

SECTION B: SCHOOL BOARD GOVERNANCE AND OPERATIONS

Section B contains policies, on the school board - how it is appointed or elected; how it is organized; how it conducts meetings, and how the board operates. This section includes bylaws and policies establishing the board's internal operating procedures.

<u>Code</u>	<u>Category</u>	<u>Title</u>
BA	R	School Board Operational Goals
BAA	R	Evaluation of School Board / Board Self-Evaluation
BAAA	R	School Board Policies and Administrative Procedures
BB	O	School Board Legal Status
BBA	R	Board Powers and Responsibilities
BBA-R		School Board Powers and Duties
BBAA	R	Board Member Authority and Responsibilities
BBB	O	Board Membership - Elections / Appointment (<i>Also, JIB</i>)
BBB-R		Oath of Office
BBBA	O	Board Member Qualifications
BBBC	O	Board Member Resignation
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BBBH	O	Recognition of Organization and Operation of the SAU School Board
BBBH-R		Recognition of Organization and Operation of the School Administrative Unit School (SAU) Board
BCA	R	Board Member Code of Ethics
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BCB	R	Board Member Conflict of Interest / Nepotism
BDA	O	Board Organizational Meeting
BDB	R	Board Officers
BDC	O	Appointed Board Officials
BDD	R	Board-Superintendent Relationship
BDD-R		Board / Superintendent Relations
BDE	R	Board Committees
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BDG	O	School Attorney / Legal Services
BEA	R	Regular Board Meetings
BEAA	O	School Board Meeting Preparation
BEB	O	Special Board Meetings
BEC	R	Non-Public Sessions
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SECTION B
(continued)

<u>Code</u>	<u>Category</u>	<u>Title</u>
BEDB	R	Agenda
BEDC	R	Quorum
BEDD	O	Rules of Order
BEDG	R	Minutes
BEDH	R	Public Participation at Board Meetings
BFE	R	Administration in Policy Absence (Also CHD)
BG	R	School Board Policy Process
BGA	R	Policy Development System
BGB	R	Policy Adoption
BGC	R	Policy Revision and Review
BGD	R	Board Review of Regulations (Also CHB)
BGE	O	Policy Communication/Feedback/Dissemination
BGF	R	Suspension/ Repeal of Policy
BHC	O	Board Communications with Staff (Also GBD)
BIA	R	New Board Member Orientation/Handbook
BIB	R	Board Member Development Opportunities
BIBA	R	Board Member Conferences, Conventions, and Workshops
BID	O	Board Member Compensation and Expenses
BIE	R	Board Member Insurance/Liability
BJ	O	School Board Legislative Program
BK	R	School Board Memberships
BKA	R	Liaison with School Board Associations

Categories

O = Optional These policies should be reviewed to determine whether they meet a particular local need. Most are informational in nature.

P = Priority The subject matter of these policies is required by state and/or federal law.

R = Recommended While these policies are not required by law, they are highly recommended for effective and efficient school board operation.

ANNUAL GOALS AND OBJECTIVES

Each year the Board will formulate goals and objectives. The goals and objectives may include but are not limited to the board functions of visions, structure, accountability and advocacy.

At the conclusion of the year the board shall reflect on the degree to which the goals and objectives have been accomplished by conducting a board self-evaluation and engaging in board development activities where needed.

Regulatory Reference:

Ed. 303.01 (g)

New policy: April, 1999

EVALUATION OF THE BOARD

At the conclusion of each year, the board shall evaluate its own performance in terms of generally accepted principles of successful board operations and in relation to its annual goals and objectives. The board self-evaluation shall address performance in the key functions of school boards - vision, structure, accountability and advocacy. The results of the self-evaluation shall be used in setting goals for the subsequent year.

The School Board shall periodically establish realistic objectives related to Board Procedures and relationships and shall, from time to time, measure its performance against the stated objectives.

New policy: April, 1999

Adopted March 2, 2004

SCHOOL BOARD POLICIES AND ADMINISTRATIVE PROCEDURESGENERALLY

The policies of the Board are intended to establish the general and overall rules within which day-to-day operations of the school district are to be governed. Procedures for carrying out and implementing the broad policies of the Board on a day-to-day basis are to be fashioned and adopted by the administration, under the direction of the Superintendent. As applicable, members of the District community are expected to comply with both Board policy and administrative procedures, subject to the limitations and exceptions set forth herein. However, the failure of the Board or the Administration to comply with policy shall not invalidate any lawful action taken.

CONTENTS OF BOARD POLICY AND ADMINISTRATIVE PROCEDURE

The policies of the Board shall be composed of (1) the policies contained in this Policy Manual; (2) the contents of administrative job descriptions adopted by the Board; (3) all formal Student Handbooks; and (4) all formal Employee Handbooks.

Administrative procedure is not part of Board policy and may be altered by the administration without Board action. Administrative procedure, however, may not conflict with Board policy.

LIMITATIONS OF POLICY

Neither the policies of the Board nor the procedures of the administration are intended, nor shall they be construed, to supersede or preempt any applicable laws, whether constitutional, statutory, regulatory, or common in origin. Consequently, all Board policies and administrative procedures shall be given both an interpretation and application, which is lawful. The Board shall have the final interpretation of its policies and the administration shall have the final interpretation of its procedures.

As the Board policies and administrative procedures are limited by legal constraints, so too are the rights of those to whom the Board policies and administrative procedures apply. Neither the policies of the Board nor the procedures of the administration are intended to expand the rights of individuals beyond those established by law or to give to any individual a cause of action not independently established in law. Enforcement of Board policy shall rest exclusively with the Board, and enforcement of administrative procedures shall rest exclusively with the administration.

Board policy and administrative procedure shall not preempt, create, supplant, expand or restrict the rights or liabilities of students, employee, taxpayers, or others within the school district beyond those that are established in law and are not intended to restrict or limit students, employees, or other members of the school district community from pursuing any claims or defenses available under law.

Exceptions

Exceptions to any policy or the application of any policy may be made if requested or recommended in accordance with the following procedures:

- a. Any person may request an exception to any Board policy or the application of same by submitting a letter to the Superintendent. The request shall identify: (1) the name, address and telephone number of the person making the request; (2) the policy for which the exception is being requested; (3) the action that the requesting individual desires, and (4) the rationale supporting the need for an exception.
- b. The Superintendent or his/her designee, shall conduct a sufficient investigation of any request for an exception so as to be able to formulate a recommendation for the Board. Among the factors to be evaluated are the relevant facts related to the request, the rationale of both the policy and the request for the exception; and the disposition of prior requests for exceptions to the same or similar policies.
- c. Following the Superintendent's investigation, the Superintendent may place the request for exception on the agenda and shall report to the Board the circumstances surrounding the request and his/her recommended disposition. The person requesting the exception shall be notified in advance of this agenda item, and shall be given a reasonable opportunity to address the Board before the Board determines whether to grant the request for an exception.
- d. The Board shall have final and exclusive authority to determine whether to grant any request for an exception and shall be the sole judge of whether the rationale for the exception is sufficient, taking into consideration the recommendation of the Superintendent. Moreover, the granting of exceptions in the same or similar cases shall not constitute binding precedent or practice inasmuch as the prior grant of an exception may establish that the granting of an exception is ill-advised.

e. Exceptions to administrative procedure shall be made in accordance with the procedures established by the Superintendent.

New policy: October, 1999

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Windham School District Policy

BB

SCHOOL BOARD LEGAL STATUS

State law provides that public schools will be operated and maintained by local school boards. As agents of the state, School Boards are required to implement state laws pertaining to public education and to carry out the rules of the State Board of Education.

The Board is an agent of the State and derives its authority from the New Hampshire Constitution, New Hampshire Statutes, and Rules of the State Board of Education.

Statutory-Regulatory References:

RSA 189:1, 189:1a

RSA 194:1-3

RSA 186:5

RSA 197:1

RSA 671:4

Adopted March 2, 2004

N.H. Code of Administrative Rules-Section Ed. 303

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BBA

SCHOOL BOARD POWERS AND DUTIES

School Boards exercise all the powers and duties prescribed to them by applicable state and federal laws and rules of the State Board of Education.

Regulatory References:

N.H. Code of Administrative Rules-Section Ed. 303.01

Adopted March 2, 2004

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BBA-R

School Board Powers and Duties

Ed 303.01 Substantive Duties. Each school board shall:

- (a) Adopt policies necessary and desirable to control and effectuate the recruitment, employment, evaluation and dismissal of teachers and other employees and may delegate authority to the Superintendent of schools to carry out provisions of such policies provided that no teacher shall be employed who is not certified or who has not been nominated by the superintendent of schools and elected by the school board.
- (b) Adopt policies necessary and desirable to control and effectuate the purchase of equipment, supplies, or services and may delegate to the superintendent of schools the authority to make financial commitments in accordance with such policy;
- (c) Provide, through documented planning and public meetings and quorum votes, accommodation for all pupils in approved schools or other facilities in accordance with state law;
- (d) Provide required transportation of students consistent with these rules and provide that all school buildings and other learning environments be maintained in a manner consistent with standards of health and safety as required by these rules;
- (e) Prepare an annual budget in accordance with RSA 32 and comply with all federal and state laws and rules;
- (f) Hold meetings for the transaction of business at least once in 2 months and shall require the attendance of the superintendent or designee. The board shall cause a written record to be kept of each meeting in accordance with RSA 91-A;
- (g) In consultation with the superintendent and in accordance with statutes and rules of the state board of education, determine the educational goals of the district, develop long-range plans and identify measurable and

School Board Powers and Duties

(continued)

attainable short-term objectives. The school board shall require the implementation of educational programs designed to reflect the goals and objectives and, further, the school board shall review such programs and make public the results of such investigation;

(h) Exercise all powers and perform all duties vested in and imposed upon the school board by law or rules of the state board;

(i) Adopt a rule to ensure that there shall be no unlawful discrimination on the basis of sex, race, age, creed, color, marital status, national origin, or disability in educational programs or activities consistent with local standards, which may be stricter in specific areas than the broader statewide standards;

(j) Establish a policy on sexual harassment that shall include at a minimum the elements specified below:

(1) A statement that sexual harassment is against the law and against school district policy;

(2) A definition of sexual harassment and give examples of actions that might constitute sexual harassment;

(3) The names and roles of all persons involved in implementing the procedures;

(4) A description of the process so all parties know what to expect, including time frames and deadlines for investigation and resolution of complaints;

(5) A prohibition against retaliation toward anyone involved in a complaint;

(6) A description of possible penalties including termination;

(7) A requirement that a written factual report be produced regardless of the outcome of the investigation;

(8) At least one level of appeal of the investigators recommendation;

(9) State clearly that someone can bypass the internal process and proceed directly to the New Hampshire commission on human rights, with address and phone number, or office of civil rights, with address and phone number; and

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Windham School District Policy

BBA-R

School Board Powers and Duties

(continued)

(k) The policy required by (j) above shall:

- (1) Be written in age appropriate language; and
- (2) Be published and available in written form to all those who must comply.

BOARD MEMBER AUTHORITY

All powers of the School Board lie in its action as a corporate body. Individual board members may not exercise authority over District affairs.

An individual board member, including the chairperson, has power only when the Board by vote has delegated authority to him or her.

No legal action can be taken except at a duly warned meeting of the Board and by a quorum acting as a unit.

The decisions of the Board shall be binding until rescinded by the Board at a duly called regular or special meeting.

Statutory-Regulatory References:

RSA 671:4

N.H. Code of Administrative Rules-Section Ed. 303.01

Appendix: BBA-R

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BBB

SCHOOL BOARD ELECTIONS

The School Board shall consist of an odd number of members elected by the qualified voters of the District at the annual District elections held in March.

The term of office of each member of the School Board shall be for a period of three (3) years.

Statutory References
RSA 671:4

Adopted March 2, 2004

RSA 671:22
RSA 195:19-a (Cooperative School Boards)
RSA 195:19-b (Cooperative School Boards)

Revised: November, 1999
Revised: July, 1998

Windham School District Policy

BBB-R

OATH OF OFFICE

I, _____ of _____ do solemnly swear that I will bear faith and true allegiance to the United States of America and the State of New Hampshire, and will support the Constitutions thereof. So help me God.

Signature

I, _____ do solemnly and sincerely swear and affirm that I will faithfully and impartially discharge and perform all the duties incumbent on me as

(Title of Office)

according to the best of my abilities, agreeably to the rules and regulations of this Constitution and laws of the State of New Hampshire. So help me God.

Signature

STATE OF NEW HAMPSHIRE

_____ SS
(County)

On the _____ day of _____ two thousand ____ the said _____
_____ took and subscribed the above oaths.

Before me, _____
(Moderator, Clerk, Justice of the Peace
(To be returned to the office of the School District Clerk)

BOARD MEMBER QUALIFICATIONS

To become a candidate for any school district office, a person must be a registered voter in the district. No person holding the office of member of the school board shall at the time hold the office of district moderator, treasurer, or auditor. No person employed on a salaried basis by a school administrative unit or by a school district within a school administrative unit shall be a school board member in any district of the school administrative unit. Salaried positions shall include, but are not limited to, the following: teacher, custodian, administrator, secretary, school bus driver (if paid by the district), school lunch worker and teacher's aide.

Statutory Reference:

RSA 671:18

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BBBC

BOARD MEMBER OR DISTRICT OFFICER RESIGNATION

Any citizen who files for and seeks election to the Board should do so with full knowledge of and appreciation for the investment in time, effort, and dedication expected of all Board members and that the citizen's intent is to serve a full term of office.

However, if, for reasons of health, change in domicile, or any other compelling reason a member does decide to terminate service, the Board requests earliest possible notification of intent to resign so that the Board may plan appropriately for a replacement. A letter of resignation should be sent to the chairman with a copy to the District clerk.

Vacancies shall be filled in accordance with RSA 197:26 and RSA 671:33.

Statutory References:

RSA 197:26

RSA 669:61

RSA 671:33

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BBBD

BOARD MEMBER REMOVAL FROM OFFICE

A board member may not be removed from office except as provided in RSA 32:12 and RSA 42:1-a.

Statutory Reference:

RSA 32:12

RSA 42:1-a

Revised: July, 1998

Windham School District Policy

BBBE

UNEXPIRED TERM FULFILLMENT

The Board shall fill vacancies occurring on the Board by appointment until the next District election.

Statutory Reference:

RSA 197:26

RSA 671:33

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BBBH

**RECOGNITION OF ORGANIZATION AND OPERATION OF
THE SCHOOL ADMINISTRATIVE UNIT (SAU) SCHOOL BOARD**

The information relates to the SAU Board and can be found in Appendix
BBBH-R.

Adopted March 2, 2004

Statutory Reference:

RSA 194-C

Appendix: BBBH-R

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BBBH-R

**RECOGNITION OF ORGANIZATION AND OPERATION OF THE
SCHOOL ADMINISTRATIVE UNIT (SAU) SCHOOL BOARD**

A. SAU SCHOOL DISTRICTS: The School District(s) of Windham, NH shall constitute SAU #28.

C. VOTING RIGHTS:

"RSA 194-C:7 Representative. Every school district maintaining one or more schools shall be entitled to three (3) votes on the joint board of school administrative units, plus additional votes as provided in RSA 194-C:8. Districts not maintaining schools shall have one (1) representative on said board and are entitled to one (1) vote. Each school district board member present shall be entitled to have a proportionate share of the school district's votes provided that the total votes per district shall be equally divided among said district's board members present and cast as each member decides on any issue.

RSA 194-C:8 Weighted Voting. In all votes regarding school administrative unit affairs, including organizing of such unit school board and selection of officers, each district shall be entitled to one (1) additional vote for each 16 pupils residing in that district and enrolled in schools under the administrative unit. A balance of eight (8) or more students shall entitle that district one (1) additional vote. Less than eight (8) students would have no net effect on a district's vote. Enrollments shall be based on the average daily membership in residence of each district for the school year which ended in the preceding June.

A weighted vote can be called if requested by a majority of the members of any board present and voting in the School Administrative Unit.

ETHICS POLICY STATEMENT

The Board will adopt a member code of ethics statement and each member will read, review and sign a copy of the statement to indicate agreement with the statement.

Reference Appendix BCA-R

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BCA-R

SCHOOL BOARD MEMBER ETHICS

AS A MEMBER OF MY LOCAL BOARD OF EDUCATION, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION, AND, TO THAT END, I WILL STRIVE TO:

Remember that my first and greatest concern must be the educational welfare of the students attending the public schools.

Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning the issues to be considered at those meetings.

Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings.

Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups.

Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community.

Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent of Schools.

Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs.

Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school board associations.

Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain.

Adopted March 2, 2004

Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law or is received in confidence or executive session.

Reference: Policy BCA

Revised: November, 1999

Revised: July, 1998

BOARD MEMBER CONFLICT OF INTEREST

A Board member shall not have any direct personal and pecuniary interest in a contract with the District, nor shall he or she furnish directly any labor, equipment, or supplies to the District.

In the event a Board member is employed by a corporation or business or has a secondary interest in a corporation or business, which furnishes goods or services to the District, the Board member shall declare his interest and refrain from debating, discussing, or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his interest in the public schools and his interest in his place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist.

Nepotism

The Board will not employ any teacher or other employee if such teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or any member of the Board. If a conflict exists, the Board member shall declare his/her interest and refrain from debating, discussing, or voting on a nomination or other issue.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Board prior to the inception of the relationship, the adoption of this policy, or a Board member's election.

Statutory-Regulation References:

Marsh v. Hanover, 113 NH 667 (1973) and
Atherton v. Concord, 109 NH 164 (1968)
RSA 671:18

Revised: November, 1999

Revised: July, 1998

BOARD ORGANIZATIONAL MEETING

The Board shall organize annually at its first meeting following the District elections. Every member shall be notified of the meeting for organization, in accordance with RSA 91-A:2. This meeting shall be called to order by the Superintendent, who shall preside during and until the election of a Chairperson.

Statutory Reference:
RSA 91-A:2

Adopted March 2, 2004

Revised: July, 1998

BOARD OFFICERS

The officers of the School Board shall be a Chairperson, and a Vice-Chairperson. The officers shall be elected at the annual organization meeting to serve until the next annual organization meeting or until a successor is elected. Any vacancy in any of such offices may be filled at any meeting of the Board provided that all members of the Board have been notified prior to the meeting that the vacancy will be filled at such meeting. The Superintendent is the chief executive officer and an ex-officio member of the Board and shall be the Executive Secretary ex-officio.

CHAIRPERSON:

The Chairperson shall preside at all meetings and shall not originate or second motions; however, the Chairperson shall have the right to vote on all matters before the Board. The chairperson shall consult with the Superintendent on the preparation of the agenda for each meeting, shall have authority to sign contracts and other instruments as approved by the Board in its name and on its behalf, and shall have such other powers and duties as the Board may from time to time determine.

VICE-CHAIRPERSON:

The Vice-Chairperson shall have the powers and duties of the Chairperson in his/her absence or for the duration of the disability, and such other powers and duties as the Board may from time to time determine.

Revised: July, 1998

OTHER BOARD OFFICIALS**CLERK OF THE DISTRICT**

The Clerk of the District is an elected official except in cooperative school districts, where he/she is appointed by the board. The Clerk shall keep a true record of each District meeting and make any reports to the State of New Hampshire as may be required and shall carry out duties as required by law.

TREASURER

The Treasurer of the District shall be elected by the Board in cooperative Districts and shall not be a member of the School Board. He/She shall receive such remuneration as the District may determine and perform such duties pertaining to the fiscal affairs of the School District as outlined in the New Hampshire statutes relating to public schools.

A Deputy Treasurer shall be appointed by the Treasurer subject to the approval of the Board.

Statutory References:

RSA 195:5 (*Cooperative School District Officers*)
RSA 197:20 (*Clerk Duties*)
RSA 197:23-a (*Treasurers Duties*)
RSA 671:23 (*Non-Cooperative School District Officers*)
RSA 671:6

Revised: November, 1999
Revised: July, 1998

BOARD-SUPERINTENDENT RELATIONSHIP

The Board believes that policy-making is a primary function of the School Board and that the execution of those policies is the primary function of the Superintendent.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy-making and appraisal functions.

The Superintendent is responsible for the administration of Board policies, the execution of Board decisions, the operation of school programs, for keeping the Board informed about school operations and issues.

Reference Appendix : BDD-R

Adopted March 2, 2004

Revised: November, 1999

Revised: July, 1998

BOARD-SUPERINTENDENT RELATIONS

The Superintendent will keep the Board currently informed in all areas pertaining to the operation of the schools. He/she will prepare or cause to be prepared reports to the Board to facilitate its decisions. He/she will prepare the agenda for each Board meeting and will attend all meetings and participate in all deliberations except when his contract is being considered.

He/she will administer the schools in conformity with the adopted policies of the Board, the State Board of Education, and state law, making such administrative rules and regulations as may be necessary. He/she will be ultimately responsible for all areas reporting directly to him/her which include instruction, business management, personnel, technical, vocational and continuing education, employee relations, information and community services, and federal and special programs. He/she will coordinate these functions to obtain the efficient operation of schools for the benefit of the total community.

The responsibilities of the Superintendent in a cooperative climate with the Board are identified as:

<u>Board</u>	<u>Superintendent</u>
1. To select a competent, established, educational leader as Superintendent.	To administer effectively and provide the professional, educational leadership necessary.
2. To serve as a policy-making body.	To recommend sound policy and implement adopted policies by formulating and enforcing rules and regulations.
3. To allow the Superintendent to administer the schools.	To make Board policy effective through efficient Administration.
4. To exercise sound judgment in business affairs of the school	To keep the Board informed on financial matters, do sound long-

corporation.

range planning, and keep current expenditures within the approved budget.

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BOARD-SUPERINTENDENT RELATIONS

(continued)

<u>Board</u>	<u>Superintendent</u>
5. To deal always in an ethical, honest, straight-forward, open-and-above-board manner with the Superintendent and the community.	To deal always in an honest, professional, straight-forward, open-and-above-board manner with the staff and community.
6. To provide necessary personnel within budget limitations.	To present personnel needs to the Board.
7. To approve an organizational pattern for the Administration.	To make assignments for each position with the Board's authorization.
8. To take legal action required by law.	To recommend to the Board all action required by law.
9. To examine and approve an annual budget.	To recommend an annual budget with necessary supporting data.
10. To function as a Board rather than as individuals.	To deal with the Board as a whole rather than with individual members.
11. To carry on communications with members through the Superintendent.	To see that the staff can have necessary communication through the Superintendent with the Board.
12. To hold the Superintendent accountable for results.	To accept responsibility for the results.
13. To remember that schools exist for the benefit of the students and community.	To remember that schools exist for the students and community.
14. To fulfill such other duties required by regulations of the State Board of Education.	To fulfill such other duties required by regulations of the State Board of Education and state law.

Reference: Policy BDD

COMMITTEES AND DELEGATES

The Board may have standing committees as deemed necessary.

Standing and special committees and delegations shall be appointed by the Chairperson of the Board and approved by vote of a majority of the Board. Committees will meet as needed on problems pertaining to said committee and will make recommendations for action by the full Board. The Board representative or a representative of the SAU or administration staff shall be selected by the Board to serve as chairperson of any standing or special committees or delegations.

Revised: July, 1998

Adopted March 2, 2004

ADVISORY COMMITTEES TO THE BOARD

The Board may rely on various advisory committees to counsel it as one means of discerning the needs and desires of the School District and its residents. The central purpose of all advisory committees is to contribute to the educational program by conducting studies, identifying problems, and developing recommendations that will enhance the effectiveness of the decision-making process. The ultimate authority to make decisions will continue to reside with the powers and duties of the Board as imposed by law.

Specific topics for study or well-defined areas of activity shall be assigned in writing to each committee. Upon completing its assignment, each committee either shall be given new problems or shall be dissolved promptly, but shall not be allowed to continue for prolonged periods without a definite assignment. Each committee shall be instructed as to the length of time each member is being asked to serve, the service the Board wishes it to render, the resources the Board intends to provide, the approximate dates on which the Board wishes it to submit reports, and the approximate date on which the Board wishes to dissolve the committee. Furthermore, the committee shall be instructed as to the relationship it has to the Board, to individual Board members, to the Board member (s) assigned to provide liaison, and to the Superintendent, the committee assistant, and the remainder of the professional staff.

The Board shall have sole power to dissolve any of its advisory committees and shall reserve the right to exercise this power at any time during the life of any committee.

The Board shall seek the advice of the Superintendent before establishing or dissolving any advisory committee.

All appointments of citizen to advisory committees to the Board shall be made by the Board.

All appointments of staff members to citizens advisory committees to the Board shall be made by the Superintendent after approval of the Board.

A Board representative or a representative of the SAU or administration staff shall be selected by the Board to serve as chairperson of any advisory committee.

The School Board shall see that the public is made aware of the services rendered by such committees of citizens as it may appoint and shall see that the public is informed of the major conclusions and recommendations made by such committees. All public announcements concerning the organization, membership, operation, recommendations and dissolution of such committees shall be made at such time and in such manner as the Board may choose.

Revised: July, 1998

SCHOOL ATTORNEY

The Board recognizes that the increasing complexity of School District operations frequently requires procurement of professional legal services. Consequently, it shall retain an attorney or law firm for that purpose.

A decision to seek legal advice or assistance on behalf of the School District shall normally be made by the Superintendent or by persons specifically authorized by the Superintendent. Such action shall occur where it is consistent with approved District policy or standard practice and meets an obvious need of the District. It may also take place as a consequence of formal Board direction.

Many types of instances of legal assistance to the District may be considered routine and not necessitating specific Board approval or prior vote. For example, the Superintendent may consult with the school attorney to interpret statutory requirements or regulations, prepare or review contracts and seek legal opinions regarding other District issues.

However, when the administration concludes that unusual types or amounts of professional legal service may be required, Board authorization for such service shall be promptly requested.

Revised: July, 1998

REGULAR BOARD MEETINGS

Unless otherwise altered by Board action, regular *monthly* meetings of the Board shall be held at a public building in a handicapped accessible location.

All regular meetings shall be open to the public and the press.

All changes of regular meetings from normal dates shall be advertised at least 24 hours prior to the date of the meeting.

Special meetings shall be held at the call of the Chairperson or upon the written request of at least 40% of the School Board.

A majority of the Board shall constitute a quorum.

Since community involvement in the educational process requires knowledge of that process, it will be the policy of the Board that all facts and information kept or prepared on the activities of the public schools, except confidential information as exempted by law, will be considered public information.

Any citizen may, with proper care, during office hours and subject to such regulations as the Superintendent may prescribe, have access to and inspect the public records of the public schools.

Statutory Reference:

RSA 91-A

Revised: November, 1999

Revised: July, 1998

SCHOOL BOARD MEETING PREPARATION

Before actions by the Board are requested or recommended, the Board shall be provided adequate data and backup information at least four days in advance to assist them in reaching sound and objective decisions consistent with established goals.

Revised: July, 1998

Adopted March 2, 2004

SPECIAL BOARD MEETINGS

Special meetings may be called at any time by the Chairperson of the Board or by the action of a majority thereof. Written notice stating the time and place of any special meeting and the purpose for which it is being called shall be given to each member of the Board at least two (2) days in advance of the meeting. Only business that is stated in the notice shall be transacted at the meeting. Exceptions to this procedure would be in cases of emergency as determined by the Chairperson and/or the Superintendent. In such case of emergency all members will be contacted by telephone.

NON-PUBLIC SESSIONS

The Board reserves the right to sit in non-public session when a majority of the members present and voting so vote (recorded roll call vote required). As required by law, the motion calling for a non-public session will indicate the matters to be discussed and the statutory exception stated.

The Board may entertain a motion to hold a non-public session only for those purposes which the law recognizes. (For the list of reasons permitted by law, see RSA 91-A:3 II.)

Minutes of the proceedings in non-public sessions shall be kept, at least to the extent of recording any decisions made therein. Decisions must be publicly disclosed within 72 hours of the meeting, unless 2/3 of the members present believe the release of the information would adversely affect the reputation of any person other than a member of the body itself or render the proposed action ineffective. Board members and any persons attending a non-public session are duty-bound not to disclose any details of the discussion held.

The Superintendent or his/her designated representative may attend all non-public sessions except those which pertain to the Superintendent's employment, at the pleasure of the Board.

Statutory References:

RSA 91-A:3 I, II, III.

RSA 91-A:4

RSA 42:1 II (a) (b)

Revised: November, 1999
Revised: July, 1998

Windham School District Policy

BEDA

PUBLIC NOTIFICATION OF SCHOOL BOARD MEETINGS

All School Board Meetings are open to the public. The Board will announce at least 24 hours in advance through two public postings and, when possible, by the newspapers and the local radio station, the date, time, and place of all regular and special meetings and the major topics to be discussed.

Statutory Reference:
RSA 91-A

Adopted March 2, 2004

Revised: November, 1999
Revised: July, 1998

AGENDA PREPARATION AND DISSEMINATION

The Superintendent shall prepare all agendas for meetings of the Board. In doing so, the Superintendent shall consult with the Board.

Every Board member has the right to place items on the agenda. Items not included in the agenda may be brought before the meeting provided it is agreed to by the Board. However, the Board may choose not to deal with every agenda item.

Items of business may be suggested by any Board member, staff member, student, or citizen of the District. The inclusion of items suggested by staff members, students, or citizens shall be at the discretion of the Superintendent and Chairperson. The agenda, however, shall always allow suitable time for the remarks of the members of the public who wish to speak briefly before the Board.

The Board shall 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 them. The Board, however, may not revise Board policies, or adopt new ones, unless such action has been scheduled, or unless there is an emergency.

The agenda, together with supporting materials, shall be distributed to Board members at least four days prior to the Board meeting, to permit them to give items of business careful consideration. Board Members shall be expected to read the information provided them and to contact the Superintendent to request additional information that may be deemed necessary to assist them in their decision-making responsibilities. The agenda shall also be made available to the press and others upon request.

Statutory Reference:

RSA 91-A:2, II.

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BEDC

QUORUM

A simple majority of the Board shall constitute a quorum for the transaction of business.

Adopted March 2, 2004

Revised: July, 1998

Windham School District Policy

BEDD

RULES OF ORDER

Except as otherwise provided by law, by rules of the State Department of Education or by the Board, meetings of the Board shall be conducted in accordance with Robert's Rules of Order, Revised when appropriate and possible.

Adopted March 2, 2004

Revised: July, 1998

MINUTES

The Secretary shall keep a record of the actions of Board meetings. The minutes of the Board shall be kept in an official minute book and shall include resolutions and motions. Papers not a part of a formal motion may be omitted if they are referred to and identified by some method.

Copies of the draft minutes of a meeting shall be sent to the members of the Board before the meeting at which they are to be approved. Corrections to the minutes may be made at the meeting at which they are to be approved.

All minutes shall be kept in accordance with RSA 91-A:2 and 3 III and will be in the custody of the Superintendent, who will make them available no later than 144 hours after the meeting to interested citizens on request. (72 hours for minutes of non-public sessions)

Statutory References:

Adopted March 2, 2004

RSA 91-A:3 III
RSA 91-A:4 I
RSA 91-A:2 II

Revised: November, 1999
Revised: July, 1998

Windham School District Policy

BEDH

PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board encourages citizens of the District to attend its sessions so that they may become better acquainted with the operation and programs of the schools and so that the Board may have opportunity to hear the wishes and ideas of the public. All official meetings of the Board shall be open to the press and public. However, the Board reserves the right to meet and to adjourn or recess a meeting at any time to discuss such matters as are properly considered in non-public session in accordance with RSA 91-A:3.

In order to assure that persons who wish to appear before the Board may be heard and, at the same time, it may conduct its meetings properly and efficiently, the Board adopts as policy the following procedures and rules pertaining to public participation at Board meetings.

1. Any individual desiring to speak shall give his or her name, address, and the group, if any, that is represented.
2. The presentation should be as brief as possible. Written remarks are encouraged.
3. Speakers may offer comments on such school operations and programs as concern them. In public session, however, the Board will not hear personal complaints of school personnel nor complaints against any person connected with the school system. Other channels are provided for Board consideration and disposition of legitimate complaints involving individuals, which should be referred to the Superintendent for appropriate action.

The Board vests in its Chairperson or other presiding officer authority to terminate the remarks of any individuals when they do not adhere to the rules established above as to content or time limitation.

Persons appearing before the Board are reminded, as a point of information, that members of the Board are without authority to act independently as individuals in official matters. Thus, questions may be directed to individual Board members, but answers must be deferred pending consideration by the full Board.

Statutory Reference:

RSA 91-A:3

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BFE

Also CHD

ADMINISTRATION IN POLICY ABSENCE

In the absence of established Board policy or Board direction, the Superintendent shall assume responsibility for whatever decision or action is taken. In such instances, principals or other administrative or instructional personnel shall gain the approval of the Superintendent before taking any action.

In the situations which arise within the schools where the Board has provided no guides for administrative action, the Superintendent shall have power to act but his/her decisions shall be subject to review and ratification by action of the Board at its regular meeting. It shall be the duty of the Superintendent to inform the Board promptly of such action and of the need for policy.

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BG

BOARD POLICY DEVELOPMENT

The Board will develop policies and put them in writing so that they may serve as guidelines and goals for the successful and efficient functioning of our public schools.

The Board considers policy development its chief function, along with providing the resources such as personnel, buildings, materials, and equipment for the successful interpretation and evaluation of its policies.

Policies are principles adopted by the Board to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting a number of problems; narrow enough to give clear guidance. Policies are guides for action by the administration, who then sets the rules and regulations to provide specific directions to School District personnel.

It is the Board's intention that its policies serve as sources of information and guidance for all people who are interested in, or connected with, the public schools.

Changes in needs, conditions, purposes, and objectives will require revisions, deletions, and additions to the policies of present and future Boards. The Board will welcome suggestions for ongoing policy development from citizens, students, and staff in the District.

Action on such proposals, whatever their source, is taken finally by the Board after receiving the recommendation of the Superintendent. The Superintendent bases his/her recommendations upon the outcomes of study and upon the judgment of the professional staff and appropriate study committees. The Superintendent shall seek counsel of the School Attorney when there may be a question of legality or proper legal procedure in the development of a proposed School Board policy.

Revised: November, 1999

Revised: July, 1998

POLICY DEVELOPMENT SYSTEM

The Board endorses for use in this District the policy development, codification, and dissemination system of the New Hampshire School Boards Association.

This system, is to serve as a general guideline for such tasks as policy research, the drafting of preliminary policy proposals, reviewing policy drafts with concerned groups, presenting new and revised policies to the Board for consideration and action, policy dissemination, policy evaluation, and the maintenance of a continuously and easy-to-use policy manual.

System Maintenance

A member of the SAU staff is to be designated and delegated by the Superintendent with the responsibility to maintain the Board's policy reference files, to draft policy proposals as instructed by the Board and/or Superintendent, to maintain the Board policy manual, and to serve as liaison between the Board, the New Hampshire School Boards Association, State Board of Education, and other sources of policy research information.

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BGB

POLICY ADOPTION

Except for policy actions to be taken on emergency measures, the adoption of Board policies should follow this sequence which will take place at least at two regular or special meetings of the Board:

1. Announcement and publication of proposed new or revised policies as an item of information.
2. Opportunity offered to concerned groups or individuals to react to policy proposals.
3. Discussion and final action by the Board on policy proposals.

The final vote to adopt or not to adopt should follow by at least two weeks from the meeting at which policy proposals are first placed on the agenda.

1. Prior to enactment, all policy proposals shall be titled and coded as appropriate to subject and in conformance with the codification system used in the Board policy manual.
2. Insofar as possible, each policy statement shall be limited to one subject.
3. Policies and amendments adopted by the Board shall be attached to and made a part of the minutes of the meeting at which they are adopted and shall also be included in the policy manual of the District marked with the date of adoption and/or amendment.
4. Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.

Emergency Procedure

On matters of unusual urgency, the Board may waive the two-week limitation and take immediate action to adopt new or revise existing policies. When such immediate action is necessary, the Superintendent shall inform concerned groups or individuals about the reasons for this necessity.

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BGC

POLICY REVIEW AND EVALUATION/MANUAL ACCURACY CHECK

In an effort to keep its written policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision, the Board will review its policies on a regular basis.

The Superintendent is given the continuing responsibility of calling to the Board's attention all policies that are out of date or appear to need revision for other reasons.

The Board directs the Superintendent to recall all policy and regulations manuals annually for purposes of administrative updating and Board review.

Revised: July, 1998

Windham School District Policy

BGD

Also CHB

BOARD REVIEW OF ADMINISTRATIVE REGULATIONS

The Board reserves the right to review and rescind administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

Adopted March 2, 2004

Revised: July, 1998

POLICY DISSEMINATION

The policy manual is a public document. The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Board and the administrative rules and regulations needed to put them into effect.

Accessibility is to extend at least to all employees of the school system, to members of the Board, and to persons in the community insofar as conveniently possible. Manuals will be available for inspection at the Superintendent's office, and each Principal's office.

All policy manuals shall remain the property of the School Board and shall be considered as "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary by the administrative head of the School District.

The Superintendent is responsible for ensuring an annual update of all manuals.

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BGF

SUSPENSION OF POLICIES

The policies of the Board are subject to suspension only upon a majority vote of the entire Board membership at a meeting for which the proposed suspension has been described in writing, or upon a unanimous vote of the entire Board membership when no such written notice has been given.

Those Board policies which pertain to the internal operations of the Board are subject to suspension only upon a majority vote of all members of the Board at a meeting for which the proposed suspension has been described in writing, or upon a unanimous vote of the entire Board membership when no such written notice has been given.

Adopted March 2, 2004

Revised: November, 1999
Revised: July, 1998

Windham School District Policy

BHC

Also GBD

BOARD-EMPLOYEE COMMUNICATIONS

The Board desires to maintain open channels of communication between itself and the employees. The basic line of communication will, however, be through the Superintendent of Schools.

Staff Communications to the Board

All communications or reports to the Board or any Board committee from principals, supervisors, teachers, or other employee members shall be submitted through the Superintendent.

Board Communications to Staff

All official communications, policies, and directives of employee interest and concern will be communicated to employee members through the Superintendent, and the Superintendent will employ all such media as are appropriate to keep employee fully informed of the Board's actions and concerns.

Visits to Schools

Individual Board members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the principals of the various schools. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or

visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of the Superintendent and principals.

Social Interaction

Staff and Board members share a keen interest in the schools and in education generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general District problems. However, employees are reminded that individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions of personalities or personnel grievances by either party will be considered unethical conduct.

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BIA

NEW BOARD MEMBER ORIENTATION

A new member is to be afforded the Board and the staff's fullest measures of courtesy and cooperation. Board and staff shall make every feasible effort to assist the new member to become fully informed about the Board's functions, policies, and procedures.

A special workshop will be convened for the primary purpose of orienting the new member to his or her responsibilities, to the Board's method of operating, and to Districts policies and procedures.

Each new member will be provided with a mentor from the experienced Board members and the following materials:

1. Website address for the previous year's complete record of minutes.
2. Website address for Revised Statutes Annotated Relating to Public Schools. (RSA)
3. A copy of Becoming A Better Board Member.
4. The School Board Policy Manual.
5. The NH School Boards Association Orientation Packet.
6. The current school budget.
7. Negotiated Labor Agreements.
8. School Handbook
9. AREA Agreement
10. SAU – Agreement

Adopted March 2, 2004

11. SAU Minutes
12. 12-month of Windham Board minutes

Revised: November, 1999
Revised: July, 1998

BOARD MEMBER DEVELOPMENT OPPORTUNITIES

The Board places a high priority on the importance of continuing education for its members, to improve their skills as members of a policy-making body; to expand their knowledge about trends, issues, and new ideas affecting the continued welfare of our local schools; and to deepen their insights into the nature of leadership in a modern democratic society. The central purpose of the program is to enhance the quality and effectiveness of public school governance in our community.

School board members are encouraged to attend workshops presented by the state and national school boards associations.

Revised: June 2001
Revised: November, 1999
Revised: July, 1998

**PAYMENT FOR SERVICES RENDERED BY
SCHOOL DISTRICT OFFICERS**

A. All School District officers will be reimbursed in accordance with fees as established by the District. Such fees will be provided for in the School District budget and will be plainly indicated in the annual report.

B. Payment for services rendered in the fiscal year will be included on the payroll manifest immediately following the annual School District meeting. It is the assigned responsibility of the Superintendent of Schools to make certain that all statements are in the hands of the school office personnel to ensure payment on the aforementioned manifest.

Statutory References:

RSA 194:10

RSA 194:11

RSA 195:5 (*Cooperative School Districts*)

Kondrat v Freedom School Board, 138 NH 683 (1994)

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BIE

BOARD MEMBER INDEMNIFICATION

The members of the Board and its employees and agents act as agents of the District. None of these individuals should be placed in a position of personal liability for the performance of the responsibilities vested in them by the voters of the District and the state and federal governments.

In order to protect the individual members of the Board, its employees and other agents, and the educational interest of the community, the Board will purchase, from public school funds, in the absence of governmental immunity or in coordination with governmental immunity, adequate insurance to indemnify Board members and agents of the District for their official actions in the service of the School District.

Statutory References:

RSA 31:104, 105, 106, and 107

RSA 507:B

Revised: November, 1999

Revised: July, 1998

Windham School District Policy

BJ

SCHOOL BOARD LEGISLATIVE PROGRAM

When appropriate, the Board will work for the achievement of common legislative objectives and with other concerned groups.

The Board will also seek both direct and indirect representation of its position on pending legislation with appropriate state and federal legislators and legislative committees.

The Board will maintain contact with the local legislators, and keep them informed of school-related issues.

Revised: November, 1999
Revised: July, 1998

Windham School District Policy

BK

SCHOOL BOARD MEMBERSHIPS

It is the policy of the School Board to be a dues-paying member of the New Hampshire School Boards Association. The Board shall seek to participate as fully as possible in the activities of the New Hampshire and National School Boards Associations. The Chairman of the Board shall keep these organizations informed of the Board's concerns and official positions on matters of common interest and concern. It will be represented at meetings of the state association by a duly elected delegate who must be a member of the School Board.

Revised: July, 1998

Adopted March 2, 2004