

BATH CENTRAL SCHOOL DISTRICT

Board Operating Procedures

Bath CSD Board of Education

These procedures are intended to outline how the Board wishes to conduct business as a body. A violation of these procedures does not necessarily affect the validity or legality of any Board action otherwise properly adopted.

Contents

New Board Member Orientation.....	2
Board Meeting Agenda Preparation.....	3
Board Member Participation in “Public Comment”	4
Discussion, Debate and Voting.....	5
Response to Executive Session- or School Attorney- related Inquiries	6
Opinions about Board Member’s Performance	7
Board Member Campus Visits.....	8
Community or Employee Complaints.....	9
Board Officer Election	10
Board Committee Selection and Operation	11
Board Self-Assessment.....	12
Annual School Board Activity Calendar	13
District Mission, Vision and Annual Goals	14
Budget Development and Adoption.....	15
Media Relations.....	16
Superintendent Formal Annual Evaluation.....	17
Comments on Superintendent Performance (other than Formal Evaluation)	18
Hiring Other Personnel.....	19

New Board Member Orientation

- 1) The electee shall be invited to participate in a New Member Orientation Program developed through the Board of Education's Governance Committee in consultation with the Superintendent of Schools and upon full approval by the Board.
- 2) The Board President, Superintendent, and/or at least one incumbent Board member will participate in all in-house orientation sessions. Additional administrative staff members may also be included to present specific information about the district.
- 3) New Board members will be provided the opportunity to fulfill the mandated fiscal oversight training within the first year of holding office, as well as to participate in other training opportunities that enhance Boardsmanship.
- 4) Orientation sessions should include, but not be limited to, the following:
 - a) General district information such as:
 - Geographic area included and number of square miles
 - Number of students, teachers, and other employees
 - Student demographics, including trend data
 - Administrative structure and directory of key personnel
 - Ongoing issues of interest to residents
 - Organization chart
 - b) Overview of district programs and operations such as:
 - District vision, mission, goals and plans
 - District budget overview
 - Overview of district curriculum objectives, standards, and instructional programs
 - Copy of policy manual or link to online access
 - Superintendent performance goals, current Superintendent evaluation instrument, process, and calendar
 - Organization chart
 - c) Information about team operations, including:
 - Overview of roles and responsibilities of the Board and Superintendent
 - Calendar of required training sessions
 - Current Board operating procedures
- 5) The Board President will meet with the new member to walk through and explain a typical Board meeting and the Board packet.

Related Policies: 2110, ORIENTING NEW BOARD MEMBERS/BOARD MEMBER TRAINING

Board Meeting Agenda Preparation

- 1) A draft agenda will be mutually developed by the Superintendent and Board President in sufficient time to allow the full Board to receive it **three (3) days** prior to the meeting for which the agenda is being prepared.
- 2) Any Board member may request that an item be placed on the agenda for Board consideration by contacting the Board President or Superintendent prior to the meeting. The Superintendent and Board President will jointly determine whether to include the item or hold to a future meeting.
- 3) Board members may introduce potential agenda items during the Board discussion portion of the meeting. This period will provide time for members to offer comment or raise an issue to see if it is the will of the Board to consider the issue at a future meeting.
- 4) The Superintendent and other administrative staff members will make every reasonable effort to provide sufficient information to support agenda items prior to the meeting so that Board members can make informed decisions. All parties recognize that individuals have different levels of expertise and interests.
- 5) Use of a consent agenda to present items for a single vote without discussion will conform to the following guidelines:
 - a) Placement of items on the consent agenda will be at the discretion of the Board President and Superintendent.
 - b) Any individual Board member may ask questions or discuss an item on the consent agenda by asking the President to remove it from the consent agenda for individual consideration.
 - c) Examples of items that may be included on the consent agenda include:
 - Routine items, including certain personnel actions such as extracurricular appointments, substitutes, and volunteers
 - Acceptance of financial reports
 - Routine bid recommendations in alignment with district policy
 - Transportation requests
 - Use of Facility requests
- 6) A running list of future agenda items will be maintained by the district clerk, and reviewed by the Superintendent and Board President when creating the agenda for a meeting. The Board will periodically assess the status of the list.

Related Policies: 1510, REGULAR BOARD MEETINGS; 1511, AGENDA FORMAT

Board Member Participation in “Public Comment”

- 1) Persons wishing to address the Board during open public comment will comply with the provisions of Board policy 3220, Public Expression at Meetings, that outlines the specific times and procedures applicable to public comments during Board meetings.
- 2) The procedures specified in policy 3220 will be outlined on the meeting agenda available at each meeting. The Board President will explain the rules for public participation prior to each session.
- 3) During the public comment section of the meeting, Board members will listen to comments, but only the President, as the designated spokesperson, may respond if a response is necessary. Those responses are limited to
 - a) Correcting misstatements of fact presented by the speaker.
 - b) Referring the speaker to applicable Board policy which relates to his or her comments.
 - c) With the agreement of the Board, placing the item on a future Board agenda for discussion if not listed on the current Board agenda.
 - d) With Board approval, the President may direct the Superintendent to investigate matters brought forward during public comment and report findings to the Board at a later meeting.
- 4) Members of the public will be cautioned that personnel matters and individual student matters are not proper subjects for public comment. If the speaker’s comments reflect a complaint about personnel, the President will prohibit the speaker for continuing and refer him/her to the appropriate complaint policy.
- 5) The Board must bear in mind that generally persons who speak during public comment have First Amendment rights, though these rights can be conditioned based upon the subject matter. The Board should seek legal advice before disallowing a speaker’s contribution to public comment based solely on the viewpoint expressed.

Related Policies: 3220, PUBLIC EXPRESSION AT MEETINGS; 1511, AGENDA FORMAT

Discussion, Debate and Voting

- 1) The Board shall generally observe the parliamentary procedures in *Robert's Rules of Order Newly Revised*, using it as a guideline in the conduct of the meeting, unless it conflicts with state law.
- 2) A guide of *Robert's Rules of Order Newly Revised* will be available to the Board President at every meeting.
- 3) Generally, Board members shall direct comments solely to the business currently under deliberation.
- 4) The Board President shall:
 - a) Ensure that discussion pertains to the current agenda item being discussed and halt discussion that does not apply to the business at hand.
 - b) Generally halt discussion on issues raised that are not on the agenda. The President will ask during the Board Discussion portion of the meeting if there are any issues that should be placed on a future agenda for discussion, and, if so, direct the district clerk to make a note to do so.
 - c) Have the same right as any Board member to make motions and vote. The President will first provide an opportunity for other Board members to make a motion before offering his or her own motion.
- 5) Voting will be by show of hands.
- 6) Generally, each Board member will exercise his or her right and obligation as an elected official to participate in deliberations and vote on each item before the Board unless a conflict of interest arises. After notifying fellow Board members of the conflict of interest, the member must recuse him/herself from deliberations and voting.
- 7) Board members will bear in mind that it is not helpful to repeat points that have already been made. Reasonable effort will be made to balance the need to express one's opinion with the goal of conducting an efficient and effective public meeting.

Related Policies: 2120, USE OF PARLIAMENTARY PROCEDURE; 1321, DUTIES OF THE PRESIDENT OF THE BOARD OF EDUCATION; 1301, BOARD MEMBER CONFLICT OF INTEREST

Response to Executive Session- or School Attorney- related Inquiries

- 1) Board members will not disclose confidential information that is either provided in confidential memoranda, in meetings with the school attorney or properly discussed in executive session.
- 2) Members may confirm that the Board discussed a particular topic during executive session if that topic was listed on the agenda and the presiding officer announced the Board would discuss it in executive session as allowed by law.
- 3) In explaining their inability to answer questions, members may state that the Board is restricted both by law and its Code of Ethics from disclosing any such information, including information about medical situations, student records, personal identification data, evaluations, investigations, and performance plans or sanctions.
- 4) Members should be familiar with the requirements of the Open Meetings Law so that they can explain to constituents the limitations of information that can appropriately be shared.
- 5) Members should be aware that public disclosure of information shared at a meeting with the school attorney may result in violating attorney-client privilege and open the Board to liability.

Related Policies: 1730, EXECUTIVE SESSIONS; 1510, REGULAR BOARD MEETINGS; 1300, CODE OF ETHICS FOR BOARD OF EDUCATION

Opinions about Board Member's Performance

- 1) A Board member who has an issue with a colleague's performance is encouraged to express those concerns directly to that individual. [If the matter relates to harassment or criminal activity, then the member should not attempt this and should seek assistance from an attorney or law enforcement]. If the concern involves the Board President, a member should discuss the issue with the Board Vice President.
- 2) If addressing the issue directly with the member does not resolve the concern, then discussion with the Board President is appropriate.
 - a) The Board President shall discuss the concern with the individual in question on behalf of the reporting Board member or shall moderate a discussion between the members.
 - b) If the Board member in question does not believe his or her behavior is in conflict with the Board's code of ethics, an item may be put on the agenda to discuss the parameters of acceptable Board behavior for an upcoming Board meeting.
 - c) The Board President may believe that the nature of the issue would be best addressed by scheduling a retreat for the entire Board. The Board as a whole would vote on a motion to approve the scheduling of a retreat at a Board meeting.
- 3) Members will not take concerns about fellow Board members to the Superintendent for purposes of attempting to resolve disputes.
- 4) In order to preserve the integrity and credibility of the school district as a whole, members will not speak negatively (for example, personal attacks or character assassination) about another member, Superintendent, or staff in the community.
- 5) If the issue is so problematic as to raise a question about the member's ability to serve, the Board may consult with the district's attorney to determine if removal proceedings should be considered.

Related Policies: 1300, CODE OF ETHICS FOR BOARD OF EDUCATION; 1240, RESIGNATION AND DISMISSAL; 2340, SELF-EVALUATION OF BOARD OPERATING PROCEDURES

Board Member Campus Visits

- 1) Board members are encouraged to attend as many school events as their time permits. Board members are required to follow the Board policy for visitors.
- 2) When attending scheduled events within a building, Board members should announce their presence to the principal. The principal should take the opportunity to introduce the Board member to those in attendance.
- 3) When Board members plan to visit any school building, they should notify the principal prior to their arrival.
- 4) Unless the visit is Board-sanctioned, Board members may interact with any staff member or student in the same manner as any other visitor. If the member's visit is Board-sanctioned, then the member will make every effort to manage interactions so they do not disrupt the learning process.
- 5) Board members may not give any directive to any staff or students.
- 6) When visiting with teachers of their own children, Board members will make it clear that they are acting as parents rather than as Board members.
- 7) Board members will not request or accept favors from any district employee that could lead to the perception (or reality) that the district's code of ethics has been violated.

Related Policies: 3210, VISITORS TO THE SCHOOL; 1310, POWERS AND DUTIES OF THE BOARD; 1300, CODE OF ETHICS FOR BOARD OF EDUCATION; 3410, CODE OF CONDUCT ON SCHOOL PROPERTY

Community or Employee Complaints

- 1) A Board member who is approached with a complaint outside of a Board meeting is expected to listen respectfully. Remind the complainant of the Board's responsibility to remain impartial and noncommittal because complaints may ultimately be brought to the Board on appeal. Board members should also mention to a complainant that only the Board, not individual Board members, can take action to correct a situation.
- 2) Complainants who desire a particular action to be taken should be referred to the appropriate Board policy and informed of the steps listed in policy which are necessary to protect everyone's rights while following an orderly process.
- 3) Board members should ask if the complainant has followed the chain of command outlined in district policy.
- 4) If the complainant does not know the district's chain of command, the Board member will provide the following information:
 - a) The complainant should first discuss the problem with the person in authority closest to the problem.
 - b) If not satisfied with the resolution of the problem, the complainant should go to the administrative supervisor of the person noted in "a".
 - c) The administrative supervisor will help the complainant initiate any correspondence or forms required in policy and attempt to resolve the situation.
 - d) If still not satisfied, the complainant may appeal to the Superintendent or designee for resolution.
 - e) If the complainant disagrees with the Superintendent's decision, the formal complainant may be brought to the Board in accordance with applicable policy.
- 5) Board members will inform the Superintendent of all complaints from staff and community, but will not direct the Superintendent to take specific actions. Board members may ask the Superintendent for clarification of existing policies relevant to the complaint to determine if policies are adequate and appropriate.
- 6) The Superintendent shall inform the Board of the resolution of complaints referred by Board members if the complaint requires evaluation by the Superintendent.

Related Policies: 3230, PUBLIC COMPLAINTS; 1300, CODE OF ETHICS FOR BOARD OF EDUCATION; 6181, STAFF-BOARD COMMUNICATIONS; 4320, SUPERINTENDENT-BOARD OF EDUCATION RELATIONS; 8330, OBJECTION TO INSTRUCTIONAL MATERIALS

Board Officer Election

- 1) Generally, election of officers will be held at the annual organizational meeting.
- 2) The Board will elect a President, and Vice President, in accordance with Board policy 1320, Nomination and Election of Board Officers.
- 3) Although not a legal requirement, generally members nominated for office will have served more than one year on the Board.
- 4) Elections will be conducted in accordance with the parliamentary procedure in place per Board policy.
 - a) Any Board member may make a nomination.
 - b) Nominations will not be closed until all who wish to make a nomination have done so.
 - c) More than one person may be nominated for a given office.
- 5) Board members must avoid violating the Open Meetings Law by informally gathering a quorum of members to discuss member qualifications in preparation for the election of officers.
- 6) The vote for officers must occur in open session; no vote will be taken by secret ballot.

Related Policies: 1620, ANNUAL ORGANIZATIONAL MEETING; 1320, NOMINATION AND ELECTION OF BOARD OFFICERS

Board Committee Selection and Operation

- 1) Committees may be established by the Board any time an issue arises that requires more time and attention than the Board feels can be provided during the course of a Board meeting. They are established in response to a successful motion to refer the issue to committee.
- 2) When appointing the committee, the Board President provides the following guidance to the committee and ensures it is recorded in the meeting minutes. He or she will:
 - a) Designate the committee as either a standing or special (ad hoc) committee. Standing committees are ongoing (Audit, Governance, Legislative Action) and special committees dissolve upon completion of their appointed task.
 - b) Designate a committee chairperson and specify the committee membership.
 - c) Define the committee's fact-finding, deliberative, or advisory role and outline the outcome of the committee.
 - d) Provide a general time line for the committee's work and for reporting to the Board.
- 3) The Board votes to approve the charge and composition of the committee. The membership of the committee may be comprised of Board members only, Board members and others (staff and/or community members), or only others (without Board representation).
- 4) The Superintendent will provide appropriate staff and/or data support to permit the effective functioning of the committee.
- 5) The committee chair will extend an invitation by letter or phone to those members of the community whose service is desired.
- 6) Members of standing committees will be appointed annually at the organizational meeting.

Related Policies: 1321, DUTIES OF THE PRESIDENT OF THE BOARD OF EDUCATION; 2210, COMMITTEES OF THE BOARD

Board Self-Assessment

- 1) The Board will conduct an annual evaluation of its own performance in governing, overseeing district management, and conducting its business.
- 2) The Board Governance Committee will develop an instrument to support the self-assessment process. The instrument should be agreed upon by consensus of the committee.
- 3) The Board President will facilitate the distribution of the selected instrument, with instructions, to each Board member.
- 4) The Governance Committee will review the assessments and provide results to the full Board.
- 5) Based upon results of the self-assessment, the Board may identify goals for improvement. The Governance Committee will review progress of goals and report to the full Board at regular meetings.

Related Policies: 2340; SELF-EVALUATION OF BOARD OPERATIONAL PROCEDURES

Annual School Board Activity Calendar

- 1) Annually, in the month of July following Board reorganization, the Governance Committee will meet and establish a tentative Board activity calendar. The purpose of the Board activity calendar is to identify in one document all important Board tasks and schedule them at appropriate times during the year.
- 2) The format of the annual Board activity calendar will be selected and may be modified by a majority of the Board so that it best meets their needs.
- 3) Tasks included on the activity calendar may include, but are not limited to, the following Board activities and actions:
 - a) Activities and actions required by law or policy (listed in no particular order)
 - Review of district mission statement (Governance Committee)
 - Approval of the district goals (Full Board)
 - Superintendent evaluation (Full Board)
 - Approval of Superintendent performance goals (Full Board)
 - Renewal of administrative, teaching and other staff contracts
 - Budget workshops, budget hearing, and setting of the tax rate
 - Review of annual district audit (Audit Committee)
 - New Board member orientation
 - Review of policies that require annual examination, including the Code of Conduct, Investment and Purchasing policies (Full Board, Audit Committee)
 - Review of required plans, such as the Professional Development Plan and the Professional Performance Review Plan (Full Board)
 - b) Additional activities desired for effective governance and oversight, which may include:
 - Board self-evaluation (Governance Committee)
 - Legislative and/or education awareness activities (Legislative Action Committee)
 - District goal progress reports
- 4) The Board Governance Committee will present the annual Board activity calendar to the Board for review and approval.
- 5) Dates and events entered on the annual Board calendar may be modified during the year by a majority vote of the Board.

Related Policies: 2210, COMMITTEES OF THE BOARD

District Mission, Vision and Annual Goals

- 1) Recognizing that a mission statement and goals are powerful governance tools, the Governance Committee will annually review the mission statement and recommend to the full Board its continued value, or the need for change to reflect a new direction. In either case, to accomplish this, the Governance Committee will periodically engage the community, including staff, parents, and district residents, in this process.
- 2) The Superintendent will propose for Board approval a method by which input from the school community will be gathered.
- 3) In consultation with the Superintendent, the Board will set new or continuing district goals annually in September.
- 4) The Board will review progress toward achievement of the annual goals in January or February.
- 5) The Board will review the status of the annual goals at its final meeting in June.

Related Policies: 1000, BOARD OPERATIONAL GOALS; 3000, COMMUNITY RELATIONS GOALS; 4260, EVALUATION OF THE SUPERINTENDENT AND OTHER ADMINISTRATIVE STAFF

Budget Development and Adoption

- 1) To meet the Board's statutory obligation to propose a budget in a timely fashion, the Board's involvement in developing and adopting the budget begins in **September** when the Board and Superintendent review, revise, and approve the district goals for the coming year.
- 2) In **December**, the Board will offer general parameters (e.g., fiscal constraints, academic priorities, district goals) to the administration to guide budget development for the next school year.
- 3) In **January**, the Superintendent and his administrative team will present budget assumptions for Board approval. At this time, the Board will also establish relative funding priorities to guide further budget development, balancing earlier adopted district goals and any critical needs identified but not addressed in the district goals.
- 4) In **January**, the Board will also discuss with the Superintendent and administrative staff areas such as the following:
 - a) Fund balance
 - b) State aid projections
 - c) Tax assessments
 - d) Other local revenue such as fees
 - e) Staffing ratios
 - f) Building enrollment projections
- 5) In **February**, the Board will hold a budget workshop at which time the Superintendent will update the Board as to progress on the budget development. The Board will then schedule further workshops in the month of **March** to gather community and staff input regarding the budget.
- 6) In **April**, the Board will hold a final budget workshop to review the Superintendents recommended budget. The Board will formally adopt the budget at the **April regular meeting**.
- 7) The Board will conduct a public hearing on the budget in **May** in accordance with law and policy.

Related Policies: 5110, BUDGET PLANNING AND DEVELOPMENT; 5120, SCHOOL DISTRICT BUDGET HEARING; 5130, ADOPTION OF THE BUDGET

Media Relations

- 1) The Board President or, in his or her absence, the Vice President will serve as the Board spokesperson to the media on issues regarding Board actions.
- 2) The Superintendent or, in his or her absence, a specified designee shall be the official district spokesperson to the media on district administrative matters.
- 3) In the event of an emergency or special circumstance, such as litigation, the Board may designate another spokesperson, such as the school attorney.
- 4) Any Board member receiving a call from the media requesting information, comments, or an interview regarding Board actions or administrative matters will direct the media representative to the Superintendent or to the Board President, as applicable.
- 5) When speaking to a media representative, the Board member will remind media representatives of the official position or action already taken on the issue by the Board of Education and refer them to the spokesperson for further information.
- 6) If a Board member wishes to speak to a media representative but the Board member is not the designated spokesperson, such Board member should clarify at the beginning of the interview that they are speaking as individuals rather than an authorized representative of the Board of Education.
- 7) When speaking as an individual and expressing an opinion on a matter that will be coming before the Board, Board members retain their right to free expression, but will also be mindful of the importance of communicating that they remain open to discussion and new information at the Board table.

Related Policies: 1321, DUTIES OF THE PRESIDENT OF THE BOARD OF EDUCATION; 1322, DUTIES OF THE VICE PRESIDENT OF THE BOARD OF EDUCATION

Superintendent Formal Annual Evaluation

- 1) Although evaluation of the Superintendent is an on-going process, a formal annual evaluation is legally required. The Board will follow the negotiated procedure for the formal evaluation as outlined in the Superintendent's contract of employment.
- 2) The Board President will distribute the agreed upon evaluation instrument to each member **at least two weeks** in advance of the evaluation meeting along with instructions for completing it.
- 3) Board members will complete the evaluation instrument and return to the President, or other Board designee, **at least one week** prior to the Board's evaluation meeting.
- 4) The Board President will prepare a composite summary of all Board members' ratings and comments. The composite summary of evaluations will be distributed to each Board member **at least two days** before the evaluation meeting.
- 5) Board members will meet in a properly posted executive session, without the Superintendent present, to discuss their ratings and identify:
 - a) Agreements on areas of strength
 - b) Agreements on areas that need improvement
 - c) Specific improvements the Board would like to see
 - d) Identify areas for Superintendent performance goals for the following year
- 6) Following the Board review, the President and Vice President will review the compiled evaluation form with the Superintendent.

Related Policies: 4260, EVALUATION OF THE SUPERINTENDENT AND OTHER ADMINISTRATIVE STAFF

Comments on Superintendent Performance (other than Formal Evaluation)

- 1) The Board-Superintendent team will follow Board policy, Board procedure, and the Superintendent's contract of employment concerning the evaluation of the Superintendent.
- 2) Direction to the Superintendent regarding professional performance will come from the Board as a corporate body in an official meeting of the Board. Individual Board members have no authority to direct the Superintendent.
- 3) Board members who have individual concerns about the Superintendent's professional performance should express those concerns to the Superintendent in a private setting.
- 4) If individual concerns continue to be an issue after private discussions, the Board member will address concerns to the Board President and request the issue of "Superintendent performance" or "interim evaluation" be placed on the agenda for an upcoming Board meeting.
- 5) Discussion by the Board regarding the Superintendent's performance will be in a properly convened executive session.
- 6) Direction from the Board to the Superintendent regarding professional performance will be as specific as possible, stating the basis for concern and explaining how it isn't in conformity with the Superintendent's established goals, its adverse impact on the district or community, and the corrective action the Board desires.

Related Policies: 4260, EVALUATION OF THE SUPERINTENDENT AND OTHER ADMINISTRATIVE STAFF; 4320, SUPERINTENDENT-BOARD OF EDUCATION RELATIONS

Hiring Other Personnel

- 1) Hiring district staff requires joint action by the Board and Superintendent and is a core responsibility of the governance team. The Board will annually review the process and criteria for decisions regarding the hiring of district personnel identified in Board policy 6211.
- 2) The Board may establish supplemental qualifications for key administrative positions, such as Assistant Superintendents, Building Principals, Directors and Assistant Principals. For these situations, the Superintendent will inform the Board of the pending vacancy before the position is posted. The following steps will be taken:
 - a) After the Superintendent informs the Board of the pending vacancy, the Board will meet to review Board policy and identify unique qualifications sought for the particular position or additional hiring criteria.
 - b) The Superintendent uses the new criteria during the search and hiring process to recommend qualified candidates for Board approval.
 - c) In addition, the Superintendent will give the Board periodic updates regarding the search process and applicant pool.
- 3) In preparing hiring recommendations for administrative staff, the Superintendent will apply any additional Board-approved criteria.
- 4) When the Superintendent makes a recommendation for appointment, he/she will present, for each position, the name and qualifications of the recommended candidate. Resumes and applications (minus any personnel confidential information) for the recommended appointment will be provided to the Board.
- 5) Board members will not interview candidates for any position (other than Superintendent), or select a finalist from a list. The Board's role is to set forth hiring criteria and holding the Superintendent accountable for the performance of the staff.
- 6) The Board may accept the recommendation and direct the Superintendent to offer employment, or the Board may reject the recommendation.
- 7) If the Board rejects the recommendation, the Board will provide an explanation for its decision, including, but not limited to, a clarification of previously established job-related criteria so that the next recommendation more closely meets the Board's expectations.

Related Policies: 6211, RECRUITMENT