

SUBJECT: STATEMENT OF BYLAWS – SCHOOL BOARD

PURPOSE STATEMENT: The powers and duties of the School Board are as conferred and prescribed by law, and the Board provides for its organization and operation by establishing these By-Laws.

1.0 Board Members

- 1.1 The School Board shall consist of six voting members, the Superintendent of Schools, an ex-officio member by statute, and student members.
- 1.2 Terms of office shall conform to current State election laws. Three members will be elected every odd numbered year.
- 1.3 School Board members are elected at-large.
- 1.4 The School Board election is held on the first Tuesday following the first Monday in November of the odd numbered years. Terms of office begin at the first School Board meeting in January following election and qualification.

2.0 Annual Organizational Meeting

- 2.1 The Board shall organize annually on January 1, or as soon thereafter as practical.
- 2.2 The Chair of the Board from the previous year shall call the meeting to order and preside until renewed or until a new Chair is elected. In the event the previous Chair no longer serves on the Board, the duties shall be performed by the Clerk, the Treasurer, or the Superintendent in sequenced order.
- 2.3 A Chair, a Clerk, and a Treasurer, who shall hold office for the ensuing year, shall be elected at this meeting.
- 2.4 The School Board shall affirm the Board By-laws, the School Board Code of Ethics, the Minnesota School Board Standards and the School Board Job Description and Guiding Principles.
- 2.5 Board representatives shall be elected or appointed at the organizational meeting.
  - 2.5.1 Northeast Metropolitan Intermediate School District 916
    - 2.5.1.1 Each year, the Board of District 623 shall elect or affirm one representative to the Board of Northeast Metropolitan Intermediate School District No.916 to serve or continue a four-year term.

2.5.1.2 Vacancies shall be filled by election of the Board of District 623.

2.5.1.3 The representative of District 623 shall be a current elected member of said Board.

2.5.2 Joint Powers Board of the East Metro Integration District 6067.

2.5.2.1 Each year the Board Chair of District 623 shall appoint or affirm a representative and an alternate representative to the Joint Powers Board of the East Metro Integration District.

2.5.2.2 The representative of District 623 and the alternate representative shall be elected members of said Board. However, if no District 623 board member accepts appointment as representative to the Joint Powers Board of District 6067, the Superintendent shall represent District 623 on this Board.

2.5.3 Representatives to other Committees (e.g., Meet and Confer) or agencies shall be appointed by the Chair, as soon as is practical following the organizational meeting.

2.5.4 Appointment of a citizen representative or Board member to the local Continuing Education/Relicensure Committee shall be through election of a quorum of Board members.

2.6 The School Board shall designate an Official Newspaper

3.0 Fiscal Year Meeting.

3.1 The following items shall normally be included in the agenda of the last meeting of the fiscal year.

3.1.1 Designation of Depositories of School Funds and Authorization for Electronic Transfer of Funds

3.1.2 Authorization for Payment of Urgent Bills

3.1.3 Authorization for Payment of Employee Salaries

3.1.4 Authorization to Enter Into Salary Agreements for the Purchase of Tax Sheltered Annuities

3.1.5 Fixing the time, dates and places of regular meetings

3.1.6 Authorization of School District membership in organizations

3.1.7 Review of Board compensation and Board reimbursable expenses

#### 4.0 Duties of Officers

4.1 Chair: The chair shall have all the powers and duties pertaining to that office as described in Minnesota Statute 123B.14, such other statutes as may apply, and as specified in these bylaws. When bylaws and statute conflict, statute shall prevail.

4.2 Clerk: The clerk shall have all the duties pertaining to that office as described in Minnesota Statute 123B.14, such other statutes as may apply, and as specified in these bylaws. In addition, in the absence of the chair, the Clerk shall call the meeting to order and appoint or serve as Chair. When bylaws and statute conflict, statute shall prevail.

4.3 Treasurer: The Treasurer shall have all the duties pertaining to that office as described in Minnesota Statute 123B.14, such other statutes as may apply, and as specified in these bylaws. In addition, in the absence of the Chair and Clerk, the Treasurer shall call the meeting to order and appoint or serve as Chair. When bylaws and statute conflict, statute shall prevail.

#### 5.0 Compensation of Board Members

5.1 Board members shall receive compensation in the amount established annually at the fiscal year meeting as provided by MS 123B.09, subd. 12.

5.2 Board members may receive compensation for expenses incurred upon presentation of duly itemized statements.

5.3 Board members providing special service, e.g., serving as Chair or Board liaison to the licensed staff negotiations committee may receive extra compensation as determined annually at the fiscal year meeting.

#### 6.0 Meetings

6.1 Regular meetings shall be held at least once each month. Proposed changes to the established board calendar require Board action at a prior regular meeting.

6.2 Special meetings may be called by the Chair or any three School Board members. Unless all Board members are present at a special meeting, three days' notice of the meeting shall have been given all members.

6.3 All meetings of the School Board shall be held in the Board Room established for the use of the Board at the District Center unless otherwise directed by the Board.

## 7.0 Procedures of the Board

### 7.1 Order of Business

The order of business at each regular meeting shall be as follows, except as modified by a majority vote of the School Board at that meeting.

Call to Order; Roll Call; Announcements, Agenda Adjustments, and Correspondence; Community Input; Student Representative Reports; Consent Agenda; Discussion, Reports, and other Non-Action Items; Action Items; Board Reports; Superintendent's Report; Adjournment.

7.2 Roberts' Revised Rules of Order shall be the official guide of the Board on all points of parliamentary procedure.

### 7.3 Quorum

7.3.1 Four members of the Board shall constitute a quorum for the transaction of business.

7.3.2 The only business that can be transacted in the absence of a quorum is to take measures to obtain a quorum, to fix a time for adjournment and to adjourn, or to take a recess.

### 7.4 School Board Meeting Agenda Items

#### 7.4.1 Standard Procedure for Agenda Items

7.4.1.1 The School Board meeting agenda shall be prepared by the Superintendent of Schools in consultation with the Chair and/or any other board member as designated by the Chair. The Superintendent of Schools may place items on the meeting agenda, as he/she deems appropriate.

7.4.1.2 Any School Board member may also place an item(s) on the meeting agenda. Any Board member(s) placing an item(s) on the agenda shall have information prepared in accordance with 7.4.1.3 and 7.4.1.4.

7.4.1.3 The meeting agenda and supporting information shall normally be supplied to School Board members at least four (4) calendar days before the scheduled meeting.

7.4.1.4 To assist School Board members in their decision-making process, it is expected that the following information be provided

to the School Board in background information or on a cover sheet on each action agenda item: (1) objective of proposal, (2) criteria for evaluating results, (3) person(s) responsible for implementation, (4) projected financial impact, (5) impact on staff, students, and other programs, and (6) any other applicable information.

#### 7.4.2 Citizen Requests to Add Agenda Items

These Board procedures are defined to ensure that all School District residents have an opportunity to present their views to the School Board in a manner beneficial to enhancing the education of School District students. These procedures apply for adding items to the agenda. Should any conflict arise between these procedures and a statute of law, the statute shall prevail.

- 7.4.2.1 Any individual or delegation desiring to be heard before the School Board shall submit a written request to the Board Chairperson through the Superintendent of Schools at least four (4) working days prior to the meeting at which they wish to be heard.
- 7.4.2.2 Each request must include: (1) the requester's name, (2) requester's mailing address, (3) requester's telephone number, (4) list of presenters, (5) amount of time requested, and (6) a description of the subject matter to be presented.
- 7.4.2.3 The Superintendent of Schools may, at his/her discretion, (1) place the requested item on the next tentative agenda, or (2) reschedule from the requested meeting date to a meeting date that is consistent with administrative priorities and/or plans for future agendas. The requester(s) shall be notified of the meeting date, the time allotted, and the order placement on the agenda. Notification shall normally be done by phone at least 2 calendar days prior to the meeting.
- 7.4.2.4 No citizen of this School District, having met the criteria specified in Sections 7.4.2.1 and 7.4.2.2 and subject to the considerations of Section 7.4.2.3, shall be refused the right to place an item on the agenda of any regular meeting of the School Board, subject to possible removal under Section 7.4.3.
- 7.4.2.5 The presentation must stay within the confines of the information submitted in the agenda request and within the allotted time. Control of the nature, content, and time shall remain the responsibility of the Board Chair.

7.4.2.6 Notification of Board and/or administrative action will be sent in writing to each presenter by the Board Chair (or delegated representative) within two (2) weeks after the presentation. A Board minority opinion shall be included, if submitted to the Board Chair.

7.4.3 The School Board, by a majority vote at the meeting, may remove or add agenda items. This includes agenda items originating from any source.

7.4.4 The School Board Chair may at his/her discretion solicit comments on agenda items from citizens in attendance at the Board meeting. The Chair shall determine the appropriate time limitation of such comments. If necessary, the Chair shall rule comments to be out-of-order.

#### 7.5 Requests for Information by School Board Members

The intent of this bylaw is to ensure that information, analyses as well as data, is readily available to School Board members, and that such information is provided in a uniform and orderly manner. Should any conflict between these procedures and a statute of law arise, the statute shall prevail.

7.5.1 Information to be automatically provided to the Board includes the policy manual, a monthly update of budget, expenditures, and revenues, and the yearly schedule of anticipated topics for Board meetings and work-study sessions, with regular updates.

7.5.2 All information requests from School Board members, requiring more than an immediately known verbal response from any School District administrator, shall be directed to the Superintendent who shall have the response to the information request copied to all Board members at the same time and filed.

7.5.3 Requested information, which is immediately available by copying or ordering existing documents, shall be provided upon request.

7.5.4 Requested information that is readily prepared, e.g., in one (1) to two (2) hours of staff time, from data/information in district files and/or computerized data bases should be provided to the requesting Board member within a reasonable time, e.g., one (1) to two (2) weeks.

7.5.5 Information requests which are not covered by Sections 7.5.3 and 7.5.4 and which cannot be fulfilled in a timely manner without disrupting established priorities, as judged by the Superintendent of Schools, are subject to approval by a majority of the Board. The Superintendent of Schools may elect to provide the information to the Board member without requesting Board approval. However, it is expected that most of

these requests will be presented to the Board for approval and, as appropriate, for adjustment of administrative priorities and School District budget prior to preparation of the requested information.

7.5.6 If a School Board member chooses to request information that is legally available to the public, then Sections 7.5.1 through 7.5.5 of Policy BL shall not apply.

7.5.7 In addition, the following information should be available to the Board at all times:

Employee contracts, a monthly financial report, a detailed check accounting, and policy regulations.

## 7.6 Community Input (see 7.1)

Community members may present comments/opinions/concerns regarding items related to the public education system in this School District during Community Input portion of any regular meeting of the School Board. The procedures of Section 7.4.2 do not apply Community Input.

7.6.1 Each speaker will be requested to complete a registration card and provide their name, mailing address, telephone number, subject, and response (if any) desired from the School Board. The registration card may be completed the evening of the meeting, but it must be completed prior to their presentation.

7.6.2 Topics that are not related to the public education system or are otherwise inappropriate will be ruled out-of-order by the Board Chair. The Chair shall give an explanation of the ruling.

7.6.3 This portion of the School Board meeting will normally have a maximum length of 30 minutes. A time limit of 5 minutes per individual or 10 minutes per delegation is designated and shall be controlled by the Chair.

7.6.4 Board members and/or administration should respond to a speaker(s) only if there is a factual clarification needed or to clarify any questions raised by the speaker(s).

7.6.5 Notification of School Board and/or administrative response (including minority opinions, if submitted) will be forwarded to the requester(s) within 2 weeks following the meeting, with copies to the School Board.

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## 8.0 Duties and Responsibilities of the Board

### 8.1 General Duties

- 8.1.1 The powers and duties of the School Board are as conferred and prescribed by law. Complete and final control on all matters pertaining to the educational system shall be vested in the Board.
- 8.1.2 In the interpretation of the powers and duties of the Board, it shall be understood that the Board shall act as a legislative body in the determination of general policies for the care, management, and control of the public schools of the District, the execution and the details of which shall be the responsibility of the Superintendent of Schools and the administrative staff.
- 8.1.3 Financial transactions of the School District for each fiscal year shall be audited by a CPA firm. Associated audit reports shall be reviewed by the School Board Officers and approved by the School Board.

### 8.2 General Responsibilities

- 8.2.1 Define general purposes of the District within the framework determined by statute.
- 8.2.2 Set goals toward the achievement of the District purposes.
- 8.2.3 Approve programs and organization for pursuing the District goals and purposes.
- 8.2.4 Determine the resources available and set goal priorities for resource allocation.
- 8.2.5 Review all phases of the School District operation.
- 8.2.6 Evaluate general achievement of goals and of progress.
- 8.2.7 Annually evaluate the Superintendent's performance.
- 8.2.8 Conduct a yearly evaluation of board performance.
- 8.2.9 Interpret the program and the use of resources to the community.
- 8.2.10 Articulate the views of the public concerning the school purposes, goals, development, achievement, and efficiency.

8.2.11 Determine and maintain systems of accountability for all phases of the School District operation.

8.2.12 Maintain liaison with other educational governing boards, municipal bodies, and legislators.

### 8.3 New Board Member Orientation

The Superintendent of Schools and the Board Chair (or Chair's designee) shall offer to orient new Board members as soon after the election as practical and provide for training in school finance and management.

### 8.4 Continuing Education of Board Members

All Board members are strongly encouraged to regularly participate in educational programs, including literature study, related to School Board service. The Board shall make provisions in the annual budget for reimbursement of reasonable education expenses.

## 9.0 Duties and Responsibilities of Superintendent

9.1 The Superintendent of Schools shall be the chief executive officer of the School Board and shall possess the powers and discharge the duties that pertain to the office together with those prescribed by statute. Under the control of the School Board, the Superintendent shall exercise supervision of and provide directions to all the schools in Independent School District 623.

9.2 The Superintendent shall be responsible for putting into effect all the policies adopted by the Board. Where his/her duties are not definitely prescribed, he/she shall exercise his/her discretion, subject to review by the Board.

9.3 The position responsibility description for the Superintendent of Schools adopted by the Board shall provide direction to the Superintendent in performing his/her duties.

## 10.0 Adoption of Policy

10.1 Any member of the Board or the Superintendent may submit a new policy, bylaw, or a proposed revision or amendment to an existing policy or bylaw.

10.2 Each such proposal shall be prepared in a complete written form to be adopted and submitted to the members of the Board, through the Superintendent, five days in advance of the meeting prior to the one at which it will be considered for adoption.

10.3 After due consideration, each such proposal may be adopted by an affirmative vote of a majority of the complete membership of the Board

10.4 The Board shall have a procedure in place defining the process of policy development and review.

Legal References: MS 13D Open Meeting Law  
MS 123B.09 Boards of independent school districts  
MS 123B.14 Officers of independent school districts  
MS 123B.15 Refusing to serve on school board  
MS 123B.16 Failure of clerk to report  
MS 123B.17 Drawing illegal order  
MS 123B.18 Neglecting to keep or deliver records  
MS 123B.21 Duty of officers to report violations of law

08/12/71	11/11/71	07/07/94	09/08/05 (Revised)
07/01/74	12/16/76	07/06/95	
07/14/77	07/26/79	07/18/95	
08/05/86	01/13/87	10/08/96	
07/14/87	11/20/89	08/26/97	
05/01/90	07/10/90	04/11/00 (Revised)	
07/01/92	07/06/93	01/23/01 (Revised)	