

BOARD OF DIRECTORS

Series 200

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Code No. 200.1

ORGANIZATION OF THE BOARD OF DIRECTORS

The Keota Community School District board is authorized by and derives its organization from Iowa law. The board shall consist of 5 board members. Board members are elected at large.

The board is organized for the purpose of setting policy and providing general direction for the school district. The board shall hold its organizational meeting each year at the first regular meeting following the canvass of votes. The retiring board shall transfer materials, including the board policy manual, and responsibility to the new board.

The organizational meeting allows the outgoing board to approve minutes of its previous

meetings, complete unfinished business and review the school election results. The retiring board shall adjourn and the new board shall then begin. The Board Secretary shall administer the oath of office to the newly elected board members. The Board Secretary shall preside while the new board elects the president and vice-president of the new board.

Legal Reference: Iowa Code §§ 274.2; 275.23A; 277.23, .28, .31; 279.1, .5, .7, .8 (2013).

281 I.A.C. 12.3(2).

Cross Reference: 202 Board of Directors Members

206.1 President

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210 Board of Directors' Meetings

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Code No. 200.2

POWERS OF THE BOARD OF DIRECTORS

The board of the Keota Community School District, acting on behalf of the school district, shall have jurisdiction over school matters within the territory of the school district.

The board is empowered to make policy for its own governance, for employees, for students and for school district facilities. The board is also empowered to enforce its policies. The board may, through its quasi-judicial power, conduct hearings and rule on issues and disputes confronting the school district.

The board has these powers and all other powers expressly granted to it in federal and state law as well as the powers that can be reasonably implied from the express powers.

Legal Reference: Board of Directors of Ind. School Dist. of Waterloo v. Green, 259
Iowa 1260, 147 N.W.2d 854 (1967).
Iowa Code §§ 28E; 274.1-.2; 279.8 (2013).
281 I.A.C. 12.1(2).
1990 Op. Att'y Gen. 66.

Cross Reference: 209 Board of Directors' Management Procedures

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Code No. 200.3

RESPONSIBILITIES OF THE BOARD OF DIRECTORS

The board is authorized to govern the school district that it oversees. As the governing board of the school district, the board has three duties to perform: legislative duty, executive duty and evaluative duty.

As a representative of the citizens of the school district community, the board is responsible for legislating policy for the school district. As a policy making body, the board has jurisdiction to enact policy with the force and effect of law for the management and operation of the school district.

It is the responsibility of the board, under the board's executive duty, to select its chief executive officer, the superintendent, to operate the school district on the board's behalf. The board delegates to the superintendent its authority to carry out board policy, to formulate and carry out rules and regulations and to handle the administrative details in a manner that supports and is consistent with board policy.

The board has a responsibility to review the education program's performance under its evaluative duty. The board regularly reviews the education program and ancillary services. The review includes a careful study and examination of the facts, conditions

and circumstances surrounding the amount of funds received or expended and the education program's ability to achieve the board's educational philosophy for the school district.

Legal Reference: Iowa Code §§ 274.1; 279.1, .8, .20; 280.12 (2013). 281
I.A.C. 12.3(2).

Cross Reference: 101 Educational Philosophy of the School District 103
Long-Range Needs Assessment
209 Board of Directors' Management Procedures
600 Goals and Objectives of the Education Program

Approved: 11/23/09

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Code No. 201

BOARD OF DIRECTORS' ELECTIONS

The school election takes place on the second Tuesday after the first Monday in November of odd-numbered year. Each school election is used to elect citizens to the board to maintain a 5 member board and to address questions that are submitted to the voters.

Citizens of the school district community seeking a seat on the board must file their nomination papers with the board secretary, or the board secretary's designee in accordance with the timelines established by law.

If a vacancy occurs on the board it may be filled by in accordance with law and board policy.

It is the responsibility of the county commissioner of elections to conduct school elections.

Legal Reference: Iowa Code §§ 39; 45; 47-53; 56-57; 63, 69; 274.7; 277; 278.1, 279.
(2013).

Cross Reference: 202 Board of Directors Members
203 Board of Directors' Conflict of Interest

Approved: 10/08/20

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Code No. 202.1

QUALIFICATIONS

Serving on the board of directors is an honor and privilege. Its rewards are respect from the community, students, and employees and the satisfaction from knowing each board member contributed to the success of the children in the school district community. Only those who are willing to put forth the effort to care and to make a difference should consider running for a position on the board.

Individuals who are willing to serve on the board believe public education is important, support the democratic process, willingly devote time and energy to board work, respect educators and have the ability to examine the facts and make a decision. The board believes an individual considering a position on the school board should possess these characteristics.

Citizens wanting to run for a position on the board must be a citizen of the school district, an eligible elector of the district and free from a financial conflict of interest with the position.

Legal Reference: Iowa Code §§ 63; 68B; 277.4, .27; 279.7A (2013).

Cross Reference: 201 Board of Directors' Elections
202.4 Vacancies
203 Board of Directors' Conflict of Interest

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Code No. 202.2

OATH OF OFFICE

Board members are officials of the state. As a public official, each board member must pledge to uphold the Iowa and the United States Constitution and carry out the responsibilities of the office to the best of the board member's ability.

Each newly elected board member shall take the oath of office prior to any action taken as a school official. The oath of office is taken by each new board member elected at the annual school election at or before the organizational meeting of the board. In the event of an appointment or special election to fill a vacancy, the new board member shall take the oath of office within ten days of the appointment or election.

Board members elected to offices of the board shall also take the same oath of office but replacing the office of board member with the title of the office to which they were elected.

The oath of office is administered by the board secretary and does not need to be given at a board meeting. In the event the board secretary is absent, another board member

administers the oath.

"Do you solemnly swear that you shall support the Constitution of the United States and the Constitution of the state of Iowa, and that you shall faithfully and impartially to the best of your ability discharge the duties of the office of (naming the office) in the Keota District as now and hereafter required by law?"

Legal Reference: Iowa Code §§ 277.28; 279.1, .6 (2013).

Cross Reference: 200.1 Organization of the Board of Directors 201
Board of Directors' Elections
202 Board of Directors Members
204 Code of Ethics
206 Board of Directors' Officers

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Code No. 202.3

TERM OF OFFICE

Board members elected for a full term at a regularly scheduled school election in November of odd-numbered years serve for four years. Board members appointed to fill a vacant position will serve until a successor is elected and qualified at the next regular school election, unless there is an intervening special election for the school district, in which event a successor shall be elected at the intervening special election. A board member elected to fill a vacancy will serve out the unexpired term.

Being a board member is a unique opportunity for a citizen to participate on a governing board of the school district. Eligible board members are encouraged to consider running for more than one term.

Legal Reference: Iowa Code §§ 69.12; 274.7; 279.6-.7 (2013).

Cross Reference: 201 Board of Directors' Elections
202 Board of Directors Members

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Code No. 202.4

VACANCIES

A vacancy occurs when a board member resigns, forfeits or otherwise leaves the office. A vacancy also includes, but is not limited to, the following:

- failure to be properly elected;
- failure to qualify within the time fixed by law;
- failure to reside in the school district or director district; or
- a court order.

If a vacancy occurs prior to the expiration of a term of office, the vacancy will be filled by board appointment within 30 days of the vacancy. The newly-appointed board member will hold the position until the next scheduled school election.

If the board is unable to fill a vacancy by appointment within 30 days after the vacancy occurs, the board secretary will call a special election to be held no sooner than 60 days and not later than 70 days after the vacancy occurred. A board member elected at the special election will serve the remaining portion of the unexpired term.

Legal Reference: Good v. Crouch, 397 N.W.2d 757 (Iowa 1986).

Board of Directors of Grimes Independent School Dist. v. County Board of Public Instruction of Polk Co., 257 Iowa 106, 131 N.W.2d 802 (1965).

Board of Directors of Menlo Consol. School Dist. v. Blakesburg, 240 Iowa 910, 36 N.W.2d 751 (1949).

Iowa Code §§ 21.6(3)(d); 69; 277.29-.30; 279.6-.7 (2013).

1944 Op. Att'y Gen. 39.

Cross Reference: 201 Board of Directors' Elections
202 Board of Directors Members

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BOARD OF DIRECTORS' CONFLICT OF INTEREST

Board members must be able to make decisions objectively. It is a conflict of interest for a board member to receive direct compensation from the school district, unless exempted in this policy, for anything other than reimbursement of actual and necessary expenses, including travel, incurred in the performance of official duties. A board member shall not act as an agent for a school textbook or school supply company during the board member's term of office. It shall not be a conflict of interest for board members to receive compensation from the school district for contracts to purchase goods or services if the benefit to the board member does not exceed \$6,000 in a fiscal year or if the contracts are made by the board, upon competitive bid in writing, publicly invited and opened.

It shall also be a conflict of interest for a board member to engage in any outside

employment or activity which is in conflict with the board member's official duties and responsibilities. In determining whether outside employment or activity of a board member creates a conflict of interest, situations in which an unacceptable conflict of interest is deemed to exist includes, but are not limited to, any of the following:

- (1) The outside employment or activity involves the use of the school district's time, facilities, equipment and supplies or the use of the school district badge, uniform, business card or other evidence of office to give the board member or member of the board member's immediate family an advantage or pecuniary benefit that is not available to other similarly situated members or classes of members of the general public. For purposes of this section, a person is not "similarly situated" merely by being related to a board member.
- (2) The outside employment or activity involves the receipt of, promise of, or acceptance of more or other consideration by the board member or a member of the board member's immediate family from anyone other than the state or the school district for the performance of any act that the board member would be required or expected to perform as part of the board member's regular duties or during the hours in which the board member performs service or work for the school district.
- (3) The outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the board member, during the performance of the board member's duties of office or employment.

If the outside employment or activity is employment or activity in (1) or (2) above, the board member must cease the employment of or activity. If the activity or employment falls under (3), then the board member must:

- (1) Cease the outside employment or activity; or
- (2) Publicly disclose the existence of the conflict and refrain from taking any official action or performing any official duty that would detrimentally affect or create a benefit for the outside employment or activity. Official action or official duty includes, but is not

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limited to, participating in any vote, taking affirmative action to influence any vote, or providing any other official service or thing that is not available generally to members of the public in order to further the interests of the outside employment or activity.

It is the responsibility of each board member to be aware of an actual or potential conflict of interest. It is also the responsibility of each board member to take the action necessary to eliminate such a conflict of interest. Should a conflict of interest arise, a board member

should not participate in any action relating to the issue from which the conflict arose.

Legal Reference: Iowa Code §§ 55; 68B, 71.1; 277.27; 279.7A; 301.28 (2013).
1990 Op. Att'y Gen. 37.
1988 Op. Att'y Gen. 21.
1986 Op. Att'y Gen. 10.
1984 Op. Att'y Gen. 23.
1982 Op. Att'y Gen. 302.
1978 Op. Att'y Gen. 295.
1976 Op. Att'y Gen. 89.
1974 Op. Att'y Gen. 137.
1936 Op. Att'y Gen. 237.

Cross Reference: 201 Board of Directors' Elections
202.1 Qualifications
204 Code of Ethics
216.3 Board of Directors' Member Compensation and Expenses
217 Gifts to Board of Directors
401.3 Nepotism

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CODE OF ETHICS

Board members' actions, verbal and nonverbal, reflect the attitude and the beliefs of the school district. Therefore, board members must conduct themselves professionally and in a manner fitting to their position.

Each board member shall follow the code of ethics stated in this policy.

AS A SCHOOL BOARD MEMBER:

1. I shall listen.
2. I shall respect the opinion of others.
3. I shall recognize the integrity of my predecessors and associates and the merit of their work.
4. I shall be motivated only by an earnest desire to serve my school district and the children of my school district community in the best possible way.
5. I shall not use the school district or any part of the school district program for my own personal advantage or for the advantage of my friends or supporters.
6. I shall vote for a closed session of the board if the situation requires it, but I shall consider "star chamber" or "secret" sessions of board members unethical.
7. I shall recognize that to promise in advance of a meeting how I shall vote on any proposition which is to be considered is to close my mind and agree not to think through other facts and points of view which may be presented in the meeting.
8. I shall expect, in board meetings, to spend more time on education programs and procedures than on business details.
9. I shall recognize that authority rests with the board in legal session and not with individual members of the board, except as authorized by law.
10. I shall make no disparaging remarks, in or out of the board meeting, about other members of the board or their opinions.
11. I shall express my honest and most thoughtful opinions frankly in board meetings in an effort to have decisions made for the best interests of the children and the education program.
12. I shall insist that the members of the board participate fully in board action and recommend that when special committees are appointed, they serve only in an investigative and advisory capacity.
13. I shall abide by majority decisions of the board.
14. I shall carefully consider petitions, resolutions and complaints and shall act in the best interests of the school district.
15. I shall not discuss the confidential business of the board in my home, on the street or in my office; the place for such discussion is the board meeting.
16. I shall endeavor to keep informed on local, state and national educational developments of significance so I may become a better board member.

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CODE OF ETHICS

IN MEETING MY RESPONSIBILITY TO MY SCHOOL DISTRICT COMMUNITY

1. I shall consider myself a trustee of public education and shall do my best to protect it, conserve it, and advance it, giving to the children of my school district

community the educational facilities that are as complete and adequate as it is possible to provide.

2. I shall consider it an important responsibility of the board to interpret the aims, methods and attitudes of the school district to the community.
3. I shall earnestly try to interpret the needs and attitudes of the school district community and do my best to translate them into the education program of the school district.
4. I shall attempt to procure adequate financial support for the school district.
5. I shall represent the entire school district rather than individual electors, patrons or groups.
6. I shall not regard the school district facilities as my own private property but as the property of the people.

IN MY RELATIONSHIP WITH SUPERINTENDENT AND EMPLOYEES

1. I shall function, in meeting the legal responsibility that is mine, as a part of a legislative, policy-forming body, not as an administrative officer.
2. I shall recognize that it is my responsibility, together with that of my fellow board members, to see the school district is properly run and not to run them myself.
3. I shall expect the school district to be administered by the best-trained technical and professional people it is possible to procure within the financial resources of the school district.
4. I shall recognize the superintendent as executive officer of the board.
5. I shall work through the administrative employees of the board, not over or around them.
6. I shall expect the superintendent to keep the board adequately informed through oral and written reports.
7. I shall vote to employ employees only after the recommendation of the superintendent has been received.
8. I shall insist that contracts be equally binding on teachers and the board.
9. I shall give the superintendent power commensurate with the superintendent's responsibility and shall not in any way interfere with, or seek to undermine, the superintendent's authority.
10. I shall give the superintendent friendly counsel and advice.
11. I shall present any personal criticism of employees to the superintendent.
12. I shall refer complaints to the proper administrative officer.

TO COOPERATE WITH OTHER SCHOOL BOARDS

1. I shall not employ a superintendent, principal or teacher who is already under contract with another school district without first securing assurance from the proper authority that the person can be released from contract.
2. I shall consider it unethical to pursue any procedure calculated to embarrass a neighboring board or its representatives.
3. I shall not recommend an employee for a position in another school district unless I would employ the employee under similar circumstances.
4. I shall answer all inquiries about the standing and ability of an employee to the best of my knowledge and judgment, with complete frankness.
5. I shall associate myself with board members of other school districts for the purpose of discussing school district issues and cooperating in the improvement of the education program.

Legal Reference: Iowa Code §§ 21.6(3)(d); 68B; 69; 277.28; 279.7A, 279.8, 301.28 (2013).

Cross Reference: 202 Board of Directors Members

203 Board of Directors' Conflict of Interest

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Code No. 205

BOARD MEMBER LIABILITY

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 Iowa 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 or omission occurring within the scope of their official duties, unless it constitutes a shallful or wanton act or omission. However, the school district shall not save harmless or indemnify board members for punitive damages.

Legal Reference: Wood v. Strickland, 420 U.S. 308 (1975).
42 U.S.C. §§ 1983, 1985 (1994).
Iowa Code ch. 670 (2013).

Cross Reference: 709 Insurance Program

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Code No. 206.1

PRESIDENT

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

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

The president, in addition to presiding at the board meetings, shall take an active role in board decisions by discussing and voting on each motion before the board in the same

manner as other board members. Before making or seconding a motion, the board president will turn over control of the meeting to either the vice-president or other board member.

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

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

Legal Reference: Iowa Code §§ 279.1-.2; 291.1 (2013).

Cross Reference: 200.1 Organization of the Board of Directors
202.2 Oath of Office
206.2 Vice-President

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Revised: 9/23/20

Code No. 206.2

VICE-PRESIDENT

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

By this election, if the board president is unable or unwilling to carry out the duties required, it is the responsibility of the Vice-President of the board to carry out the duties of the president. If the president is unable or unwilling to complete the term of office, the vice-president will serve as president for the balance of the president's term of office, and new vice-president will be elected.

The vice-president will accept control of the meeting from the president when the president wishes to make or second a motion. The vice-president will take an active role

in board decisions by discussing and voting on matters before the board in the same manner as other board members.

For more detailed discussion of this issue, see IASB's Policy Primer, June 14, 2010 and October 21, 2008.

Legal Reference: Iowa Code § 279.5 (2013).

Cross Reference: 200.1 Organization of the Board of Directors
202.2 Oath of Office
206.1 President

Approved: 10/08/20

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Code No. 206.3

SECRETARY-TREASURER

A board secretary-treasurer may be appointed from employees, other than a position requiring a teaching certificate, or from the public at the board meeting held each year after July 1 and no later than August 15, to serve a one year term of office. To finalize the appointment, the board secretary-treasurer shall take the oath of office during the meeting at which the individual was appointed or no later than ten days thereafter.

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

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

In the event that the President and Vice President of the Board are both absent, the secretary shall serve as temporary chairman for the purpose of selecting a president protempore.

Legal Reference: Iowa Code §§ 12B.10; 12C; 64; 277.27; 279.3, .5, .7, .31-.33, .35;
291.2-.4, .6-.15; 299.10, .16 (2013).
281 I.A.C. 12.3(1).
1978 Op. Att'y Gen. 328.

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

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Code No. 207

BOARD OF DIRECTORS' LEGAL COUNSEL

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

The superintendent and board secretary shall have the authority to contact the board's

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

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

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

Iowa Code § 279.37 (2013).

Cross Reference: 200 Legal Status of the Board of Directors

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Code No. 208

AD HOC COMMITTEES

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

An ad hoc committee may be formed by board resolution which will outline the duties and purpose of the committee. The committee is advisory in nature and has no duty or responsibility other than that specifically stated in the board resolution. The committee will automatically dissolve upon the delivery of its final recommendation to the board or upon completion of the duties outlined in the board resolution. The board will receive the

report of the committee for consideration. The board retains the authority to make a final decision on the issue. The committee will be subject to the open meetings law if the committee is established by statute or if the committee makes policy recommendations and is established or approved by the board.

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

Legal Reference: Iowa Code §§ 21; 279.8; 280.12(2) (2013).
281 I.A.C. 12.3(3), .3(8); .5(8).
O.A.G., Nov. 18, 1993

Cross Reference: 103 Long-Range Needs Assessment
211 Open Meetings
212 Closed Sessions
215 Board of Directors' Records
605.1 Instructional Materials Selection
900 Principles and Objectives for Community Relations

Approved: 11/23/09
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Code No. 208.1E1

Ad Hoc Committees Exhibit

Ad Hoc Committee Purpose and Function

The specific purpose of each ad hoc committee varies. Generally, the primary function of an ad hoc committee is to give specific advice and suggestions. The advice and suggestions should focus on the purpose and duties stated in the board resolution

establishing the committee. It is the board's role to take action based on information received from the ad hoc committee and other sources. Ad hoc committees may be subject to the open meetings law.

Role of an Ad Hoc Committee Member

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

Ad Hoc Committee Membership

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

Code No. 209.1

DEVELOPMENT OF POLICY

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

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

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

Legal Reference: Iowa Code §§ 274.1-.2; 279.8; 280.12 (2013). 281
I.A.C. 12.3(2).
1970 Op. Att'y Gen. 287.

Cross Reference: 101 Educational Philosophy of the School District 200.2
Powers of the Board of Directors
200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedures

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Code No. 209.2

ADOPTION OF POLICY

The board will 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 will be distributed and public comment will be allowed at both meetings prior to final board action. This notice procedure will 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 will be included in the minutes. The board will have complete discretion to determine what constitutes an emergency situation.

The final action taken to adopt the proposed policy will 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 will expire at the close of the third regular meeting following the emergency action, unless the policy adoption procedure stated above is followed and the policy is reaffirmed.

Legal Reference: Iowa Code § 279.8 (2013).
281 I.A.C. 12.3(2).
1970 Op. Att'y Gen. 287.

Cross Reference: 200.2 Powers of the Board of Directors
200.3 Responsibilities of the Board of Directors
209 Board of Directors' Management Procedures

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 209.3

DISSEMINATION OF POLICY

A board policy manual shall be housed on the Central Office web site with the official copy kept by the board secretary.

It shall be the responsibility of the board secretary to ensure copies of new and revised policy statements are posted on the Central Office web site. A summary statement of new policies and changes to existing policies shall be included in the minutes of the meetings in which the final action of adoption was taken.

Hard copy will be issued to board members upon request.

Legal Reference: Iowa Code §§ 277.31; 279.8 (2013).
281 I.A.C. 12.3(2).

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

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 209.4

SUSPENSION OF POLICY

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

Legal Reference: Iowa Code § 279.8 (2013).
281 I.A.C. 12.3(2).

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

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 209.5

ADMINISTRATION IN THE ABSENCE OF POLICY

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

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

Legal Reference: Iowa Code § 279.8 (2013).
281 I.A.C. 12.3(2).

Cross Reference: 200.3 Responsibilities of the Board of Directors 209
Board of Directors' Management Procedures
302.4 Superintendent Duties
304 Policy Implementation

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 209.6

REVIEW AND REVISION OF POLICY

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

The board shall review one-fifth of the policy manual annually according to the following subject areas:

- (1) Board of Directors (Series 200)
- (2) Administration, Employees (Series 300 and 400)
- (3) School District, Education Program (Series 100 and 600)
- (4) Students (Series 500)
- (5) Noninstructional Operations and Business Services, Buildings and Sites, School District-Community Relations (Series 700, 800 and 900)

It is 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 that is minor, the policy may be approved at one meeting at the discretion of the board.

Legal Reference: Iowa Code § 279.8 (2013).
281 I.A.C. 12.3(2).

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

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 209.7

REVIEW OF ADMINISTRATIVE REGULATIONS

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

It is the responsibility of the superintendent to develop administrative regulations to implement the board policies. The regulations, including handbooks, shall be reviewed

by the board prior to their use in the school district.

The administrative regulations shall be available no later than the first regular board meeting after the adoption of the board policy unless the board directs otherwise.

Legal Reference: Iowa Code §§ 279.8, .20 (2013).

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

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 210.1

ANNUAL MEETING

Each year after August 31 and prior to the organizational meeting of the board in odd numbered years, the board shall hold its annual meeting.

At the annual meeting, the board will examine the financial books and settle the secretary's and treasurer's statements for the fiscal year ending the preceding June 30. As

part of the annual reports, the treasurer shall present affidavits from depository banks.

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

Legal Reference: Iowa Code §§ 279.3, .33 (2013).

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

Approved: 10/08/20

Reviewed: 9-23-20

Revised: 9/23/20

Code No. 210.2

REGULAR MEETING

The regular meeting time and date will be set by the board at the organizational meeting in odd-numbered years, or at the annual meeting in even-numbered years.

(The regular meetings of the board will be held on the 2nd Thursday of each month. Meetings will begin promptly at 6:00 p.m.) The board will adhere to this meeting date and time unless the board requires additional meetings or, due to circumstances beyond the board's control, the meeting cannot be held on the regular meeting date, and the meeting will be re-scheduled in accordance with law and policy. Public notice of the meetings will be given.

Legal Reference: Iowa Code §§ 21.3, .4; 279.1 (2013).
1980 Op. Att'y Gen. 148.

Cross Reference: 200.1 Organization of the Board of Directors 210
Board of Directors' Meetings

Approved: 10/08/20

Reviewed: 9-23-20

Revised: 9-23-20

Code No. 210.3

SPECIAL MEETING

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

If the special meeting called is an emergency meeting and the board cannot give public notice in its usual manner, the board shall give public notice of the meeting as soon as practical and possible in light of the situation. Emergency meetings shall only be held when an issue cannot wait twenty-four hours necessary for a special meeting. The reason for the emergency meeting and why notice in its usual manner could not be given shall be stated in the minutes.

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

Legal Reference: Iowa Code §§ 21.3, .4; 279.2 (2013).
1980 Op. Att'y Gen. 148.

Cross Reference: 200.1 Organization of the Board of Directors 210
Board of Directors' Meetings

Approved: 11/23/09

Reviewed 9-23-20

Revised:

Code No. 210.4

WORK SESSIONS

The board, as a decision making body, is confronted with a continuing flow of problems, issues and needs which require action. While the board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming and thoughtful discussion without action. Therefore, the board may schedule work sessions and retreats in order to provide its members and the administration with such opportunities. The board has the authority to hire an outside facilitator to assist them in work sessions.

Topics for discussion and study will be announced publicly, in compliance with the open meeting law, and work sessions and retreats will be conducted in open session. However, no board action will take place at the work session.

Legal Reference: Iowa Code §§ 21; 22.7; 279.8, .35 (2013).
1982 Op. Att'y Gen. 162.
1980 Op. Att'y Gen. 167.
1976 Op. Att'y Gen. 384, 514, 765.
1972 Op. Att'y Gen. 158.
1970 Op. Att'y Gen. 287.

Cross Reference: 210 Board of Directors' Meetings
211 Open Meetings

Approved: 11/23/09

Reviewed 9-23-20

Revised:

Code No. 210.5

MEETING NOTICE

Public notice shall be given for meetings and work sessions held by the board. Public notice shall indicate the time, place, date and tentative agenda of board meetings. The public notice shall be posted on the bulletin board in the central administration office at least 2 days before it is scheduled, but, at the minimum, twenty-four hours notice needs to be given.

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

In the case of special meetings, public notice shall be given in the same manner as for a regular meeting unless it is an emergency meeting. In that case, public notice of the meeting shall be given as soon as practical and possible in light of the situation. The

media and others who have requested notice shall be notified of the emergency meeting. Attendance at a special meeting or emergency meeting by the media or board members shall constitute a waiver of notice.

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

Legal Reference: Dobrovolny v. Reinhardt, 173 N.W.2d 837 (Iowa 1970).
Iowa Code §§ 21.2-.4; 279.1, .2 (2013).
1952 Op. Att'y Gen. 133.

Cross Reference: 210 Board of Directors' Meetings
210.8 Board of Directors' Meeting Agenda

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 210.6

QUORUM

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

While board members are encouraged to attend board meetings, 3 members shall constitute a quorum and are a sufficient number to transact business of the school corporation. The adjournment of a meeting may be executed without a quorum.

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

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

Legal Reference: Iowa Code §§ 21.5(1); 279.4 (2013).

Cross Reference: 210 Board of Directors' Meetings

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 210.7

RULES OF ORDER

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

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

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

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

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

Legal Reference: Iowa Code §§ 21.2, .7; 279.8 (2013).

Cross Reference: 210 Board of Directors' Meetings
210.8 Board Meeting Agenda

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No.

210.7R

Rules of Order Regulation

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

1. board members need not rise to gain the recognition of the board president;

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

Code No. 210.8

BOARD MEETING AGENDA

The tentative agenda for each board meeting shall state the topics for discussion and action at the board meeting. The agenda is part of the public notice of the board meeting and shall be posted and distributed.

Persons requesting to place an item on the agenda must make a request to the superintendent prior to the drafting of the tentative agenda. The person making the request must state the person's name, address, purpose of the presentation, action desired and pertinent background information. Requests from the public may be added to the tentative agenda at the discretion of the superintendent after consultation with the board president. Requests received after the deadline may only be added to the agenda for good cause.

The tentative agenda and supporting documents shall be placed on the school board website prior to the scheduled board meeting. These documents are the private property of the board member. Persons wishing to view the tentative agenda and supporting documents may do so at the central administration office. Hard copies will be provided upon request to individual board members.

The board shall take action only on the items listed on the tentative agenda posted with the public notice. Items added to the agenda may be discussed or taken under advisement by the board. If an added item is acted upon, the minutes of the board meeting shall state the reason justifying the immediate action.

It is the responsibility of the board president and superintendent to develop the agenda for each board meeting.

Legal Reference: Iowa Code §§ 21; 279.8 (2013).
1980 Op. Att'y Gen. 269.

Cross Reference: 210 Board of Directors' Meetings
211 Open Meetings
213 Public Participation in Board Meetings
215 Board of Directors' Records
402.5 Public Complaints About Employees
502.4 Student Complaints and Grievances

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

Code No. 210.9

CONSENT AGENDAS

Very often the board must consider agenda items which are noncontroversial or similar in content. Such agenda items might include ministerial tasks such as, but not limited to, the approval of the agenda, approval of previous minutes, approval of bills, approval of reports, etc. These items might also include similar groups of decisions such as, but not limited to, approval of staff contracts, approval of maintenance details for the school buildings and grounds, open enrollment requests or approval of various schedules.

In order for a more efficient administration of board meetings, the board may elect to use a consent agenda for the passage of noncontroversial items or items of a similar nature.

The superintendent in consultation with the board president and board secretary shall place items on the consent agenda. By using a consent agenda, the board has consented to the consideration of certain items as a group under one resolution. Items may be removed from the consent agenda at the request of a board member.

Nothing in this policy is to be construed as an attempt to avoid full compliance with laws dealing with open meetings or public notice of the agenda and meeting.

Legal Reference: Iowa Code §§ 21; 279.8 (2013).

Cross Reference: 210 Board of Directors' Meetings

Approved 11/23/09

Reviewed 9/23/20

Revised

Code No. 210.11

Method of Voting

In keeping with the public nature of the meeting, votes by the board, except those required by law to be roll call, shall be by voice vote of “aye” or “nay” unless a board member requests a roll call vote. An affirmative vote of the majority of votes cast,

excluding abstentions, is sufficient to adopt a motion unless a higher percentage of affirmative votes is required by law or board policy.

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

Legal Reference: Iowa Code §§ 21.3, .5(1); 279.8(2013)

Cross Reference: 211 Board of Directors

Approved: 12/10/09

Reviewed: 9-23-14

Revised:

OPEN MEETINGS

A gathering of a majority of board members in which deliberation of an issue within the jurisdiction of the board takes place is a board meeting. A gathering for the purpose of social or ministerial action shall not constitute a board meeting unless a discussion of policy takes place. Meetings of the board shall be conducted in an open meeting unless a closed session is authorized by law or the meeting is exempt from the open meetings law.

Legal Reference: Iowa Code §§ 21, 279.1-.2 (2013).

1982 Op. Att'y Gen. 162.

1980 Op. Att'y Gen. 167.

Cross Reference: 208 Ad Hoc Committees
210 Board of Directors' Meetings
210.8 Board Meeting Agenda
212 Closed Sessions

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

CLOSED SESSIONS

Generally, board meetings shall be open meetings, unless a closed session or exempt meeting is provided for by law. The board shall hold a closed session or exempt meeting in the situations stated below.

Exceptions to the Open Meetings Law

Closed sessions take place as part of an open meeting. 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, stating the purpose for the closed session, shall be made and seconded during the open meeting. A minimum of two-thirds of the board, or all of the board members present, must vote in favor of the motion on a roll call vote. Closed sessions shall be tape-recorded and have detailed minutes kept by the board secretary. Final action on matters discussed in the closed session shall be taken in an open meeting.

The minutes and the tape recording shall restate the motion made in the open meeting, the roll call vote, the members present, and the time the closed session began and ended. The tape recordings and the written minutes shall be kept for one year from the date of the meeting. Real estate related minutes and tapes shall be made public after the real estate transaction is completed.

The detailed minutes and tape recording shall be sealed and shall not be public records open to public inspection. The minutes and tape recording shall only be opened upon court order in an action to enforce the requirements of the open meetings law. The board has complete discretion as to who may be present at a closed session.

Reasons for the board entering into a closed session from an open meeting include, but are not limited to, the following:

1. To review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for the board's possession or receipt of federal funds.
2. To discuss strategy with legal counsel in matters presently in litigation, or where litigation is imminent, if disclosure would be likely to prejudice or disadvantage the board.
3. To discuss whether to conduct a hearing for suspension or expulsion of a student, unless an open meeting is requested by the student or

the parent of the student.

4. To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when a closed session is necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.

5. To discuss the purchase of particular real estate, but only when premature disclosure could be reasonably expected to increase the price the board would have to pay for the property.

Code No. 212

Page 2 of 2

Exemptions to the Open Meetings Law

Board meetings at which a quorum is not present, or gatherings of the board for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of the open meetings law, are exempt from the open meetings law requirements. Since gatherings of this type are exempt from the open meetings requirements, they can be held without public notice, be separate from an open meeting, be held without taping the gathering or taking minutes, and be held without a vote or motion. The board may also hold an exempt session for the following:

1. negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitration;
2. to discuss strategy in matters relating to employment conditions of employees not covered by the collective bargaining law;
3. to conduct a private hearing relating to the recommended termination of a teacher's contract. However, the private hearing in the teacher's contract termination shall be recorded verbatim by a court reporter; and
4. to conduct a private hearing relating to the termination of a probationary administrator's contract or to review the proposed decision of the

administrative law judge regarding the termination of an administrator's contract.

Legal Reference: Iowa Code §§ 20.17; 21; 22.7; 279.15, .16, .24 (2013).

1982 Op. Att'y Gen. 162.

1980 Op. Att'y Gen. 167.

1976 Op. Att'y Gen. 384, 514, 765.

1972 Op. Att'y Gen. 158.

1970 Op. Att'y Gen. 287.

Cross Reference: 208 Ad Hoc Committees

211 Open Meetings

Adopted: 11/23/09

Reviewed: 9-23-20

Revised:

PUBLIC PARTICIPATION IN BOARD MEETINGS

The board 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.

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 action however, the following should be completed:

- (a) Matters should first be addressed to the teacher or employee:
- (b) Unsettled matters from (a) above or problems and questions about individual attendance centers should be addressed to the employee's building principal.
- (c) Unsettled matters from (b) above or problems and questions concerning the school district should be directed to the superintendent.
- (d) If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board for consideration. To bring a concern, the individual shall notify the board president or board secretary in writing, who may bring it to the attention of the entire board.

It is within the discretion of the board to address complaints from the members of the school district community, and the board will only consider whether to address complaints if they are in writing, signed, and the complainant has complied with this policy. The board is not obligated to address a complaint and may defer to the decision of the superintendent. If the board elects not to address a complaint, the decision of the superintendent shall be final. If the board does elect to address a complaint, its decision shall be final.

Legal Reference: Iowa Code §§ 21; 22; 279.8 (2013).

Cross Reference: 205 Board Member Liability
210.8 Board Meeting Agenda
214 Public Hearings
307 Communication Channels
401.4 Employee Complaints
402.5 Public Complaints About Employees

502.4 Student Complaints and Grievances

Approved: 10/08/20

Reviewed: 09/23/20

Revised: 09/23/20

Code No. 213.1R1

GENERAL COMPLAINTS BY CITIZENS

The board recognizes that concerns regarding the operation of the school district shall arise. The board further believes that constructive criticism can assist in improving the quality of the education program and in meeting individual student needs more effectively. The board also places trust in its employees and desires to support their actions in a manner that frees them from unnecessary or unwarranted criticism and complaints.

Procedures for dealing with complaints concerning programs or practices should be governed by the following principles:

- (1) where action/investigation is desired by the complainant, or where it seems appropriate, the matter should be handled as near the source as possible;
- (2) complaints should both be investigated and, if possible, resolved expeditiously;
- (3) complaints should be dealt with courteously and in a constructive manner; and,
- (4) individuals directly affected by the complaint should have an opportunity to respond.

Specific procedures for handling complaints may be established in policies. The board, consistent with its board policy-making role, shall deal with complaints concerning specific schools, programs or procedures only after the usual channels have been exhausted. Complaints regarding employees or complaints by students shall follow the more specific policies on those issues.

When a complaint requiring attention is received by the board or a board member it shall

be referred to the superintendent. After all of the channels have been exhausted, the complainant may appeal to the board by requesting a place on the board agenda or during the public audience portion of the board meeting. If the complainant appeals to the board, the appeal shall be in writing, signed and explain the process followed by the complainant prior to the appeal to the board.

PUBLIC COMPLAINTS

The board 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.

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 action however, the following should be completed:

- (a) Matters should first be addressed to the teacher or employee.
- (b) Unsettled matters from (a) above or problems and questions about individual attendance centers should be addressed to the employee's building principal.
- (c) Unsettled matters from (b) above or problems and questions concerning the school district should be directed to the superintendent.
- (d) If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board for consideration. To bring a concern, the individual shall notify the board president or board secretary in writing, who may bring it to the attention of the entire board.

It is within the discretion of the board to address complaints from the members of the school district community, and the board will only consider whether to address complaints if they are in writing, signed, and the complainant has complied with this policy. The board is not obligated to address a complaint and may defer to the decision of the superintendent. If the board elects not to address a complaint, the decision of the superintendent shall be final. If the board does elect to address a complaint, its decision shall be final.

Legal Reference: Iowa Code § 279.8

Cross Reference: 210.8 Board Meeting Agenda
213 Public Participation in Board Meetings
307 Communication Channels

Approved 10/08/20
Revised

Reviewed 9-23-20

PUBLIC HEARINGS

Public hearings may be held on school district matters at the discretion of the board. Public notice of a public hearing shall be in the same manner as for a board meeting except that the notice shall be given at least ten days before the hearing is to be held unless it is impossible or impractical to do so.

At public hearings, citizens of the district who register at the door shall be allowed to speak on the issue for which the public hearing is being held. Others may be allowed to speak at the board's discretion. Speakers are asked to keep their remarks as brief as possible. Prior to the beginning of the hearing, speakers and spectators shall be apprised of the rules of order to be followed regarding time limitations, questions, remarks and rebuttals. In no event shall 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 shall be presented by the board president. The board president shall 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 shall 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: Iowa Code §§ 24.9; 279.8, .10; 297.22 (2013).

Cross Reference: 210 Board of Directors' Meetings
213 Public Participation in Board Meetings
601.1 School Calendar
703.1 Budget Planning

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

BOARD OF DIRECTORS' RECORDS

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

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

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

Legal Reference: Iowa Code §§ 21; 22; 279.8, .35, .36; 291.6, .7; 618.3 (2013).

281 I.A.C. 12.3(1).

1982 Op. Att'y Gen. 215.

1974 Op. Att'y Gen. 403.

1952 Op. Att'y Gen. 133.

Cross Reference: 206.3 Secretary

206.4 Treasurer

208 Ad Hoc Committees

210.8 Board Meeting Agenda

708 Care, Maintenance and Disposal of School District Records

901 Public Examination of School District Records

Approved: 10/08/20

Reviewed: 9-23-20

Revised:

ASSOCIATION MEMBERSHIP

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

Legal Reference: Iowa Code § 279.38 (2013).

Cross Reference: 216.2 Board of Directors' Member Development and Training

Approved: 11/23/09

Reviewed: 9/23/20

Revised: 9-23-14

BOARD OF DIRECTORS' MEMBER DEVELOPMENT AND TRAINING

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

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

Legal Reference: Iowa Code §§ 279.8, .38 (2013).

Cross Reference: 216.1 Association Membership

Approved: 11/23/09

Reviewed: 9-23-20

Revised:

BOARD OF DIRECTORS' MEMBER COMPENSATION AND EXPENSES

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

Prior to reimbursement of actual and necessary expenses, the board member must submit a detailed receipt indicating the date, purpose and nature of the expense for each claim item. A credit card receipt is generally not considered a detailed receipt. Failure to provide a detailed receipt shall make the expense a personal expense. Personal expenses shall be reimbursed by the board member to the school district no later than ten working days following the date of the expense. In exceptional circumstances, the board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances shall be maintained as part of the school district's record of the claim.

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

Legal Reference: Iowa Code §§ 68B; 277.27; 279.7A, .8, .32 (2013).

Cross Reference: 203 Board of Directors' Conflict of Interest

401.7 Employee Travel Compensation

401.10 Credit Cards

Adopted: 10/08/20

Reviewed: 9-23-20

Revised:

GIFTS TO BOARD OF DIRECTORS

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

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

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

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

- (1) contributions to a candidate or a candidate's committee;
- (2) information material relevant to a board member's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- (3) anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another

person not so related;

(4) an inheritance;

(5) anything available or distributed to the general public free of charge without regard

to the official status of the board recipient;

(6) items received from a charitable, professional, educational or business organization

to which the board member belongs as a dues paying member if the items are given

to all members of the organization without regard to an individual member's status

or positions held outside of the organization and if the dues paid are not

inconsequential when compared to the items received;

(7) actual expenses of a board member for food, beverages, travel and lodging for a

meeting, which is given in return for participation in a panel or speaking engagement

at the meeting when the expenses relate directly to the day or days on which the

board member has participation or presentation responsibilities;

(8) plaques or items of negligible resale value given as recognition for public service;

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(9) nonmonetary items with a value of less than three dollars that are received from any

one donor during one calendar day;

(10) items or services solicited or given to a state, national or regional organization in which

the state of Iowa or a school district is a member for purposes of a business or

educational conference, seminar or other meeting or solicited by or given to state,

national or regional government organizations whose memberships and officers

are primarily composed of state or local government officials or employees for

purposes of a business or educational conference, seminar or other meeting;

(11) items or services received by members or representatives of members as part

of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision

of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;

(12) funeral flowers or memorials to a church or nonprofit organization;

(13) gifts which are given to a public official for the public official's wedding or

twenty-fifth or fiftieth wedding anniversary;

(14) payment of salary or expenses by a board member's employer or the firm in which the board member is a member for the cost of attending a meeting of a subunit of an agency when the board member whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the board member is not entitled to receive compensation or

reimbursement of expenses from the school district;

(15) gifts other than food, beverages, travel and lodging received by a board member which are received from a person who is a citizen of a country other than the United States and is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the board member; or

(16) actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

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

(1) actual expenses of a board member for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the board member has participation or presentation responsibilities;

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(2) a nonmonetary gift or series of nonmonetary gifts donated within thirty days to a public body, an educational or charitable organization or the department of general services; or

(3) a payment made to a board member for services rendered as part of a private business, trade or profession in which the board member is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as a board member but, rather, because of some special expertise or other qualification.

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

Legal References: Iowa Code ch. 68B (2013).

1972 Op. Att'y Gen. 276.

1970 Op. Att'y Gen. 319.

Cross References: 203 Board of Directors' Conflict of Interest

402.4 Gifts to Employees

704.4 Gifts - Grants - Bequests

Adopted: 11/23/09

Reviewed: 9-23-20

Revised: