

# **SECTION B**

## **SCHOOL BOARD GOVERNANCE AND OPERATIONS**

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<b>Todd County School District Policy: BA</b>
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## **BOARD OPERATIONAL GOALS**

The board is responsible to the individuals for whose benefit the school district has been established; consequently, it is committed to the education and success of all students. It is also charged with accomplishing this while also being responsible for the wise management of resources available to the district. By virtue of its responsibility and commitment, the board, with the participation of students, staff, parents, and community members, must establish a vision, mission, and outcomes that respond to students' immediate and long-range needs.

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

1. to interpret the educational needs and aspirations of the community and to meet them through the formulation of policies that support a school climate which best assures student success.
2. to continually evaluate the district's educational goals and their implementation in the district schools;
3. to formulate a sound fiscal policy in the interest of fiscal economy;
4. to provide the superintendent with sufficient and adequate guidelines to effectively carry out the mission and meet the outcomes of the school district; and
5. to maintain effective communication with the public and students served by the district in order to maintain awareness of attitudes, opinions, desires, and ideas.

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

## Todd County School District Policy Exhibit: BAA - E

### EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES

#### WHY IS BOARD EVALUATION FOR YOU?

Take a few moments to analyze your board, your relationships, your operations, your meetings, your school system, the public you serve, and your commitment to educational excellence.

Why Evaluate? Because you want accountability. You want improvement in your operations. Because you want to do the best you can for your school system and community. This commitment to quality, to excellence, and to local control of the educational system is the real why.

#### BOARD EVALUATION

The following list of items pertains to the operation of the school board. Each Board member rates his or her individual performance and the board as a whole. When evaluating your individual performance, reframe the question in terms of "I". The evaluation scale to be used is:

5 – Outstanding

4 – Good

3 – Satisfactory but could improve

2 – Weak and should improve

1 – Ineffective

Self  
Only

Board  
as a  
Whole

##### A. Board qualities

1. Board members demonstrate through actions that they believe all children can learn.

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\_\_\_\_\_

2. Board members make decisions in terms of what is best for students.

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3. Board members are independent, open-minded and respect the decisions of fellow board members and the administration.

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\_\_\_\_\_

4. The board strives to improve board skills and keep abreast of educational issues by attending workshops/conferences at the local, regional, and state levels.

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5. The board understands their role as a policy making body.

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6. The board annually reviews and revises the districts long-range plan.

\_\_\_\_\_

\_\_\_\_\_

5 – Outstanding

4 – Good

3 – Satisfactory but could improve

2 – Weak and should improve

1 – Ineffective

Self  
Only

Board  
as a  
Whole

**B. Board relationship with the superintendent**

1. The board keeps the superintendent informed on issues, needs, and complaints in a manner allowing the superintendent the opportunity to solve related problems in a professional manner.

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2. The board establishes written policies which clearly interprets its position on policy matters pertaining to the school district thereby enabling the superintendent to properly carry out the wishes of the board.

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3. The board publicly supports the superintendent's administrative regulations and decisions and relays any disagreement in a private or executive session.

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4. The board disregards personalities and considers the recommendations of the superintendent in an unbiased and objective manner.

\_\_\_\_\_

\_\_\_\_\_

**C. Board relationships with the community**

1. Board members recognize that they represent the "entire" community and that is has entrusted them with the educational development of the children and youth of the community.

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\_\_\_\_\_

2. The board takes the initiative in helping all community members to have all the facts all the time about their schools so it will readily provide the finest possible school program, school staff, and school facilities.

\_\_\_\_\_

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3. The board recognizes that the community expects its primary concern to be what is in the best interest of each and every student without distinction as to who they are or what their background may be.

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\_\_\_\_\_

4. Board meetings are conducted in accordance with open meetings law.

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\_\_\_\_\_

5 – Outstanding

4 – Good

3 – Satisfactory but could improve

Board

2 – Weak and should improve  
 as a  
 1 – Ineffective  
 Whole

Self

Only

#### D. Board relationship to financial management of the schools

1. The board establishes the policies and provides the necessary resources to properly manage the finances of the school district. \_\_\_\_\_  
 \_\_\_\_\_
2. The board requires proper accountability for the expenditure of school district funds. \_\_\_\_\_  
 \_\_\_\_\_
3. The board utilizes approved funding to maintain a high quality educational program in the district. \_\_\_\_\_
4. The board keeps the community informed about the financial needs of the school district. \_\_\_\_\_
5. The board ensures that the budget reflects the district's long-range planning. \_\_\_\_\_

#### E. General Statements

Identify three strengths of your school board:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Identify three areas where your school board could improve:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Identify three priority performance goals for your board for the next school year:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

Identify any areas for clarification of the role of the superintendent and the board:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ADOPTED: November 8, 1993  
REVISED: September 27, 1999  
REVIEWED: August 24, 2015  
REVIEWED: July 24, 2017  
REVISIED: August 11,2023

<b>Todd County School District Policy Regulation: BAA - R</b>
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## **EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES**

### **RELATIONSHIP WITH SUPERINTENDENT**

1. Establishes written policies for the guidance of the superintendent in the operation of the schools.
2. Provides the superintendent with a clear statement of the expectation of performance and personal qualities against which he/she will be measured periodically.
3. Engenders confidence in the superintendent by inviting communication from the superintendent.
4. Reaches decisions only on the basis of study of all available background data and after considering of the recommendation of the superintendent.
5. Requests information through the superintendent; requests information from staff only with the knowledge of the superintendent.
6. Provides a climate of mutual respect and trust, offering commendation whenever earned, and constructive criticism when necessary.
7. Issues tending to alienate either board members or the superintendent are discussed immediately rather than being permitted to fester and deteriorate.
8. Provides opportunity and encouragement for professional growth of the superintendent.
9. Provides time for the superintendent to plan.
10. Takes the initiative in maintaining a professional salary for the superintendent comparable with salaries paid for similar responsibility in and out of the profession.
11. Does not overly involve itself in administrative management of the school district and recognizes the distinction between policy setting and administrative regulations and procedures.



## **COMMUNITY RELATIONSHIPS**

12. Encourages community attendance at board meetings.
13. Actively fosters cooperation with various news media for the dissemination of information about the school program.
14. Insures a continuous planned program of public information regarding the schools.
15. Participates actively in community affairs.
16. Channels all concerns, complaints, and criticisms of the school system through the superintendent for study, with the expectation that he/she will report back to the board if action is required.
17. Protects the superintendent from unjust criticism and the efforts of vocal special-interest groups.
18. Individual board members do not commit themselves to a position in response to an inquiry patron inquiry or in public statements unless board policy is already established and clear.
19. Encourages patron participation in advisory capacities in the solution of specific problems.
20. Is aware of community attitudes and the special-interest groups which seek to influence the district's programs.

## **BOARD MEETINGS**

21. The board established written procedures for conducting meetings, which include ample provision for the public to be heard but prevent a single individual or group from domination of discussions.
22. Conducts its meeting in facilities that allow the district's business affairs to be conducted by the board and its administrative staff effectively.
23. Selects a chairman on the basis of his or her ability to properly conduct a meeting rather than on seniority or rotation.
24. New items of a complex nature are not introduced for action if they are not listed on the agenda; instead they are forwarded to a subsequent agenda.
25. Definitive action is withheld until asking if there is a staff recommendation and what it is.

26. Care is used in criticizing a staff recommendation.
27. The privilege of holding over matters for further study is not abused.
28. Each member makes a sincere effort to be informed on all agenda items listed prior to the meeting.
29. Controversial, complex, or complicated matters are held over or placed on the agenda for discussion only prior to consideration for adoption.

### **STAFF AND PERSONNEL RELATIONSHIPS**

30. Develops sound personnel policies, involving the staff when appropriate.
31. Authorizes the employment or dismissal of staff members only upon the recommendation of the superintendent.
32. Makes provision for the complaints of employees to be heard and, after full study, if staff dissatisfaction is found to exist, takes action to correct the situation through appropriate administrative channels.
33. Is receptive to suggestions for improvement of the school system.
34. Encourages professional growth and increased competency of staff through:
  - a. attendance at educational meetings;
  - b. training on the job; and
  - c. salary increments which recognize training and experience beyond minimum qualifications for a given position.
35. Makes the staff aware of the esteem in which it is held.
36. Provides a written policy protecting the academic freedom of teachers.

### **RELATIONSHIP TO THE INSTRUCTIONAL PROGRAM**

37. Understands the instructional program in terms of the board's own adopted mission and outcomes and understands the general restrictions imposed on it by the legislature and/or the State Board of Education.
38. Realistically faces the expectation of the community to support a quality education for all its children.
39. Resists the efforts of special-interest groups to influence the instructional program if the effect would be detrimental to the students.

- 40. Encourage the participation of the professional staff and, in certain instances, the public in the development of the curricula.
- 41. Weighs all decisions in terms of what is best for the students.
- 42. Provides a policy outlining the district's vision, mission, and expected outcomes against which the instructional program can be evaluated.
- 43. Keeps abreast of new developments in teaching and learning through attendance and participation in school board association conferences and meeting of other educational groups and by reading selected books and periodicals.

#### **RELATIONSHIP TO FINANCIAL MANAGEMENT OF THE SCHOOLS**

- 44. Equates the income and expenditure of the district in terms of the quality of education that should be provided and the ability of the community to support such a program.
- 45. Takes the leadership in suggesting and securing community support for additional financing when necessary.
- 46. Establishes written policies which will insure efficient administration of purchasing, accounting, and payroll procedures and an insurance program.
- 47. Authorizes individual budgetary allotments and special non-budgeted expenditures only after considering the total needs of the district.
- 48. Makes provision for long-range planning, acquisition of sites, additional facilities, and plant maintenance.

#### **PERSONAL QUALITIES**

- 49. A sincere and unselfish interest in public education and in the contribution it makes to the development of children.
- 50. A knowledge of the community, which the school system serves.
- 51. An ability to think independently, to grow in understanding, to rely on fact rather than prejudice, and to exhibit a sincere willingness to hear and consider all sides of a controversial question.
- 52. A deep sense of loyalty to other board members and respect for group decisions cooperatively reached.
- 53. A respect for and interest in people and ability to get along with them.

- 54. A desire to work through defined channels to authority and responsibility.
- 55. A willingness to devote the necessary time to become an effective board member.

ADOPTED: November 8, 1993

REVIEWED: August 24, 2015

REVIEWED: July 24, 2017

<b>Todd County School District Policy: BAA</b>
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## **EVALUATION OF SCHOOL BOARD OPERATIONAL PROCEDURES**

The Todd County Board of Education will review its performance annually to ensure its proper discharge of responsibilities to the community. The board recognizes that fault finding and disparaging remarks serve no constructive purpose; therefore, the evaluation will seek to identify the strengths of the board as well as the areas that need improvement. The Board self-evaluation shall address performance in the key functions of vision, structure, accountability, conduct, ethics and advocacy. The results of the self-evaluation shall be used in setting goals for the subsequent year. The board may choose to seek input from others, including but not limited to district staff and/or students.

The evaluation, to be completed by the end of May, should be responsive to local needs and provide for an objective self-examination. To help the Board meet this goal, the following elements will be included in the self-evaluation process.

1. board member involvement in the development of standards by which they will evaluate themselves;
2. holding the evaluation at a scheduled time and place, with no other items on the agenda, at a study or executive session, and with all board members present;
3. a composite of individual members opinions, compiled by the Board President or other board member selected by the Board, and discussion of the results of a board as a whole; and
4. supporting each judgment with as much rational and objective evidence as possible.

Final discussion of the results will be held by the end of June. The board will develop both short and long-range priorities to ensure continued proficiency in its areas of excellence, strengthening of adequate or weak areas, and elimination of those areas no longer applicable to its performance.

ADOPTED: April 18, 1983  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy: BB</b>
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## **SCHOOL BOARD LEGAL STATUS**

The Todd County School District Board of Education derives its authority from the Constitution of the State of South Dakota, from the acts of the state legislature, from the electorate of the district, from the regulations of the State Board of Education, and from federal laws and regulations.

As expressed in the law, the school board is

“an elected body created according to the laws of the state to serve as the governing board of a school district for the purpose of organizing, maintaining, and locating schools and for providing educational opportunities and services for all citizens residing within the school district.”

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

LEGAL REFS.: SDCL 13-6-13.1  
13-8-1 through 13-8-6  
13-6-2 et seq.

CROSS REFS.: AA: School District Legal Status  
BBA: School Board Powers and Responsibilities  
BBB: School Board Elections  
BBBC: Events Creating A Vacancy On The School Board  
BBBE: School Board Member Vacancy

ADOPTED: April 18, 1993  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

## **SCHOOL BOARD POWERS AND RESPONSIBILITIES**

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

The powers delegated to a school board by the state are delegated to the board as a whole. The president of the school board shall appoint all committees and preside at the school board meetings. The school board president, or in the president's absence any board member designated by the school board, shall countersign all checks or warrants authorized for payment by the school board.

The board exercises its powers and duties only in properly-called meetings, where a majority of the board constitutes a quorum to transact business. Except when performing a specific duty authorized by law, or directed by the board, the decision and actions of a single member of the board are not binding on the entire board. Unless specific authorization is granted by the school board, a school board member does not have any authority greater than members of the general public.

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

1. to select and employ a superintendent, business manager and support them in the discharge of their responsibilities;
2. to formulate and enact policy and to delegate the application of policies to the superintendent and his or her staff, who will be held responsible for the effective administration and supervision of the entire school system;
3. to provide for the planning, expansion, improvement, financing, construction, and maintenance of the physical plant of the school system;
4. to establish and maintain, records, accounts, archives, management methods, and procedures incidental to the conduct of school business;
5. to approve the budget, financial reports, audits, major expenditures, payment of obligations, and policies that enable the administration to formulate regulations and other guidelines for the orderly accomplishment of business;
6. to estimate and levy taxes for the operation, support, maintenance, improvement, and extension of the school system;

7. to adopt recommended curricula and provide instructional materials;
8. to employ support and professional personnel to carry out school programs and to provide fair and equitable compensation;
9. to evaluate educational programs to determine the effectiveness with which the schools are meeting the mission of the school system, and
10. to provide for the dissemination of school-district information to the public and to maintain open lines of communication with the community.

LEGAL REFS.: SDCL 13-8-1; 13-8-26; 13-8-39  
13-10-2, generally, but powers and of school boards  
are established throughout Title 13.

CROSS REFS.: AA: School District Legal Status  
BBB: School District Elections

ADOPTED: April 18, 1993  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017



<b>Todd County School District Policy: BBAA</b>
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## **RESTRICTIONS ON INDIVIDUAL ACTIONS OF BOARD MEMBERS**

An individual School Board Member, acting alone, has no greater authority than any other private citizen. For this reason, a Board member acting on his/her own, without authorization from the Board, is not authorized or empowered to do any action other than that which any member of the public is entitled.

An individual School Board member, unless authorized by the Board, shall not assert his/her position as a Board member in an attempt to attend or participate in any meeting or activity, nor to seek access to records or information that is not otherwise available to the public.

Nothing in this policy shall prevent an individual School Board member from seeking information from, or sharing information with another school board member, the school attorney, Associated School Boards of South Dakota, the superintendent, business manager or other school administrator on any matter of concern.

LEGAL REFS.: SDCL 13-8-1; 13-8-39; 13-10-2; POLICY BBA.

CROSS REFS.: BBAA: School Board Powers and Responsibilities

ADOPTED: June 22, 2009

REVIEWED: August 24, 2015

REVISED: July 24, 2017

<b>Todd County School District Policy: BBB</b>
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## **SCHOOL BOARD ELECTIONS**

The school board shall select the date of the annual school election by resolution no later than the first regular meeting after January first of each year. The annual election shall be set between the second Tuesday in April and the third Tuesday in June between the hours of seven o'clock or eight o'clock in the morning and seven o'clock in the afternoon on election day.

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

The school board may also choose to hold the school board election in conjunction with the regular June primary election. The combined election is subject to approval of the Todd County commission. Expenses of a combined election shall be shared in a manner agreed upon by the school board and the county commission. When so combined, the school's election official shall publish the notice provided for in SDCL 13-7-5 between February 15th and March 1. Nominating petitions shall be filed under the provisions of SDCL 13-7-6 by the first Tuesday in April. The school election official shall certify to the county auditor the candidate names and ballot language to be voted on subject to the date of the election and according to state law.

LEGAL REFS.: Constitution of the State of South Dakota, Art. VII, Secs. 1-3

SDCL 12-14-1.1

12-15-1

13-6-13/1; 13-8-7.1

13-7-4 through 13-7-19.2

13-8-2, 13-8-4, 13-8-25; 13-7-10.3

CROSS REF.: BCB: Board Member Conflict of Interest

ADOPTED: April 18, 1993

REVISED: November 8, 1993

REVISED: February 25, 2002

REVIEWED: August 24, 2015

REVISED: July 24, 2017

## **BOARD MEMBER QUALIFICATIONS**

A person is legally qualified to become a member of a school board if he or she is a United States citizen, is a resident voter in the school district, and not otherwise disqualified.

In accordance with state law, no elected county, municipal, or state officer holder of any other office whose duties are incompatible or inconsistent with the duties of the school board member, including but not limited to the elected offices of state legislator, county commissioner, and tribal administration or council, may simultaneously hold the position of school board member.

LEGAL REFS.: SDCL 3-1-4  
3-1A-4 through 3-1A-6  
12-3-1  
13-7-3

CROSS REFS.: BCB: Board Member Conflict of Interest  
GBEA: Staff Conflict of Interest

ADOPTED: April 18, 1993  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy Exhibit: BBBB - E</b>
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## **BOARD MEMBER OATH OF OFFICE**

Do you solemnly swear, or affirm, that you will support the Constitution of the United States and the Constitution of the State of South Dakota and that you will faithfully and impartially perform your duties as a member of the school board of Todd County School District, Todd County, South Dakota, to the best of your ability, and in accordance with the laws now in effect and here after to be enacted during your continuance in said office, and until your successor is elected and qualified?

(The answer is: "I do.")

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Board member's signature

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Date

REVIEWED: August 24, 2015

REVIEWED: July 24, 2017

## **BOARD MEMBER OATH OF OFFICE**

Before taking office, all board members will take an oath of office as required by law. Newly elected members will take and subscribe to the oath at the annual meeting in July, at which time they also assume their duties of office. Appointed members will take and subscribe the oath at the meeting following their appointment. All oaths will be filed in the office of the business manager.

LEGAL REFS.: Constitution of the State of South Dakota, Article XXI, Sec. 3  
SDCL 3-1-5, 3-1-8  
13-8-14, 13-8-15

ADOPTED: April 18, 1993  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy: BBBC</b>
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## **EVENTS CREATING A VACANCY ON THE SCHOOL BOARD**

According to the provisions of state law, a vacancy occurs on the school board when a school board member

1. dies;
2. is removed from the school board;
3. fails to qualify as provided by law;
4. ceases to be a resident of the district;
5. is convicted of an infamous crime of any offense involving a violation of the official oath of office;
6. has a judgment obtained against him or her for breach of official bond;
7. is incapacitated and unable to attend to the duties of a board member;
8. assumes the duties of an office incompatible with the duties of a school board member;
9. resigns; or
10. If for any reason the school district fails to elect a person to succeed a school board members whose term has expired or an elected school board member fails to qualify.

A board member's resignation will not be effective until a successor is appointed and qualified as prescribed by law. The resigning member will continue to serve in his or her official capacity as a board member until that time. If for any reason the school district fails to elect a person to succeed a school board member whose term has expired or an elected school board member fails to qualify, the incumbent shall continue to act in an official capacity until the vacancy is filled.

**\*\*** A school board member who is displaced from the district by flood, tornado, fire or other natural disaster may continue to serve until the expiration of the member's term.

LEGAL REFS.: Constitution of the State of South Dakota, All. XVI, Secs. 4-8  
SDCL: 3-17-6 through 3-17-11  
13-8-22 through 13-8-24

CROSS REF.: BBBE: Unexpired Term Fulfillment

ADOPTED: April 18, 1993  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy Exhibit: BBBE - E</b>
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**APPLICATION FOR SCHOOL BOARD MEMBERSHIP FORM**

Applicants Name: \_\_\_\_\_

Present Address: \_\_\_\_\_

\_\_\_\_\_

Telephone Number: \_\_\_\_\_

Community/school activities in which you have been involved and dates:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\_\_\_\_\_

Reasons you want to serve on the board? \_\_\_\_\_

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List contributions you believe you could make towards improving education as a member of the school board? \_\_\_\_\_

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Signature

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Date

ADOPTED: July 24, 2017



<b>Todd County School District Policy: BBBE</b>
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## **SCHOOL BOARD MEMBER VACANCY**

When a vacancy occurs on the board a new board member shall be appointed.

When a vacancy occurs on the board, the vacancy shall be made known to the public.

District residents who are interested in the position, and qualify by law, must submit a written letter to the board indicating their interest and qualifications. The letter will be reviewed by the board, as a whole and not more than three finalists should be selected for further consideration. Candidates not selected for an interview will be notified by mail. Candidates selected for an interview will be notified by phone, e-mail, or letter.

The finalists will be invited to meet with the board on an individual basis after which time the appointment shall be made. Candidates not selected after the board interview will be notified by letter.

Every reasonable effort shall be made to have the full board present at the time of appointment.

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

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

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

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

Legal References: SDCL 3-14 (Expiration of term of office)  
SDCL 13-8-14 (Assumption of office by new members)  
SDCL 13-8-22 (Incumbent continuing in office)  
SDCL 13-8-23 (Events creating vacancy on board)  
SDCL 13-8-24 (Effective date of resignation)  
SDCL 13-8-25 (Appointments to fill vacancies on board)  
SDCL 6-1-22 (Members of governing bodies displaced by natural disaster)

Cross References: BBBE-E: Application for Board of Education Membership Form

ADOPTED: April 18, 1993  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy: BCA</b>
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## **ETHICAL OBLIGATIONS OF SCHOOL BOARD MEMBERS**

The Todd County School District Board of Education, desiring to operate in the most ethical and conscientious manner possible, adopts the following code of ethics to be followed by each board member. At the first organizational meeting of each operational year or the first meeting attended by a new board member, board members shall execute the Pledge shown herein below. Said written Pledge shall be maintained on file and shall become part of the Board's official record for that meeting.

The Code of Ethics is as follows:

1. Every board member shall view service on the Board as an opportunity to serve the community, state, and nation in support of the principle that public education is the best means to promote the welfare of our people and to preserve effective self government. Each board member shall work to help the people of the community understand the importance of public education.
2. Every board member shall exercise ordinary and reasonable care in the performance of his or her duties, exhibiting honest and good faith, and using the care, skill, common sense and informed judgment that a reasonably prudent person would use in a similar situation. Decisions will be based in terms of the best interests of the students and their parents/guardians, the staff of the District, the advancement of public education, and the taxpayers.
3. Every board member shall refuse to represent special interests or partisan political interests, or to use his/her position for personal gain or for the gain of friends or supporters.
4. Each board member will observe and enforce all applicable state and federal laws and regulations pertaining to public education. Each member understands that he/she is elected to a position of public trust toward the school district, its students, patrons, administrators and staff. Thus, when conducting the business of the school district, every board member must avoid and disclose all conflicts of interest and potential conflicts of interest, especially those potential conflicts of interest described in SDCL 6-1-1, 6-1-2, 6-1-17 and SDCL Ch.-23. In that regard:
  - (a) A board member shall not have any direct pecuniary interest in a contract with the school district or furnish directly any labor, equipment or supplies to the district unless the total amount involved within a fiscal year is less than five thousand dollars (\$5,000) within a fiscal year and approved by the Board.

- (b) No board member may participate in discussing or vote on any issue in which the member has an actual or the potential of a conflict of interest in the following circumstances:
    - (i) a “direct pecuniary interest, (a matter benefiting the board member's own property or affording a direct financial gain);
    - (ii) an “indirect pecuniary interest” (a matter that financially benefits one closely tied to the board member, such as an immediate family member or an employer);
    - (iii) a “direct personal interest” (a matter that benefits a blood relative or close friend in a non-financial way);
    - (iv) an “indirect personal interest” (a matter in which the board member individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies); or
    - (v) when at least two-thirds of the governing board members vote that there is an identifiable conflict of interest that should prohibit the member from voting on a specific matter.
  - (c) Pursuant to SDCL 1-25-2(1), the Board of Education may enter into executive session to discuss the performance of an elected school board member, which may include discussing a perceived or alleged violation of this policy. Should the majority of school board members determine that a school board member has violated one or more provisions of this policy, the school board may, in open session, reprimand the school board member for a violation of the School Board Member Code of Ethics.
- 5. No elective county, municipal or state officer or the holder of any other office, the duties of which are incompatible or inconsistent with the duties of a Board member, shall be eligible to be a school board member.
  - 6. Every board member shall respect the limited intent and scope of executive session, and must respect confidential communications made during executive sessions held pursuant to SDCL 1-25-2 and shall not divulge privileged communications made during executive session held pursuant to SDCL 1-25-2 unless required by law, and shall respect confidential communications related to students and employees, and shall not discuss such confidential information at home, at work or in public.
  - 7. Recognizing that honest differences of opinion are natural and healthy, every board member shall work with other board members in a spirit of harmony and cooperation and in the best interest of the district, in spite of differences that may arise during the resolution of issues before the Board. Every board member shall respect and graciously abide by the decisions of the Board and shall not undermine decisions reached by a majority of the Board.

8. Every board member shall confine his or her official efforts to board action in the form of policy making, authorizing action by administrators, appraisal, and evaluation; and each board member shall recognize that the superintendent, or the appropriate designee, is responsible for the day-to-day administration of the schools. Every board member shall recognize that it is his/her responsibility not to run the day-to-day operations of the schools, but to work collectively with all board members to see that the schools are well run by the implementation of proper policies and procedures.
9. Every board member shall recognize and adhere to the tenet that authority rests only with the School Board assembled in a meeting, and will make no personal promise nor take any individual action which may compromise the Board or the District. Each Board decision shall be reached after discussing all relevant aspects of the issue with the other board members in a meeting in complete compliance with the South Dakota open meetings laws in effect at the time of the meeting. Individual board members outside of regularly constituted meetings of the Board shall have no authority to make decisions, to commit the Board to actions, to inquire into issues beyond those of which any member of the public may properly inquire, or to supervise or direct school activities.
10. Every board member shall strive to work collectively with the other board members to operate the school district in a way that ensures it will meet the individual educational needs of all children regardless of their ability, race, creed, sex, national origin, or social standing.
11. Every board member shall uphold and enforce all applicable laws, rules, regulations, and court orders affecting the schools, including the official policies of the District.
12. Every board member shall refer all parent, student, patron, or District employee complaints brought to the Board member to the appropriate school administrator consistent with the Board policy "chain of command" within the system to determine if an administrative solution can be obtained. Each board member will refrain from giving an opinion on the merits of the complaint. In the event an administrative solution is not obtained, then the issue may be brought before the Board for resolution as provided by official policy.
13. Every board member shall respect and treat professionally all administrators, staff and employees of the District. No individual board member shall pressure, threaten, or intimidate, directly or indirectly, any administrator, teacher, other employee, or other board member to do a certain thing or act a certain way. Every board member shall cooperate with the other members to support and protect the administration and staff in the performance of their duties.
14. Every board member shall present information to the school board without distortion and accurately represent facts concerning school district matters in direct

or indirect public statements.

15. Every board member shall distinguish between personal views and those of the school board when making public comments regarding school district matters.
16. Every board member shall maintain professional relationships in a manner which are free of vindictiveness, recrimination and harassment.
17. Every board member shall respect, require and contribute to the maintenance of order and decorum in proceedings before the school board;
18. Every board member shall inform the school board president or school district business manager as soon as possible upon learning that he/she will not be in attendance at a school board meeting;
19. Every board member will render a decision as a school board member only after having discussed the matter with other board members in a legal school board meeting, after having reviewed applicable information and data, and after having considered recommendations including but not limited to recommendations from school administration.
20. Every board member shall practice good stewardship of the District's resources.
21. Every board member shall comply with this code of ethics. Failure to abide by this code of ethics is a breach of the public trust.

### Sanctions

If a board member is accused of violating this code of ethics, the Board may investigate said allegation. If the investigation reveals a possible violation, the Board may conduct a hearing in executive session after giving notice to the board member accused of violating said code of ethics. If after such hearing the Board determines that a violation has occurred, the Board shall have the authority to issue a public censure, in open session following the hearing, to the board member who violates the code of ethics, which shall be made a part of the minutes of the board hearing.

The Board shall also have the authority to disavow by official resolution the improper acts or statements by an individual board member, said action to be taken in open session and placed upon the minutes of the board hearing.

The Board recognizes that removal of a board member may be done only as provided by law, particularly in cases of misfeasance, malfeasance, or other applicable violation of South Dakota law. Violation of this policy, in and of itself, shall not be grounds for removal of a member or for restricting a member's participation in the actions of the Board.

ADOPTED: April 29, 2008  
REVIEWED: August 24, 2015  
REVISED: July 25, 2016  
REVISED: July 24, 2017

## PLEDGE

As a board member of the Todd County School District Board of Education, I hereby acknowledge and agree to abide by the official policies of the District, including in particular the policy entitled "Ethical Obligations of School Board Members".

I recognize that this is my responsibility under official policies of the Todd County School District, and that my failure to comply with the policy may amount to a violation of the public trust.

\_\_\_\_\_  
Board Member

\_\_\_\_\_  
Date



<b>Todd County School District Policy: BCAA</b>
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## **ELECTRONIC COMMUNICATION BY BOARD MEMBERS**

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

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

ADOPTED: July 24, 2017

## **BOARD ORGANIZATIONAL MEETING**

The annual organizational meeting of the board will be held on the second (2nd) Monday of July, unless otherwise designated by the board at the previous regular meeting.

The meeting will be called to order and the oath of office given to all new board members. The board will elect a president and vice-president from its membership, to serve until the next annual meeting. The superintendent or the business manager will preside over the election of the president.

Other items of business will come before the annual meeting as appropriate. These will include:

1. designation of official depository;
2. designation of the custodians of all accounts;
3. designation of official legal newspaper;
4. authorization of continuation of existing funds or accounts and the establishment of any new accounts, if necessary;
5. setting of date, time and place for regular meetings;
6. reviewing and adopting of board policies;
7. establishment of advisory committees where applicable;
8. reviewing of bonds for business manager and other bonded personnel;
9. appointment of administrator of trust and agency accounts;
10. appointment of individual authorized to direct federal programs;
11. authorization of administrator to institute school lunch agreement;
12. authorization of advertising of bids for materials not already purchased;
13. designation of rules as parliamentary procedure for board meetings;
14. setting tuition rate and passing resolution on extra charge of twenty-five (25) cents per day;
15. authorization of business manager to invest and reinvest funds in institution which serves greatest advantage to school district;
16. setting admission charges for year;
17. authorization of superintendent to close school in emergency situations and in case of inclement weather and setting chain of command in event superintendent is absent; and
18. setting board member compensation.
19. Designation of school board member(s) who in addition to the school board president have the authority to countersign checks drawn by the business manager (required);
20. Appointment of truancy officer;
21. Appointment of Title IX compliance officer;
22. Appointment of Rehabilitation Act Section 504 compliance officer;

23. Appointment of Americans with Disabilities Act compliance officer;
24. Appointment of Age Discrimination Act compliance officer;
25. Appointment of Asbestos compliance officer;
26. Designation of School District Attorney(s);
27. Authorize participation in associations (i.e., ASBSD, SDHAA, etc.).

LEGAL REFS.: SDCL 13-8-10; 3-8-14

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

<b>Todd County School District Policy: BDB</b>
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## **BOARD OFFICERS**

### **PRESIDENT**

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

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

### **VICE-PRESIDENT**

The vice-president of the board will assume the duties and responsibilities of the president in his or her absence. He/she will also perform such other duties as may be assigned by the board.

LEGAL REFS.: 13-8-10  
13-8-26

ADOPTED: April 18, 1983  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVIEWED: July 24, 2017

## **BOARD-SUPERINTENDENT RELATIONSHIP**

The board believes that the legislation of policies is a school board function and that the execution of those policies is the responsibility of the superintendent.

The superintendent will be the chief executive officer of the District. Planning, policy making, and evaluation are the functions of the board.

The board holds the superintendent responsible for the administration of its policies, the execution of board decisions, the operation of internal machinery designed to serve the school program, and for keeping the board informed about school operations and problems.

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

<b>Todd County School District Policy: BDE</b>
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## **BOARD COMMITTEES**

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

All committees will be appointed by the board president. The board president and the superintendent will serve as *ex-officio* members of all committees.

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

Any final recommendations, findings, or reports that result from a meeting of a committee authorized by the board and appointed by the school board president shall be reported in open meeting to the school board. The school board shall not take any official action on the committee's recommendations, findings, or report until the next meeting of the school board.

LEGAL REF: SDCL 13-8-26; SDCL 1-27-1.18

CROSS REF: BEC: Executive Sessions

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

## **ADVISORY COMMITTEES**

The board will, when it deems appropriate, appoint patron committees to counsel and assist the district in planning programs and projects.

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

1. The composition of a patron committee will be broadly representative and will take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to such committee as members or consultants, as found desirable.
2. Except when mandated by federal statutes as they apply to categorical programs, all appointments will be made by the board, which may name a community selection committee to make nominations for the purpose of obtaining broader community presentation. The appointment of any staff members to such committees will be made by the board, upon recommendation of the superintendent. Members of patron committees mandated by federal statutes to serve categorical programs shall be appointed by the Board of Education through established procedures required in federal regulations. In the absence of federal requirements or guidelines for appointments, this policy shall apply.
3. Each committee will be clearly instructed as to
  - a. the length of time each member is being asked to serve;
  - b. the service the board wishes the committee to render and the extent and limitations of its responsibility;
  - c. the resources the board will provide;
  - d. the approximate dates on which the board wishes to receive major reports;
  - e. board policies governing patron committees and the relationship of these committees to the board as a whole, to individual board members, to the superintendent, and other members of the professional staff; and
  - f. responsibilities for the release of information to the press.
4. Recommendations of citizens' committees will be based on research and fact.
5. A school board possesses certain legal powers and prerogatives which cannot be delegated or surrendered to others. Therefore, all recommendations of a patron committee must be submitted to the board for official action. Any final recommendations, findings, or reports that result from a meeting of a committee authorized by the board and appointed by the school board president shall be

reported in open meeting to the school board. The school board shall not take any official action on the committee's recommendations, findings, or report until the next meeting of the school board.

District employees shall not serve on the committees for the categorical programs in the individual school which they are employed.

The board will have the power to dissolve any advisory committee and will reserve the right to exercise this power at any time during the life of any committee.

LEGAL REF: SDCL 1-27-1.18

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017



<b>Todd County School District Policy: BDG</b>
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## **SCHOOL ATTORNEY**

The board shall appoint an attorney to advise and represent the district.

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

Generally, school district contacts with the school attorney will originate with the superintendent. However, any school board member may contact the school attorney.

LEGAL REFS: SDCL 13-8-39

ADOPTED: April 18, 1983  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy: BE</b>
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## **SCHOOL BOARD MEETINGS**

### **REGULAR MEETINGS**

Regular school board meetings will be held on the second and fourth Monday of each month, unless otherwise designated at the annual organizational meeting of the board. The time and place for all regular meetings will be set at the organizational meeting.

### **SPECIAL MEETINGS**

Special meetings may be called by the president of the board or, in his or her absence, the vice-president, or by a majority of the board members. Notice stating the time and place of any special meeting, and the purpose of its call, will be given to each board member and superintendent by the business manager, either orally or in writing, in sufficient time to allow each member's presence. For any special or rescheduled meeting, the information in the notice shall be delivered in person, by mail, by email, or by telephone, to members of the local news media who have requested notice. No business other than that stated in the notice posted as required by law will be transacted at the special meeting.

### **REMOTE PARTICIPATION IN BOARD MEETINGS**

The board acknowledges that attendance at board meetings is essential for its members to perform their official duties and to add to the diversity of thought and opinion in the board's deliberations. The board strongly encourages its members to be physically present for all board meetings. The board recognizes, however, that extenuating circumstances may occasionally prevent a member from being physically present at a meeting. It further recognizes that advances in technology, such as audio and video conferencing, have made it possible for members to communicate and deliberate with each other from remote locations. Therefore, to promote full participation of board members while ensuring access and transparency for the public as required by the Open Meetings Law, SDCL 1-25-1, the board authorizes remote participation in board meetings subject to the following procedures and requirements.

#### **A. AUTHORIZED CIRCUMSTANCES FOR REMOTE PARTICIPATION**

1. The board authorizes remote participation consistent with the requirements of this policy in any meeting of the board that is not a hearing or other quasi-judicial proceeding.
2. A member may attend a meeting and participate in board deliberations and decisions by remote participation if the member is prevented from physically attending the meeting due to:
  - a. personal illness, disability, order of quarantine or isolation, or government-issued "stay-at-home" mandate;

- b. out-of-town travel;
- c. unexpected lack of child-care;
- d. family member illness or emergency;
- e. weather conditions;
- f. military service;
- g. employment obligations;
- h. educational obligations;
- i. a scheduling conflict; or
- j. a state or local declaration of a state of emergency that makes in-person attendance at a meeting a violation of an order to reduce social contact or to stay at home for reasons of public health.

Remote participation is not to be used solely for a board member's convenience or to avoid attending a particular meeting in person.

- 3. Acceptable means of remote participation include telephone-, Internet-, or satellite- enabled audio or video conferencing, or any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another. Text messaging, instant messaging, email and web chat without audio are not acceptable means of remote participation.
- 4. No board member may participate remotely more than three times during a calendar year; however, in justifiable circumstances, the board may, by two-thirds vote, agree to waive this limitation.

## **B. CONDITIONS AND REQUIREMENTS FOR REMOTE PARTICIPATION**

- 1. A board member participating in a meeting remotely shall use his or her best efforts to participate in all or as much of the meeting as circumstances permit and not merely for the closed session portion of the meeting or a limited number of agenda items.
- 2. A board member participating remotely will be considered present at the meeting for purposes of establishing a meeting quorum and will be entitled to participate in open session deliberations at the meeting if:

- a. the member is able to hear other members of the board and any members of the public present at the meeting who are recognized by the board during public comment.
  - b. all persons present at the meeting location are able to hear the board member who is participating remotely; and
  - c. when video technology is used, it is preferred that the remote participant is visible to all persons present at the meeting location.
- 3. A board member may participate remotely in a closed session of the board provided the member provides assurance to the board that no other person is able to hear, see, or otherwise participate in the closed session from the remote location.
- 4. A board member considered present through remote participation will be permitted to vote on any action item at the meeting except:
  - a. any item for which the member was not participating remotely during the entire discussion and deliberation of the matter preceding the vote; and
  - b. any item that was being discussed when an interruption to the electronic communication occurred, if the board's discussion was not suspended during the interruption. A brief loss of simultaneous communication, such as a few seconds, will not disqualify the member from voting on the matter under discussion.

### **C. PROCEDURE FOR REMOTE PARTICIPATION**

- 1. A member of the board who desires to participate in a meeting remotely shall notify the board chair and the superintendent at least 4 hours in advance of the meeting so that necessary arrangements can be made.
- 2. The chair or designee at the meeting location shall initiate contact with the member prior to the start of the meeting to secure participation.
- 3. The chair shall announce the remote participant and the means of remote participation at the beginning of the meeting.
- 4. The meeting chair may decide how to address technical difficulties that arise when utilizing remote participation, but whenever possible, the chair should suspend discussion while reasonable efforts are made to correct any problems that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If, however, the technical difficulties distract from or impede the orderly

progress of the meeting, a majority of the members physically present may vote to end the remote participation.

5. A member participating remotely shall notify the chair if leaving the meeting before it is adjourned or rejoining the meeting after a period absence.
6. All votes taken will be by voice vote (rather than by a show of hands).
7. Participation by electronic communication will be noted in the official board minutes. Any interruption to or discontinuation of the member's participation will also be noted in the minutes.
8. Any costs associated with remote participation other than normal telephone or Internet connection shall be borne by the remote participant.

#### **D. ELECTRONIC BOARD MEETINGS**

The board acknowledges that in-person meetings are strongly preferred and that a quorum of the board should be physically present for the meeting when reasonably possible. However, in times of emergency, including natural disasters and health emergencies requiring quarantine or isolation, or resulting in government-issued "stay-at-home" orders, the board may find it necessary to meet completely electronically, without the physical presence of a quorum. In such cases, appropriate notice will be given as required by SDCL-1-25-1.1. Such notice will include publication of a reasonable means by which the public and media may hear or witness the board's discussion, deliberation, and decision making. Minutes of the meeting may be kept in the form of sound or video and sound recording and shall record the names of the members participating electronically.

The superintendent is directed to provide the technology sufficient to implement this policy in accordance with all applicable laws.

LEGAL REFS.: SDCL 1-25-1, 1-25-1.2, 1-25-11  
13-8-10

CROSS REFS.: BEC , Executive Sessions  
BEDA, Notification of School Board Meetings

ADOPTED: April 12, 1983  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017  
REVISED: August 14, 2023

## **Todd County School District Policy: BEC**

### **EXECUTIVE SESSIONS**

The official meetings of the school board are open to the public unless a specific law is cited by the school board to close the official meeting to the public. An official meeting is any meeting, whether in person or by means of teleconference, of a majority of the school board members during which time official business of the school district is discussed or decided, or school district public policy is formulated.

An executive or closed meeting of the school board may be held for the sole purposes of:

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

The matters discussed shall be kept confidential by the Board and individual Board members (and the administration, as agents of the Board) unless and until allowed to be disclosed publicly by the individual(s) to whom the discussion relates or unless and until authorized or required by law. It is therefore the policy of the Board that the Board and Board members shall respect the right of privacy of District employees and students, and neither the Board nor individual board members shall disclose nor convey confidential information regarding District employees or students, the knowledge of which was acquired during closed/ executive sessions unless authorized or required by law to disclose the same.

An executive session may be held only upon a majority vote of the members of the board present and voting. All discussion during the executive session is

restricted to the purpose specified in the closure motion. All official action by the school board concerning the matter discussed in executive session shall be made by the school board during open session of an official meeting. Violation of the "Open Meeting Law" is a criminal offense.

LEGAL REFS.: SDCL 1-25-1 through 1-25-2

ADOPTED: April 18, 1983  
REVISED: November 8, 1993  
REVISED: June 23, 2003  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy: BEDB</b>
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## **AGENDA PREPARATION AND DISSEMINATION**

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

Items of business may be suggested by any board member, staff member, or patron of the district. The agenda for a regular meeting, however, will always allow suitable time for the remarks of the public, staff, and students who wish to speak briefly before the board.

The board will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider the item when the Board is adopting the agenda. The Board, however, may not revise Board policies, or adopt new ones, unless the proposed agenda which was posted includes the policy consideration, or unless the Board, by majority vote, first determines an emergency exists such that the policy is to be considered by the Board at that meeting even though the policy was not identified on the proposed agenda.

The agenda, together with supporting materials, will be distributed to board members at least twenty-four (24) hours prior to the board meeting to permit them to give items of business careful consideration. The agenda will also be made available to the press, representatives of community, staff groups, students, and to others upon request.

The Board shall provide public notice, with proposed agenda, that is visible, readable, and accessible for at least an entire, continuous twenty-four hours immediately preceding any meeting, by posting a copy of the notice, visible to the public, at the District's Administration Building. The proposed agenda shall include the date, time, and location of the meeting. The notice shall also be posted on the District's website upon the posting of the notice of meeting and proposed agenda at the Administration Building. For special or rescheduled meetings, the information in the notice shall be delivered in person, by mail, by email, or by telephone, to members of the local news media who have requested notice.

Legal References: SDCL 1-25-1.1 (Notice of meetings of public bodies)  
SDCL 1-27-1.16 (Material relating to open meeting agenda)

ADOPTED: April 18, 1983

REVISED: November 8, 1993



REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy: BEDC</b>
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## **QUORUM**

A majority of the members of the school board constitutes a quorum for the purpose of conducting business. Any board action may be taken if it is approved by the majority of the school board membership.

LEGAL REF.: SDCL 13-8-10

CROSS REF.: BEDF - Voting Method

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: August 14, 2017

<b>Todd County School District Policy: BEDD</b>
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## **PARLIAMENTARY PROCEDURE**

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

The purpose of parliamentary procedure is:

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

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

<b>Todd County School District Policy: BEDF</b>
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## **VOTING METHOD**

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

LEGAL REF: SDCL 13-8-10

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: August 14, 2017

<b>Todd County School District Policy: BEDG</b>
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## **MINUTES OF BOARD MEETINGS**

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

1. a record of all actions taken by the board, with the vote of each members recorded except in cases of unanimous votes;
2. resolutions and motions in full; this will include a detailed statement of all expenditures of money, with names of persons to whom payment is made and service rendered or goods furnished; a detailed statement of receipts, and balance on hand; and expenditures and receipts of trust and agency funds;
3. a record of the disposition of all matters on which the board considered, but did not take action; and
4. in the minutes of the first meeting following the beginning of the fiscal year, or within thirty days thereafter, or in the minutes of the first meeting following the completion of salary negotiations with employees for that fiscal year, or within thirty days thereafter, a complete list of all the salaries of all officers and employees, and thereafter shall publish once any salary paid to any officer or employee who has been added or whose salary has been increased.
5. at least monthly, a total of payroll by department.

The unapproved minutes will be available for inspection by any person within 10 business days after the meeting unless an audio or video recording of the meeting is available to the public on the District's website within five business days after the meeting..

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

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

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

LEGAL REFS.: SDCL 1-27-1.17; 6-1-10; 13-8-34; 13-8-35; 13-8-36; 13-8-43

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

<b>Todd County School District Policy Exhibit: BEDH - E</b>
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**PUBLIC PARTICIPATION AT BOARD MEETINGS  
SCHOOL BOARD MEETING SPEAKER SIGN-IN SHEET**

DATE \_\_\_\_\_  
page \_\_\_\_\_ of \_\_\_\_\_

	Name	Address	Email	Topic
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ADOPTED: January 9, 2017  
REVIEWED: July 24, 2017

<b>Todd County School District Policy: BEDH</b>
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## **PUBLIC PARTICIPATION AT BOARD MEETINGS**

The School Board recognizes and respects the input which may be provided by the public on school district matters. The Board also recognizes and respects the distinction between a school board meeting and a public meeting.

At a school board meeting which is open to the public, members of the public may be present, observe and listen to the school board conduct its business and may speak during the school board meeting consistent with this policy.

At a public meeting/hearing there is usually one topic to be presented by the District and discussed. The public is given the opportunity to speak and be heard on the topic which is the reason for the public meeting. This type of meeting allows for public participation under the rules designed specifically for that meeting and are not subject to this policy.

Policy BEDH, Public Participation at Board Meetings, applies only to topics addressed in open/public. Matters addressed in executive session pursuant to SDCL 1-25-2 are not open to the public.

The time designated for Public Forum on the agenda shall be immediately before the adoption of the meeting agenda by the school board.

In order to assure that the Board may conduct its meetings in a respectful and efficient manner, the procedure for public participation at regularly scheduled monthly school board meetings is as follows:

1. Agenda and Non Agenda Items:
  - a. Before the meeting is called to order, an individual who desires to speak at a school board meeting must verbally or in writing inform the Superintendent, the Business Manager or the Board President of the person's desire to speak and the topic upon which the person intends to speak. The requesting party must sign a form (prepared by the school district) with their name, address, email and topic to be addressed.
  - b. During the time designated for Public Forum the Board President will recognize the person who signed up to speak and the person may speak on the topic according to the rules set forth in this policy.
  - c. A speaker shall be granted 5 minutes to present comments to the school board. Upon receiving a request for an extension of



time from the speaker, the school board, upon a motion being made and passed by a majority of school board members present and voting, may grant an additional amount of time not to exceed 5 minutes. Additional extensions may be granted only upon a two-thirds vote of school board members present and voting.

- d. Should a number of persons wish to address the school board on the same agenda item, or should the comments become repetitious, the School Board President, in the President's sole discretion, may shorten the time for comments to two minutes per person in order that persons wishing to address the school board may be heard and still allow the school board sufficient time to conduct its agenda business.
2. Adding an Item to the School Board Meeting Agenda in Order to Request Specific School Board Action:
    - a. Any person or delegation (with one person being the spokesperson for the delegation) making a specific request to the school board which would require formal action by the school board must present a written request to the Superintendent for the item to be placed on the school board meeting proposed agenda. The written request must be submitted to the Superintendent at least five calendar days before the school board meeting.
    - b. The specific request to add an item to the agenda shall clearly identify what is being requested and why, signed by the person making the request, and include the person's name, address, email and telephone number.
    - c. The Superintendent will forward the request to the School Board President and the Board President will decide whether the item will be placed on the proposed agenda. Whether any item is to be addressed at the school board meeting is determined by a majority of school board members at the beginning of the school board meeting when the school board adopts the proposed agenda as printed or adopted after being modified.
    - d. If the item on the meeting agenda is adopted by the school board, the person or spokesperson for the delegation who has submitted the request for specific school board action will be granted 10 minutes to explain the request to the school board. Upon receiving a request for an extension of time from the speaker, the school board, upon a motion being made and passed by the majority of school board members present, may

grant an additional amount of time not to exceed 5 minutes.  
Additional extensions may be granted only upon a two-thirds vote  
of school board members present and voting.

- e. In the sole discretion of the school board, requests to the school board for specific action submitted after the proposed agenda has been posted may be:

- deferred until the next regular meeting or a special school board meeting, or
- added to the meeting agenda for discussion purposes only, or
- added to the agenda for discussion and possible action.

3. Authority of Presiding Officer:

The Board vests in its presiding officer the authority to terminate the right of any person to speak at the end of the time granted pursuant to provision 1.d, provision 2.d. or provision 2.e. as set forth in this policy. The presiding officer may also terminate the right of a person to speak at a school board meeting should the person cause public inconvenience, annoyance, or alarm to the school board or any person, engage in threatening behavior, make unreasonable noise, disturb or be disruptive of an official school board meeting, or when comments are disrespectful to one or more persons, boisterous, argumentative, threatening, or contain profanity.

Legal References: SDCL 1-25-1 (Official meetings open to the public)  
SDCL 1-25-2 (Executive or closed meetings)  
SDCL 13-8-39 (Management of schools by board)  
SDCL 13-32-6 (Disturbance of school as misdemeanor)  
SDCL 22-18-35(3) (Disorderly conduct – disturbing any lawful assembly or meeting of persons without lawful authority)

ADOPTED: April 13, 1993  
REVISED: November 13, 1989  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: December 14, 2015  
REVISED: January 9, 2017  
REVISED: July 24, 2017

<b>Todd County School District Policy: BG</b>
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## **SCHOOL BOARD POLICY PROCESS**

The Board considers policy development one of its chief functions. It is the intent of the Board to develop policies and put them in writing so that they will serve as the rules to be followed and the goals for the successful and efficient functioning of the public schools.

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

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

ADOPTED: April 18, 1983  
REVISED: November 8, 1993  
REVIEWED: August 24, 2015  
REVISED: July 24, 2017

<b>Todd County School District Policy: BGB</b>
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## **POLICY ADOPTION**

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

To permit time for study of all new policies or amendments to policies and to provide an opportunity for others to react, proposed policies or amendments will be presented as an agenda item.

The new or amended policy shall either be posted on the governing body's website or made available at the official business office of the governing body at least twenty-four hours prior to the meeting or at the time the material is distributed to the governing body, whichever is later. If the new or amended policy is not posted to the governing body's website, at least one copy of the printed material shall be available in the meeting room for inspection by any person while the governing body is considering the new or amended policy.

The Board may approve the new or amended policy, amend and approve the proposed new policy or policy amendment, reject the new or amended policy, or defer action on the new or amended policy until a later date.

Policies will be effective upon adoption by the Board. Once adopted, policies of the Board shall be placed on the school district website.

The district's policy manual must contain the following policy:

1. Confidentiality of student records.

The board will readopt its collection of written policies annually at the organizational meeting.

LEGAL REF.: SDCL 13-8-39 (Management of schools by board--General powers)

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: March 29, 2016

REVISED: July 24, 2017

## **BOARD REVIEW OF REGULATIONS**

Administrative regulations must be approved by the board in advance of issuance except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, when circumstances require the Superintendent to implement a regulation in order to address an immediate situation and which makes it necessary for the regulation to be implemented prior to board approval.

The board has the authority to review administrative regulations and will revise or veto such rules when, in the board's judgment, they are inconsistent with policies adopted by the board.

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

## **POLICY AND REGULATION REVIEW AND EVALUATION**

The Board or a Committee of the Board will review District policies and regulations on a continuing basis and will review its policies and regulations at least every three (3) years.

The Superintendent shall bring to the Board's attention all policies and regulations that are out of date or for other reason appear to need revision or repeal, and shall also bring to the Board's attention new policies and regulations for the Board's consideration.

ADOPTED: July 24, 2017

## **SUSPENSION/REPEAL OF POLICIES**

Board policies may be suspended only upon a two-thirds vote of all the members of the Board. However, no Board policy may be suspended if doing so would negatively impact a student's educational opportunity or an employee's employment status.

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

## **NEW BOARD MEMBER ORIENTATION**

It is important that new members be knowledgeable about school governance and operations, and, insofar as possible, prepared to discuss and cast informed votes on matters before the Board.

To maintain high standards and continuity in operating the school system, new Board members will be given special attention and orientation promptly after election and prior to being sworn into office.

Board policies and regulations will be given to each new member prior to being sworn into office. A member leaving office shall give the new member his or her accumulated materials.

The Board President and Superintendent are responsible for arranging training for new Board members on the Board's work, objectives and purposes and will discuss the function of the Board and the administrative functions of the Superintendent.

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

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017



<b>Todd County School District Policy: BIB</b>
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## **BOARD MEMBER DEVELOPMENT OPPORTUNITIES**

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

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

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

LEGAL REFS.: SDCL 13-8-10.2; 13-8-10.1

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

## **Todd County School District Policy: BIBA**

### **SCHOOL BOARD CONFERENCES, CONVENTIONS AND WORKSHOPS**

In recognition of the need for continuing in-service and development for its members, the board encourages the participation of all members at appropriate school board conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the board establishes these principles for its guidance:

1. Funds for participation at such meetings will be budgeted for on an annual basis. When funds are limited, the board will designate which of its members would be the most appropriate to participate at a given meeting.
2. The Todd County School District shall reimburse board members for the approved travel as follows:
  - a. Transportation
    - (1) out-of-state – coach class airfare at lowest available rates or equivalent in mileage;
    - (2) in-state – established district mileage rates;
    - (3) fees and registration as required for participation at meetings;
    - (4) hotel or motel at single room rate;
    - (5) meals at district rate;
    - (6) daily meeting rate to be paid for actual days of meeting and travel.

Receipts for hotel/motel accommodations and for transportation costs, including cab fares, shall be submitted with expense vouchers.

Expenses shall be submitted and accounted for with the business manager within thirty (30) days of the date of completion of such travel.

3. When a conference, convention or workshop is not attended by the full board, those who do participate are encouraged to share information, recommendations, and materials acquired at the meeting.

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: August 22, 2016

REVIEWED: July 24, 2017

<b>Todd County School District Policy: BID</b>
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## **BOARD MEMBER COMPENSATION AND EXPENSES**

The board will vote at the annual organizational meeting to set the per diem rate of compensation for board members as authorized by law. A board member may receive the per diem only for each meeting actually attended and also for each day the member was actually engaged in the service of the board when authorized by the board.

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

LEGAL REFS.: SDCL 4-7-10.4; 13-8-10.2; 13-8-37; 13-8-38

ADOPTED: April 18, 1993

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017

## **SCHOOL BOARD MEMBERSHIPS**

The board will maintain membership in the Associated School Boards of South Dakota and in such other state, regional and national educational organizations as may be approved by the School Board.

LEGAL REFS.: SDCL 13-8-10.1

ADOPTED: April 18, 1983

REVISED: November 8, 1993

REVIEWED: August 24, 2015

REVISED: July 24, 2017