognize that a board member has no legal authority as an individual and that decisions can be made only by a majority vote at a board meeting.

4. I shall take no private action that might compromise the board or administration and shall respect the confidentiality of privileged information.

5. I shall abide by majority decisions of the board, while retaining the right to seek changes in such decisions through ethical and constructive channels.

6. I shall encourage and respect the free expression of opinion by my fellow board members and others who seek a hearing before the board.

7. I shall be involved and knowledgeable about not only local educational concerns, but also about state and national issues.

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**Conflict of Interest – Employment of Family Member of Board Member**

**or Supervisor and Employment of Board Member**

1. A member of the Board of Education or an administrator or other employee with supervisory responsibilities may employ or recommend or supervise the employment of an immediate family member if:

a. He or she does not abuse his or her official position (for this purpose, “abuse” means employing an immediate family member: who is not qualified for and able to perform the duties of the position; at an unreasonably high salary; or who is not required to perform the duties of the position);

b. He or she makes a full disclosure on the record to the Board of Education and a written disclosure to the Superintendent and/or Secretary of the Board; and,

c. The Board of Education approves the employment or supervisory position.

2. No immediate family member of a Board of Education or an administrator or other employee with supervisory responsibilities shall be employed by the School District:

a. Without first having made a reasonable solicitation and consideration of applications for such employment.

b. Who is not qualified for and able to perform the duties of the position.

c. For any unreasonably high salary.

d. Who is not required to perform the duties of the position.

3. Neither the Board of Education nor an administrator or other employee with supervisory responsibilities shall terminate the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.

4. This policy shall not apply to an immediate family member of a member of the Board of Education or an administrator or other employee with supervisory responsibilities who was previously employed in a position with the School District prior to the election or appointment of the Board member or employee. Prior to or as soon as reasonably possible after the official date a Board member takes office or an employee assumes his or her responsibilities, such Board member, administrator or other employee with supervisory responsibilities shall make a full disclosure of any immediate family member employed in a position subject to this policy.

5. A member of the Board of Education may not be engaged in a contract to teach with the Red Cloud Community School District. Nor shall a member of the Board of Education cast a vote in favor of the election of any employee when the Board member is related by blood or marriage to such employee.

Legal Reference: Neb. Rev. Stat. §§ 49-1499.04; §49-1499.05; 79-544; and 79-818

Cross Reference: 201 Legal Status of the School Board

202.01 Board member Code of Ethics

206.04 Board Member Compensation and Expenses

402.04 Nepotism

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**Use of Public Resources by Board Members and Employees**

Restrictions on Use

No Board member or employee of Red Cloud Community Schools shall use or authorize the use of his or her public office or any confidential information received through the holding of public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which the individual is associated.

No Board member or employee shall use or authorize the use of school district personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures or use such items, other than compensation provided by law, for personal financial gain.

No Board member or employee shall use or authorize the use of school resources for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question. For purposes of this restriction, “school resources” means personnel, property, resources, or funds under the official care and control of the Board member or employee.

Authorized Uses

The uses described below are not authorized by employees, and violate this policy, where an employee’s use: (1) interferes with the conduct of school business; (2) interferes with the performance of the employee’s duties and responsibilities; (3) is contrary to another Board policy or a rule or directive set forth in an employee handbook or other employee communication device; (4) is contrary to a supervisor’s directive; or (5) the use is for the employee’s personal financial gain or potential for personal financial gain.

*Incidental or De Minimis Use:* Use of school resources by a Board member or employee which is incidental or de minimis does not constitute a violation of this policy.

*Personal Use as Part of Compensation:* Use of school resources for personal purposes is authorized by this policy if:

1. the use of the resource for personal purposes is part of the employee’s compensation provided in an employment contract or is consistent with this policy; and

2. the personal use of the resource as compensation is reported in accordance with the Internal Revenue Code of 1986, as amended, and taxes, if any, are paid by the affected employee. Employees who engage in such personal use shall, upon request of the Board of Education or the administration, provide evidence to establish that the compensation has been reported and taxes paid as required by the Tax Code.

*School Vehicles:* Use of a school vehicle by a Board member or employee to travel to a designated location or the home of the Board member or employee is permissible when the primary purpose of the travel serves a school district purpose. Such use is authorized by this policy. No travel other

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than directly to the school related trip destination shall occur, however, when students are in the

vehicle or if the vehicle is a school bus.

*Communication Devices:* A Board member or employee may use a telecommunication system, a cellular telephone, an electronic handheld device, or a computer under the control of the school district for email, text messaging, a local call, or a long-distance call, to a child at home, a teacher, a doctor, a day care center, a baby-sitter, a family member, or any other person to inform any such person of an unexpected schedule change or for other essential personal business. Any such communication shall be kept to a minimum and shall not interfere with the conduct of school business or the performance of an employee’s duties.

A Board member or employee shall be responsible for payment or reimbursement of charges (e.g. long distance charges), if any, that directly results from any such communication. The Board member or employee shall promptly report any such communication that results in an expense to the School District to the Superintendent or the Superintendent’s designee. The Superintendent or the Superintendent’s designee shall establish procedures for reimbursement of charges incurred as a result of such communications.

Use of the District’s internet for such communications shall not be permitted to the extent such use violates the terms of the E-Rate program, which restricts the use of the internet system to “educational purposes.”

*Election Issues:* A Board member or the Superintendent, in the normal course of his or her duties, may use school resources to research and prepare materials to assist the School Board in determining the effect of a ballot question on the School District.

Mass mailings, mass duplication, or other mass communications at school expense for the purpose of qualifying, supporting, or opposing a ballot question is not permitted. Mass communications does not include placing public records demonstrating the consequences of the passage or defeat of a ballot question affecting the School District on its existing websites.

A Board member or employee may campaign for or against the qualification, passage, or defeat of a ballot question or the nomination or election of a candidate when no school resources are used. An employee shall not engage in campaign activity for or against the qualification, passage, or defeat of a ballot question or the nomination or election of a candidate while on duty time.

A Board member or authorized employee may make school facilities available for campaign purposes if the identity of the candidate or the support for or opposition to the ballot question is not a factor in making the facilities available or a factor in determining the cost or conditions of use.

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The School Board may discuss and vote upon a resolution supporting or opposing a ballot question.

A Board member may respond to specific inquiries by the press or the public as to his or her opinion regarding a ballot question or provide information in response to a request for information.

A Board member or employee may identify himself or herself by his or her official title when

communicating about a ballot question. Employees who do so shall clearly communicate that their

communication is their personal opinion and does not reflect the position or views of the Board of Education or the School District unless express authorization is given by the Board of Education or the Superintendent.

Legal Reference: Neb. Rev. Stat. §§49-14,101.01 and 49-14,101.02

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**Board Organizational Meeting**

The Board will elect from its membership a president, vice-president, secretary, and treasurer at its regular meeting each January. It is the policy to elect all offices from the membership of the Board.

Refer to 201.02 for authorization to employ a recording secretary. The recording secretary is not necessarily an elected board office.

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**President**

It shall be the duty of the president to preside at all meetings of the Board, call for special meetings of the Board, preserve order, enforce the usual parliamentary rules, appoint all standing and special committees, vote on all motions, execute documents on behalf of the Board, sign all warrants, and to appear for and on behalf of the district in all suits brought by or against the same.

If, at any district meeting, any person shall conduct himself in a disorderly manner, and after notice of the president or person presiding, shall persist therein, the president or person presiding may order him to withdraw from the meeting. the president shall take a roll call vote from the members of the board on a motion to enforce or not enforce his executive order to the individual to withdraw from the meeting. If after an affirmative vote of the board the individual does not withdraw from the meeting, the president shall cause appropriate law enforcement to have such a person removed from the said meeting until it is adjourned.

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**Vice President**

The vice-president shall perform the duties of the president in his/her absence.

In the absence of both the president and the vice-president, the remaining members shall select an acting president.

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**Secretary**

The secretary shall attend and be responsible for records of all meetings, countersign all warrants, sign legal documents and perform such duties as are required by law.

Ex-officio Secretary: The superintendent shall be custodian of all school board records. He/she shall preserve complete records of all vouchers, reports, deeds, insurance policies, etc. He/she shall keep such account and record books as the board and/or state law may require. The Superintendent or his/her secretary shall prepare official copies of the minutes, duplicate them and distribute them to the board as part of the agenda for the next regular meeting, at which time they shall be corrected, if necessary, and approved. The Superintendent's secretary shall be responsible for posting legal notices and signing warrants drawn on the county treasurer by order of the Board.

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**Treasurer**

The Treasurer shall act as custodian of all monies belonging to the district. He/she must furnish bond in the amount fixed by the Board, the premium of which shall be paid by the district. He/she shall be custodian of documents representing investment securities the Board may own from time to time. He/she shall invest funds upon the direction of the Board of Education and keep the Board informed as to the maturing dates of such securities.

The Treasurer shall be a member of the Board of Education. The Treasurer shall be elected at the January meeting.

The district treasurer or his/her designee shall deposit Red Cloud Community School District money in such bank or banks as are designated by the Board of Education as Depository Banks, in accordance with 77-2352.

Surplus funds or uncommitted funds may be invested by direction of the board at a duly convened board meeting. The type of investment in which such funds shall be made shall be in compliance with state regulations, any applicable directions of the state auditor, in a manner consistent with applicable state or federal statutes, and subject to board approval.

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**Board Committees**

The Board shall operate as a committee of the whole on all official business of the school. Subcommittees may gather pertinent data and report to the Board their findings and recommendations but the only official action must come from the whole Board in regular or special session. Standing committees appointed by the president, shall be the Americanism/Technology, Negotiations, Facilities, Transportation, Policy and Reorganization.

The President shall appoint all committee members at the January meeting each year.

It is the duty of the Americanism Committee to:

1. Examine all texts and material to ensure that it provides for pride and respect for our nation.

2. Ensure the teachers have knowledge and accept the principles for our form of government.

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**School Board Legal Counsel**

The board may employ a law firm to provide legal services to the district whenever the board deems it advisable and such expenses incurred are to be paid from district funds.

A school board should not attempt to answer legal questions concerning the school function and operation.The school board shall from time to time as it chooses, review the law firm to be used for legal services which services shall be for such legal matters as the board may from time to time seek legal advice.

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**Regular Board Meeting**

Regular meetings shall, unless changed by the board, be held on or before the third Monday of each month at a time set by the board in the schoolhouse of the district.

The board will give reasonable publicized advance notice of the time and place of the meeting as prescribed in 84-1412.

The board shall meet in regular session with the time to be determined. All meetings will be held in Lincoln Elementary School building unless otherwise designated.

Notice of the regular meetings shall be published within a reasonable time in the Red Cloud Chief or posted on the front door of the High School, Elementary School, Courthouse and Post Office.

The board shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

Legal Reference: Neb. Statute 79-554

79-560

79-561

84-1412

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**Special & Emergency Meetings of the Board**

When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (2) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

Special Meeting Agenda

The board may from time to time call special board meetings. Notice of such meetings shall be given at least 5 days in advance by published notice in the Red Cloud Chief or by posting notice of such meeting in 3 public places. The posing notice shall include the agenda to be considered at the special meeting.

Business at special meetings shall be conducted as follows:

1. Call to order by a statement of purposes for which the meeting was called.

2. Consideration of items for which the meeting was called.

3. Adjournment.

Only those items stated in the call for the special meeting will be discussed and/or acted upon.

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**Public Hearings**

Public hearings required by law shall be noticed and held in the manner required by law for such hearing. For any public notice of a public hearing which hearing is not required by law, such notice shall be given in the same manner as for a regular board meeting and shall be given at least 5 days before the hearing is to be held.

Public notice of a public hearing shall be in the same manner as for a board meeting and shall be given at least five days before the hearing is to be held.

At public hearings, citizens of the district who register to speak will be allowed to speak only on the issue for which the public hearing is being held. Speakers are asked to keep their remarks as brief as possible. Prior to the beginning of the hearing, speakers and spectators will be apprised of the rules of order to be followed regarding time limitations, questions, remarks and rebuttals. In no event will a speaker be allowed to take the time of another speaker.

The board shall conduct public hearings in an orderly fashion. At the beginning of the hearing statements, background materials and public hearing rules and procedures will be presented by the board president or administrators. The board president will recognize the speakers. A board member may ask questions of the speakers after receiving permission from the board president. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the board or the proceedings shall be asked to leave.

Legal Reference: Neb. Statute 84-1408 et seq.

Cross Reference: 204.01 Regular Board Meetings

204.12 Public Participation at Board Meetings

702.03 Budget Adoption Process

1005.03 Parental Involvement in the Schools

**204.04**

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**Work Sessions and Retreats**

Work Session and or retreats will be scheduled on an as needed basis.

The board will give reasonable publicized advance notice of the time and place of the meeting as prescribed in 84-1411.

The board shall meet in regular session with the time to be determined. All meetings will be held in Lincoln Elementary School building unless otherwise designated.

Notice of work sessions and/or retreats shall be published within a reasonable time in the Red Cloud Chief or posted on the front door of the High School, Elementary School, Courthouse and Post Office.

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**Open Meetings**

All meetings, except executive meetings, shall be open to the public. All meetings shall be publicized in accordance with the law and be subject to the provisions of 84-1410 to 84-1414 (open meeting law).

**Public Participation at Board Meetings**

A. **Attend**

Members of the public shall be permitted to attend and to speak at board meetings. They will not be required to identify themselves as a condition for admission to the meeting.

The Board may allow advisors, consultants, and other persons who are not board members to appear at the meeting via telephone or other similar means.

The chair has the authority to assure that people conduct themselves in an orderly manner at the meeting. Undue interruption or other interference with the orderly conduct of business will not be allowed. The chair may order persons who are disorderly to be removed from the meeting, subject to an affirmative vote by the majority of the board or a majority of the quorum ratifying chair’s directions for removal.

B. **Hear**

The board will, upon request, make a reasonable effort to accommodate the public’s right to hear the discussion and testimony presented at the meeting.

C. **Record**

Members of the public may use recording devices (tape recorder, video camera, etc.) to record any part of a meeting of a public body, except for closed sessions. No recording, other than note taking, shall be done without informing the President in advance. The President shall control the placement of the recording device so the device does not obstruct the view of Board members or other members of the public attending the meeting and does not otherwise interfere with the meeting.

D. **Access to Written Materials**

At least one copy of all reproducible written material to be discussed at an open meeting will be made available at the meeting for examination and copying by members of the public.

E. **Speak**

Members of the public will be permitted to speak at Board meetings at which a public forum is on the Agenda. Members of the public may also speak when invited to make a presentation or when recognized by the chair. The Board is not required to allow members of the public to speak at each meeting. However, the Board will not forbid public participation at all meetings.

Members of the public will not be required to have their name be placed on the agenda prior to the meeting in order to speak about items on the agenda.

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Members of the public who desire to address the Board will be required to identify themselves.

Individuals wishing to address the Board of Education must notify the Superintendent within 24

hours of the scheduled meeting. Each speaker shall normally be allotted 5 minutes to speak but the board may by board action at the meeting expand the time for a speaker to more than 6 minutes or diminish the time to speak to less than 5 minutes. The Board of Education reserves the right to limit the amount of time devoted to a particular topic and/or public input. The Board of Education shall take no action on any item brought to the Board of Education unless it is specifically listed as an action item on the agenda.

Speakers will be permitted to address the Board consistent with free speech rights. However, offensive language, defamatory remarks, and hostile conduct will not be tolerated. Further, charges or complaints against a school employee shall not be made for the first time at a public Board meeting without having followed the school’s complaint procedure.

Legal Reference: §§ 79-570; 79-571; 84-1411 (3) & (6); 84-1412 (1) and (3)

§ 84-1412 (7)

§ 84-1412 (1)

§ 84-1412 (8)

§ 84-1412 (1) (2) and (3)

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**Closed Sessions**

A closed, or executive, session will take place as part of an open meeting of the board. The item for discussion in the closed session shall be listed as part of the tentative agenda on the public notice. The motion for a closed session, including its subject matter and the reason necessitating the closed session, shall be made and seconded during the open meeting, and approved by a majority of the voting members. The minutes shall state the entire motion for the closed session, the roll call vote to enter closed session, and the time the closed session began and ended. Following approval of the motion to close, the presiding officer shall restate on the record the limitation of the subject matter of the closed session immediately prior to the closed session.

The board shall restrict its considerations to only those matters set forth in the minutes as the reason for the closed session. Reasons for the board entering into a closed session from an open meeting include, but are not limited to, the following:

1. Strategy sessions with respect to collective bargaining, real estate purchases, or litigation;

2. Discussion regarding the use of security personnel or devices;

3. Investigative proceedings regarding allegations of criminal misconduct;

4. Evaluations of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if that person has not requested a public meeting.

No formal action may be taken until the board has reconvened in open session.

Any board member may challenge the continuation of a closed session if he or she believes the session has exceeded the reason stated in the motion to hold the closed session. A majority vote of the board is required in order to overrule the challenge. The challenge and its disposition shall be recorded in the meeting minutes.

Legal Reference: Neb. Statute 84-1410

Cross Reference: 204.05 Open Meetings

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**Meeting Notice**

*Requirements for public notice of board meetings are provided by laws and other lawful authorities. This policy shall be carried out in a manner consistent with other board policies pertaining to regular meetings, special or emergency meetings or board hearings as the case may require.*

*Requirements for public notice of board meetings are governed by open meetings laws. The board may designate the superintendent to carry out this policy in place of the board secretary.*

It shall be the responsibility of the superintendent to give public notice of board meetings and work sessions. The superintendent shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification of the time and place of each meeting and the subjects to be discussed.

Legal Reference: Neb. Statute 84-1408 to 1414

Neb. Statute 79-554

Neb. Statute 79-560

Neb. Statute 79-561

Cross Reference: 204.01 Regular Meetings

204.02 Special Meetings

204.10 Agenda **204.08**

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**Quorum**

A majority of the board members shall constitute a quorum for the transaction of business. A majority of a quorum by affirmative vote of such majority may pass board action. An abstention will be counted for purposes of calculating the number of votes required to be a majority of those casting votes but the abstention shall not count as either a negative or an affirmative vote on any matter. **204.09**

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**Rules of Order**

The board shall loosely follow Rules of Order as a guide for parliamentary procedures in board meetings and deliberation. However, to the extent that Rules of Order is in any manner inconsistent with any statutory or other legal requirement pertaining to school board meetings or school board deliberations, the statutes and other legal authority shall govern.

84-1413 requires that all voting of the board, with the exception of election of officers, be done by a roll call vote and each members vote recorded.

84-1412 allows the board to make and enforce reasonable rules to govern such meeting including:

1. Conduct of patrons and visitors at the meeting.

2. Regulations on addressing the board.

3. Removal of unruly citizens.

No one can be prevented from attending a meeting, except in the executive sessions. If a person wishes to speak to the board, the following procedures must be followed:

ITEMS OF DISCUSSION

Only items on the written board agenda will be discussed at any meeting unless the board, by a majority action, agrees to place additional items of an emergency nature on the agenda at the request of a board member.

CONDUCT AND REMARKS OUT OF ORDER

Undue interruption or other interference with the orderly conduct of business cannot be allowed. Defamatory or abusive remarks are always out of order. A speaker's privilege of address may be terminated if he/she persists in improper conduct or remarks.

QUESTIONS AND COMMENTS BY THE BOARD

Members of the board of education may question a speaker or make comments in response to the speaker's remarks. Board members are not subject to questioning by speakers.

CHARGES, COMPLAINTS, OR CHALLENGES

At a public meeting of the board, no person shall orally initiate charges or complaints against individual employees of the district or challenge instructional materials used in the district. All such charges, complaints or challenges shall be presented to the board in writing, signed by the complainant. All such charges, if presented to the board directly, shall be referred to the administrator for investigation and report.

CIRCULATION OF MATERIALS

Any written or printed material to be circulated at a board meeting must be submitted to the board by the Wednesday preceding the meeting. This material will be transmitted to the members of the board for their disposition.

**204.10**

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**Agenda**

All meetings will be conducted as prescribed in the open meeting law. (84-1410-1414) See

Section V.

Regular Meeting Agenda

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

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Administrative Reports
5. Approval of Agenda
6. Requests by the public to speak if registered
7. Approval of minutes of previous meeting
8. Approval of District 2 and Special Building Funds claim
9. Accept Treasurer and Financial reports
10. Action and information items
11. Closed Session
12. Set next meeting date
13. Adjournment

The agenda is open for public inspection upon request.

Persons wishing to appear before the board must ask to be placed on the agenda 24 hours prior to the meeting stating the reason for their requested appearance.

Superintendent shall make out the agenda for each meeting and provide a copy to each board member.

TO PLACE AN ITEM ON THE AGENDA

An applicant may place an item on the agenda by filing a request with the board or Superintendent at least one week prior to the regularly scheduled board meeting. The request should include the name, address and telephone number of the person making the request; the name of the organization or group represented, if any; a statement of the action to be requested of the board, any pertinent background information leading to the request.

TIME AND PLACEMENT ON THE AGENDA

The board, upon receipt of a properly executed request shall set a date for inclusion of the requested item on the agenda as soon as practicable, bearing in mind such considerations as allowing time to gather pertinent information, to assemble members of the staff who have knowledge of the subject, etc. The board shall notify the individual or group of the date, time and place of the meeting at which time the request will be considered.

**204.11**

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**Meeting Minutes**

The board shall keep and maintain permanent records of the board including, but not limited to, records of the minutes of board meetings, documentation received or disclosed in open session of the meetings, and other required records of the board.

It shall be the responsibility of the board secretary to keep the minutes of 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. The minutes shall also include all required information regarding any closed sessions as stated in policy 204.06. This information shall be available within 10 days of the board meeting or prior to the next convened meeting, if earlier. Minutes shall be forwarded to the newspaper designated as the official newspaper for publication. 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 minutes.

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

Legal Reference: Neb. Statute 79-577

79-582, 583

84-712

84-1408 to 1414

Cross Reference: 203 Organization of the School Board

1003 Public Examination of District Records

1004 Press, Radio and Television News Media

**204.12**

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**Public Participation at Board Meetings**

Public participation at board meetings shall be as the board may from time to time determine based upon facts and circumstances that might guide the board’s directives pertaining to public participation in a manner consistent with the best interest of the district and the lawful rights of meeting participants to address the board.

**204.13**

Page 1 of 1

**Public Complaints about Employees**

The board recognizes that situations recognizes situations may arise in the operation of the school district which are of concern to parents and other members of the school district community. While constructive criticism is welcomed, the board desires to support its employees and their actions to free them from unnecessary, spiteful, or negative criticism and complaints that do not offer advice for improvement or change.

While speakers may during public meetings offer objective criticism of school operations and programs, the board will not hear personal complaints concerning district personnel nor against any person connected with the school system unless that complaint is an agenda item having followed the process described below. To do so could expose the board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The board president will direct the patron to the appropriate means for board consideration and disposition of legitimate complaints involving individuals.

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the board. The board will not hear charges against employees in open session unless an employee requests an open session.

The board firmly believes concerns should be resolved at the lowest organizational level by those individuals closest to the concern. Whenever a complaint or concern is brought to the attention of the board it will be referred to the administration to be resolved. Prior to board consideration however, the following should be completed:

1. Matters concerning an individual student, teacher, or other employee should first be addressed to the teacher or employee.

2. Unsettled matters from (1) above or problems and questions about individual attendance centers should be addressed to the employee’s building principal for certificated employees and the superintendent for support staff.

3. Unsettled matters regarding certificated employees from (2) above or problems and questions concerning the school district should be directed to the superintendent.

4. If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board. To bring a concern regarding an employee, the individual may notify the board president for inclusion on the board agenda of a regularly scheduled board meeting in accordance with board policy 204.10

Cross Reference: 204.10 Agenda

**205.01**

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**Policy Development**

The board develops its policies in this written form and describes the ways in which these policies are to be administered. Care should be taken not to interfere with the teaching-learning process except through policy development.

**205.02**

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**Policy Adoption**

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

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

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

**205.03**

Page 1 of 1

**Policy Revision and Review**

The board will periodically review, update and approve the board’s policy manual. These policies are subject to review upon the request of any one (1) board member.

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

If a policy is revised because of a legal change over which the board has no control or a change which is minor, the policy may be approved at one meeting at the discretion of the board. **205.04**

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**Policy Communication**

A board policy manual shall be housed in each school attendance center and in the central administration office. Each board member shall have a personal copy of the board policy manual. The board’s policy manual is a public record and shall be open for inspection at the administrative offices of the district.

It shall be the responsibility of the superintendent to make reasonable efforts to distribute new or revised policy statements as well as the actual policy to individuals responsible for maintaining up to date board policy manuals and to do so in a reasonable time. Copies of changes in board policy shall also be included in or attached to the minutes of the meetings in which the final action was taken to adopt the new or changed policy.

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

Legal Reference: Neb. Statute 84-712 et seq.

Neb. Statute 84-1408 to 1414

Cross Reference: 302.04 Superintendent Duties

**206.01**

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**New Board Member Orientation**

Each new board member shall be given an orientation program under the direction of the superintendent. This briefing shall include a current copy of the board policy manual, the budget, the latest annual report and such other documents as the superintendent may include to foster an understanding of the operation of the district. The superintendent shall set aside such time as necessary to answer any questions arising from the study of these documents, and shall cooperate fully in assisting the new member to become an informed and active board member.

Cross Reference: 201.02 Board Membership-Elections/Appointment

202 School Board Member Conduct

**206.02**

Page 1 of 1

**Board Association Membership**

The Red Cloud Community Schools may hold continuing memberships in the Nebraska State School Boards Association and the Nebraska Rural Community Schools Association.

**206.03**

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**Board Member Development Opportunities**

Board members will be informed about upcoming workshops through NASB and NCSA that are for board development. Expenses for attendance at such shall be paid from district funds.

Board members shall be encouraged to attend workshops and conferences of educational organizations during such board member’s term in office. Dues and expenses for this activity are to be paid from the district funds.

**206.04**

Page 1 of 1

**Board Member Compensation and Expenses**

IT SHALL BE THE POLICY of Red Cloud Community School District No. 2 to permit and to authorize elected and appointed officials, employees, or volunteers of the District to incur certain expenses authorized by law for travel to and from attendance at workshops, conferences, training programs, official functions, hearings or meetings, subject to the following:

1. This policy shall pertain to elected and appointed officials and employees of the District, or volunteers performing services under the supervision and at the direction of the District. This policy shall not pertain to employees incurring mileage expense during the regular course and scope of employment if such mileage is governed by other Board policy, a collective bargaining agreement, or an order from the Commission of Industrial Relations or other competent tribunal.

2. The board shall authorize expenditure by employees or volunteers of the district to attend educational workshops, conferences, training programs, official functions, hearings or meetings, when such expenditure by an employee has been approved by the superintendent. Board expenditures shall be as authorized and directed by the Board of Education.

A. A request has been made to the Superintendent for authority to attend such educational workshop, conference, training program, official function, hearing or meeting.