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Bylaws of the Board - Board Authority

General Statement

Bylaws are rules or procedures adopted by the board to govern its internal operations. The use of such guidelines or bylaws helps the board to comply with the responsibility and duties delegated to it by law and by the local electorate, in an efficient and effective manner.

Bylaws of the Board - Board Authority

Limits of Authority

The Board of Education is the unit of authority. Apart from the normal function as part of the unit, a board member has no individual authority. Individually, the board member may not commit the district to any policy, act or expenditure.

No individual member of the board shall exercise any administrative responsibility with respect to the schools.

Bylaws of the Board - Board Members

Legal Description

The corporate name of this school district shall be:

Stanton County School District #84-0003, and shall also be known as the Stanton Community School District.

Legal Reference:      §79-405

Bylaws of the Board - Board MembersNumber of Members, Terms of Office

The Board of Education shall consist of six (6) members elected at large by the qualified voters of the school district in a manner prescribed by law under the provisions pertaining to a Class III school district in the statutes of the State of Nebraska.

The terms of office for board members shall be four (4) years and will begin on the **first Thursday** after the **first Tuesday** in January.

Legal Reference:     §79-549  
                          §79-550  
                          §32-543

Bylaws of the Board - Board Members

Officers

1. Members of the school board will elect from among its members a president and vice president.
2. There will also be an elected or appointed secretary who does not need to be a member of the school board.
3. These officers shall be elected at the board's organizational meeting in January of each year.
4. The Board of Education may employ a treasurer for the district at the January meeting who shall be paid a salary from school district funds within the limits permitted by law, in amounts to be fixed by the Board. A treasurer so employed shall not be a member of the Board. A board member serving as treasurer shall not be compensated.

Legal Reference:     §79-520  
                           §79-590

Bylaws of the Board - Board MembersPresident

1. The duties of the board president shall be to:
  - a. Preside at all meetings of the school board in accordance with Robert's Rules of Order.
  - b. Countersign all orders upon the school treasury for funds to be disbursed by the district.
  - c. Countersign all warrants of the secretary of the county treasurer.
  - d. Administer the oath to the secretary and treasurer when so required by law.
  - e. Other duties as the law may require.
2. The president has the right to vote on any issue that may come before the school board.
3. The president has the additional duty to maintain order at public meetings of the school board.
4. The president must appear for and on behalf of the district in all suits brought by or against the district.
5. The president shall appoint or provide for the election of all committees of the board, unless otherwise directed by the board. The president shall be kept apprised of the workings of all such committees.
6. The president may call special meetings of the board.
7. The president shall call special meetings of the board when requested by two (2) or more board members.

Legal Reference: '79-569  
'79-570  
'79-572

Bylaws of the Board - Board Members

Vice-President

The vice president shall perform the duties of the president in case of absence of the president. In the case of the absence of both the president and vice-president, the remaining members shall select a president pro tem to preside at the meeting.

Bylaws of the Board - Board Members

Treasurer

The treasurer shall be custodian of all money belonging to the school district, and shall perform duties required by law or by the board.

Legal Reference:     §79-586  
                           §79-587  
                           §79-588  
                           §79-590

Bylaws of the Board - Board Members

Secretary

The secretary shall perform duties required by law and such duties as the Board and Superintendent may request.

Legal Reference:     §79-576  
                           §79-577  
                           §79-578  
                           §79-524

Bylaws of the Board - Board Members

Attorney

The board may, at its discretion, appoint an attorney to perform desired legal services. The attorney shall serve at the board's pleasure and be compensated at a mutually agreeable rate.

Legal Reference: §79-513

Bylaws of the Board - Board MembersAuditor

The board will have an annual independent audit of the finances of the district. The board will contract only with state approved auditors and their analysis and report will be in keeping with state approved or accepted standards. This annual audit will be completed by November 5 of each year.

Legal Reference:       §79-576

Bylaws of the Board - Board MembersIndividual Members

It is understood that the members of the Board have authority only when acting as a Board legally in session. The Board shall not be bound in any way by any action or statement on the part of any individual Board members, except when such statement or action is in pursuance of specific, formal instructions from the Board.

Bylaws of the Board - Board MembersRemuneration and ReimbursementRemuneration

A member of the Board of Education shall receive no compensation for services as a Board member.

Reimbursement

1. Out-of-state travel. Board members authorized to attend educational conferences out of state shall be reimbursed for reasonable expenditures in addition to transportation to and from the destination and registration fees. Board members must have approval in advance from the board of education.
2. In-state travel. Board members shall be granted reimbursement for reasonable expenditures in addition to registration fees.
3. Mileage. All board members are authorized to be reimbursed for use of their personal cars on board business at the prevailing rate.

Legal reference:       §79-520  
                              §79-405

Bylaws of the Board - Board Members

Removal From Office

Any one (1) of the elected or appointed officers of the Board of Education may be removed from office by a two-thirds (2/3rds) vote of the membership of the Board.

Bylaws of the Board - Bylaws, Policies and RegulationsFormulation, Adoption, Amendment of Policies

Policy proposals and suggested amendments to or revisions of existing policies shall normally be submitted to all members of the Board of Education by the Superintendent in writing prior to a regularly scheduled Board of Education meeting in which such proposed policies, amendments, or revisions thereof shall be read and discussed.

Policies will be adopted or amended after consideration at two (2) meetings of the Board of Education. The agenda and minutes shall be marked to indicate policy matters.

The formal adoption of policies shall be by majority vote of all members of the Board of Education and the actions shall be recorded in the minutes of the Board of Education. Only those written statements so adopted and so recorded shall be regarded as official policy.

Policies shall be reviewed at least every two (2) years or at such other periodic time periods as may be required by law.

Reference: Robert's Rules of Order

Bylaws of the Board - Bylaws, Policies and Regulations

Adoption and Amendment of Bylaws

Proposed new bylaws and suggested amendments to or revisions of existing bylaws may be adopted by a majority vote of ALL members of the Board during the second of two (2) regularly scheduled meetings of the Board not less than four (4) weeks apart in the calls for which meeting the proposed additions, amendments or revisions shall have been described in writing.

Legal Reference: 79-526

Reference: Robert's Rules of Order

Bylaws of the Board - Bylaws, Policies and RegulationsApproval and Amendment of Administrative Regulations

The Board does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Superintendent, or as required by negotiated agreements with employee organizations, in which case, any such regulation shall become a part of any such agreement and shall be subject to amendment as provided in any such agreement. Adoption and amendment of such Board adopted regulations shall be by the same procedure as that specified for policies at 9200.

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

Legal Reference: §79-526

Bylaws of the Board - Bylaws, Policies and Regulations

Suspension of Policies, Bylaws and Regulations

Policies and rules may be suspended unless in conflict with state law by a unanimous vote of all Board members in attendance at any regular or special meeting.

Reference: Robert's Rules of Order

Bylaws of the Board - Meetings

Regular Meetings

The Board shall meet in regular session on the second Monday of each calendar month at 7:00 p.m., unless otherwise designated by the president with the approval of the Board.

All meetings shall be held in the Middle/High School Library at the Stanton Community School unless otherwise designated by the president with the approval of the Board.

In each odd-numbered year, the January meeting will be held on or after the first Thursday after the first Tuesday.

Legal Reference:     §79-554  
                              §79-555  
                              §84-1401

Bylaws of the Board - Meetings

Special Meetings

A special meeting of the Board may be called by the president when in his opinion it is necessary, or upon recommendation of the Superintendent of Schools, or any two (2) Board members.

No business shall be transacted at any special meeting which does not come within the purpose or purposes set forth in the call for the meeting unless it is of an emergency nature.

All meetings shall be held in the Stanton Community Schools' Middle/High Library unless otherwise designated by the president with the approval of the Board.

Special Board sessions may be adjourned to a definite date and time.

Legal Reference:     §79-554  
                           §79-520  
                           §79-555  
                           84-1401

Bylaws of the Board - MeetingsAdvance Delivery of Meeting Materials

The Board shall require the Superintendent to prepare an agenda which, with the minutes, shall be mailed or delivered to the Board members on Friday or prior to each regular monthly Board meeting.

Items not placed on the regular agenda may be shelved until the regular meeting on the following month to provide the Board adequate time to research the item in question. All citizens in the district boundary are permitted to place an item on the agenda. Those persons outside the district may place an item on the agenda by permission of the President of the Board or the Superintendent of Schools.

Legal Reference: §79-520

Bylaws of the Board - MeetingsOrder of Business

The following shall be the order of business for the regular meetings. The order of business may be changed by consent of all members present.

1. Meeting Call to Order
2. Declare Meeting Open and Properly Advertised
3. Excuse Absent Board Members
4. Approval of Agenda
5. Approval of Minutes
6. Public Forum
7. Administration's Reports
8. Action Items
9. Consent Calendar
  - a. Presentation, Approval and Authorization for Payment of Board Bills
  - b. Presentation and Acceptance of Activity Account Report
  - c. Presentation and Acceptance of Treasurer's Report
  - d. Presentation and Acceptance of Board Summary Report
  - e. Presentation and Acceptance of Summary Statement of Revenue
  - f. Cooperative Bills
10. Executive Session.
11. Time/Date Next Meeting
12. Adjournment

Bylaws of the Board - Meetings

Parliamentary Procedure

The rules of parliamentary procedures as embodied in Robert's Rules of Order shall govern the school Board in its deliberation when the issue in question is not covered by these policies and bylaws.

Bylaws of the Board - MeetingsMinutes

The Board of Education shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. The resignation of a Board member or any other circumstance that results in a vacancy in office shall be made a part of the minutes.

The minutes shall be prepared by the secretary immediately following the meeting, shall be written, shall be available for inspection by the public and for distribution to the members of the Board within ten (10) working days, or prior to the next convened meeting, whichever occurs earlier, and shall be a part of the agenda for the next regular meeting at which time they shall be corrected, if necessary, and approved.

The minutes shall be kept in the office of the superintendent and shall be public records and open to public inspection during normal business hours.

Legal Reference:       Neb. Rev. Stat. §§ 79-555; 79-570; and 79-577  
                              Neb. Rev. Stat. §§ 84-1408 to 1414

Bylaws of the Board - Meetings

Voting

Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the Board in open session, and the record shall state how each member voted, or if the member was absent or not voting.

Bylaws of the Board - Meetings

Methods of Operation/Quorum

The Board of Education shall transact business only when it is in session, has a quorum present, and minutes are kept. A majority of all members of the Board shall constitute a quorum.

Legal Reference: §79-554

Bylaws of the Board - MeetingsBoard/School District RecordsExceptions and Locations

The Board of Education and the Superintendent may withhold from the public those records in their custody enumerated by law. Records which are open to inspection shall be available in the office of the Superintendent.

Public Access to Board Records

The Board of Education accepts its responsibility to conduct its meetings in public and in compliance with law. The Superintendent shall post at least one current copy of the Open Meetings Act in the meeting room at a location accessible to members of the public. At the beginning of each meeting the public shall be informed about the location of the posted information by announcement of the Board President or Chairperson or via notice given in the Agenda. The Superintendent and the Board secretary shall make available for examination and copying by members of the public at least one copy of all reproducible written material to be discussed at an open meeting except where the law specifically states that a matter is exempted either temporarily or permanently from such disclosure.

Therefore, the Board of Education directs the Superintendent and the Board secretary, acting jointly and cooperatively, to make easily available copies of the Board of Education policy manual and the minutes of meetings of the Board of Education and its committees (except as exempt by law). Minutes shall be made available within ten (10) days of the meeting reported; policies shall be incorporated into the manual within thirty (30) days of adoption.

Legal Reference:     §§84-1408 to 84-1414  
                           §84-712

Bylaws of the Board - MeetingsClosed Sessions

The Board of Education may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) strategy sessions with respect to collective bargaining, real estate purchases, or litigation; (b) discussion regarding deployment of security personnel or devices; (c) investigative proceedings regarding allegations or misconduct; or (d) evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; provided, however a closed meeting shall never be held for the purpose of discussing the appointment or election of a new member to the Board of Education.

The vote to hold a closed session shall be taken in open session. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The Board shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken.

Any member of the Board shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reasons stated in the original motion to hold a closed session. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

The term "closed session" as used in the policies, regulations and Bylaws of the District shall include within its meaning any "executive session" or "executive meeting" authorized or prescribed by said policies, regulations and Bylaws, all of said terms being interchangeable.

Legal Reference:        §§84-1408 to 84-1414

Bylaws of the Board - CommitteesTemporary and Special Board Committees

It shall be the responsibility of the President to appoint temporary and special committees whenever necessary. The President shall outline the duties and responsibilities of each committee at the time of appointment and serve as an ex officio member of the committee. Special committees shall be considered dissolved upon submission of a final report.

Legal Reference: §79-520