

Bylaws & Policies

Northwest Allen County Schools

0000 – Bylaws

Northwest Allen County Schools

Bylaws & Policies

Adoption Resolution

Resolved, that the bylaws and policies printed and codified in the comprehensive document entitled “Bylaws & Policies of the Northwest Allen County School Corporation School Board” are hereby adopted and that all bylaws and policies heretofore adopted by the Northwest Allen County School Corporation School Board are hereby rescinded, further be it

Resolved, that in the event any policy, part of a policy, or section of the bylaws is judged to be inconsistent with law, inoperative by a court of competent jurisdiction, or is invalidated by a policy or contract duly adopted by this School Board the remaining bylaws, policies, and parts of policies shall remain in full effect.

Take notice that the foregoing resolution was adopted by the Northwest Allen County School Corporation School Board at a public meeting held at Fort Wayne, Indiana on May 3, 1993.

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0110 OFFICIAL DESCRIPTION

0111 Name

The governing board of this School Corporation shall be known officially as the Board of School Trustees of the Northwest Allen County Schools

0112 Mission

The mission of Northwest Allen County Schools is to provide a healthy and safe learning environment that engages, supports, and challenges each learner in a culture of achievement and excellence.

Vision

Northwest Allen County Schools aspires to be a nationally recognized, exemplary school corporation committed to preparing each child for the demands of a continuously changing global society by inspiring and empowering each child to learn, hope, dream, appreciate, create, innovate, integrate, excel, participate, and contribute.

Core Beliefs

Northwest Allen County Schools believes ...

- each child, regardless of race/ethnicity, religion, creed, economic advantage or disadvantage, native language, or mental, emotional, or physical challenges, can be successful, and as a result, the School's purpose is to provide a healthy and safe learning environment that helps each child achieve success by engaging, supporting, and challenging each of them;
- successful schools encourage and engage in collaborations and partnerships between and among teachers, staff, parents, community members, and social and government agencies to create positive learning environments and to provide necessary resources to adhere to its mission and achieve its vision.
- the Board and the Superintendent collaborate to ensure fiscal responsibility, adherence to community values, and compliance with all applicable laws and government regulations; and
- in maintaining and modeling the highest standard of personal and institutional ethics.

Goals

The Board of School Trustees of Northwest Allen County Schools, commits to ...

1. achieve and maintain academic excellence by establishing and supporting policies that allow the employees of Northwest Allen County Schools to provide a healthy and safe learning environment which engages each learner in meaningful educational activities, supports each learner notwithstanding her/his learning difficulties, and challenges each learner to go beyond what each thinks achievable in terms of her/his individual learning.
2. maintain effective, two-way communication with the community served by its schools in order to engage parents and the community to support education and the development of each learner, to become responsible, contributing members of the community.

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3. develop, review, and analyze data appropriate for planning, evaluating, and establishing policies and making decisions on the basis of its declared mission, vision, core beliefs, and goals;
4. operate with fiscal responsibility to maximize student learning and development by implementing best management practices and engaging in long-range planning to help each learner achieve success; and
5. conduct all board-related business openly and with the highest standard of ethics.

Revised 12/17/2012

0113 Boundaries

The Northwest Allen County Schools is comprised of the area co-terminus within the boundaries of Eel River, Perry, and Lake Townships, Allen County, Indiana.

0115 Address

The official address of the School Corporation shall be 13119 Coldwater Road, Fort Wayne, Indiana 46845.

0120 POWERS

0121 Board Authority

The supervision of this Corporation shall be conducted by the Board of School Trustees, hereinafter sometimes referred to as the "Board" or the "School Board," which is constituted and governed by the laws of the State of Indiana. As a body created under law by the State of Indiana, the Board has full authority, within the limitations of federal and state laws and interpretations of them, to carry out the public duties of the corporation in matters of education.

Individual Board members have authority only when acting as a body duly called in session. Board members have no authority over school affairs as individuals, and the Board or school corporation shall not be bound in any way by any statement or action on the part of any individual Board member.

Revised 12/17/2012

0122 Board Powers

The School Board shall be a body of corporate, capable of suing and being sued, have the power to contract, acquire, hold, possess, and dispose of real and personal property, and take and hold in trust for the use and benefit of the Corporation, any grant and devise of land and any donation or bequest of money or other personal property.

The power of the Board extends to those matters expressly granted by statute or those matters which may be necessarily implied from such powers specifically delegated.

The Board shall retain the power to act, through written policies, in situations in which there is no action required by statute, nor any statutory prohibition to act.

The Board shall have the management and control of all facilities and programs of the Corporation and the employees, students, and other persons entering upon its premises.

No action taken or agreement entered into by a member or members of the Board shall be binding unless duly authorized by the Board at a legally called meeting.

The duties of the Board of School Trustees of Northwest Allen County Schools are to:

- A. Formulate general policies for the operation of the schools as required by law or necessary to implement its goals;
- B. Employ a Superintendent to act as the chief executive officer of the school corporation;
- C. Adopt budgets and levies and make appropriations necessary to its educational mission; and
- D. Hold the Corporation accountable to its constituents.

Revised 12/17/2012

0130 FUNCTIONS

0131 Legislative

0131.1 Bylaws and Policies

~~The School Board shall adopt bylaws and policies for the operation of this Board and the Corporation in accordance of Federal and State law.~~

~~The bylaws and policies may be adopted, amended, and repealed at any regular meetings of the Board, provided the proposed adoption, amendment, or repeal shall have been proposed at two (2) previous regular meetings of the Board and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected.~~

~~Bylaws and policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this rule as any set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety and welfare of the students or employees of the Corporation.~~

~~Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board acts to adopt said resolution in final form.~~

~~Bylaws shall be adopted, amended, repealed, or suspended by four (4) or more members of the Board. Policies shall be adopted, amended, or repealed by three (3) or more members of the Board.~~

~~The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board.~~

~~I.C. 20-26-5-4~~

~~Revised 12/17/2012~~

REPLACED BY: B175 - SEE BOARD DOCS

0132 Executive

0131.2 Selection of the Superintendent

The School Board shall exercise its executive power in part by the appointment of a Superintendent who shall enforce the statutes of the State of Indiana, administrative guidelines of the State Board of Education, and the policies of this Board.

0131.2 Administrative Authority

The Superintendent shall collaborate with the Board with regard to the development and/or revision of policies.

Administrative guidelines are the detailed arrangements governing the operation of the schools. Such guidelines shall be formulated by the Superintendent, or the Superintendent's designee, and shall be consistent with statutes, regulations of the State Board of Education, and/or the policies of this Board.

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The Board, in collaboration with the Superintendent, shall formulate administrative guidelines only when required to do so by statute.

Such administrative guidelines shall be binding on the employees and the students of the Corporation when issued.

The Superintendent is delegated the authority to take necessary and reasonable action in circumstances not otherwise reserved by Board policy.

I.C. 20-26-5-4

Revised 12/17/2012

0133 Judicial

As provided by law, contract, or policy, the School Board may hold hearings and resolve any dispute or controversy arising with the Corporation that relates to matters in which authority has been vested in the Board by statute, rule, or policy of this Board.

In order to provide a fair hearing for the parties to a matter to be adjudicated by the Board, Board members shall act impartially and make decisions based solely upon the evidence presented by the parties. Therefore, Board members shall not conduct or participate in any investigation of the facts in such matters; collect, evaluate, or review the facts of the matter prior to presentation of the facts to the Board; or form or express an opinion not subject to change on any aspect of the pending matter.

If a Board member

- A. testifies concerning a material fact in dispute,
- B. has a personal interest in the matter under consideration,
- C. has participated in the gathering of evidence or the formulation of strategy, or
- D. has expressed an opinion on one or more material facts in dispute, then

that Board member shall not participate in the Board's consideration of the matter or vote in the matter.

Revised 5/21/2001; 9/1/2009; 12/17/2012

0140 MEMBERSHIP

0141 Number

The School Board shall consist of five (5) members.

0142 Election/Appointment

Members shall be qualified and elected in accordance with the Corporation's Reorganization Plan adopted July 13, 1965 (I.C. 20-4-1-1 et seq.). In accordance with I.C. 20-5-3-11, no member of the Corporation's professional, classified, or support staff is eligible for election to this School Board.

As required by law, the School Corporation shall file with the State Superintendent of Public Instruction any information about current or new board members and current or new officers of the Board.

I.C. 20-3-21-11

Revised 11/18/2002; 12/17/2012

0142.1 Term

The term of each Board member shall be four (4) years.

0142.2 Oath

As required by law, each newly-elected Board member shall take any oaths required to fulfill service as a Board member and provide necessary copies to other government offices or agencies as outlined within statute.

I.C. 33-16-4-1; I.C. 20-26-4-2; I.C. 5-4-1-4

Revised 12/17/2012

0142.3 Vacancies

As prescribed by law, vacancies on the Board shall be filled temporarily by the Board as soon as practical after any vacancy occurs. A member chosen by the Board to fill a vacancy shall hold the office for the remainder of the unexpired term of the Board member s/he succeeds and shall be chosen from the same District as the vacating member. A member of the Board shall be a resident of the school corporation.

The membership of a Board member shall become vacant immediately upon the occurrence of any one (1) of the following events or any other event prescribed by law:

- A. the death of the incumbent, or the incumbent's being found mentally incompetent by a competent court;
- B. the incumbent's resignation, submitted in writing to the clerk of the circuit court of the county containing the largest percentage of the population of the school corporation;
- C. the incumbent's conviction of a felony (I.C. 5-8-1-35);

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- D. the incumbent's election or appointment being declared void by a competent tribunal, subject to appeal;
- E. the incumbent's failure to take the oath of office (removal by action of the Circuit Court under provisions of (I.C. 5-8-1);
- F. the incumbent's ceasing to possess the legal qualifications for holding office; or
- G. the incumbent moving her/his residence out of the Corporation

I.C. 5-8-1-35; I.C. 5-8-3.5-1; I.C. 20-23-4-30

Revised 11/21/1995; 11/18/2002; 12/17/2012

0142.5 Orientation

The Superintendent, in collaboration with existing Board members, shall encourage each new member to understand the Board's functions, policies, procedures, and operations of the school corporation before s/he takes office. To assist with the new member's preparation for service to the Board, the Superintendent shall provide each newly elected or appointed member a written or electronic copy of available Board bylaws and policies, the Superintendent's administrative guidelines, the negotiated contract with the exclusive representative, the current budget statement and audit report, and any other materials deemed necessary by the Superintendent or existing Board members. Additionally, each new Board member shall also be invited to meet with the Board President, the Superintendent, and the Business Manager to discuss the Board functions, policies, and procedures as soon as conveniently possible.

The Board shall encourage the attendance of each new Board member at orientation and training meetings.

Revised 12/17/2012

0143 Board Member Authority

As a body created under law by the State of Indiana, the Board has full authority, within the limitations of federal and state laws and interpretations of them, to carry out the will of the people of the corporation in matters of education.

Individual Board members have authority only when acting as a body duly called in session. Board members have no authority over school affairs as individuals, and the Board or school corporation shall not be bound in any way by any statement or action on the part of any individual Board member.

Matters brought to the attention of any member of the Board shall promptly and confidentially be brought to the Superintendent, in writing when appropriate, for her/his study and recommendation, including any and all criticisms, complaints, suggestions, communications, or comments regarding administration of the Superintendent's performance.

Members of the Board shall be provided documents and information to which each is legally entitled and which are required in the performance of her/his duties as a Board member.

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Members of the School Board may request special reports, data, or research. In an effort to satisfy such requests, avoid duplication of effort, and allow administrators and other staff to maintain their focus on district priorities, all requests of Board members for specific data/materials, when they are readily available, shall be provided to all Board members on request. For specific data/materials that require significant administrative time to research, compile, interpret, and/or analyze, a majority of Board members must approve requests. In such cases the Superintendent may assign an administrator to complete such a project.

Revised 12/17/2012

0143.1 Public Expressions of Board Members

From time to time individual Board members make public statements on school matters.

Sometimes the statements imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. Misunderstandings that can result from these incidents can embarrass both the member and the Board. Therefore, Board members should, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

Copies of this bylaw shall be sent to local media by the Board President.

0144 Operations

0144.1 Compensation

As compensation for their services, Board members shall receive a basic fee as well as a supplement for additional services in an amount stipulated by a Board resolution acted upon at the annual organizational meeting. Expenses of a Board member shall be reimbursed when incurred in the performance of her/his duties or in the performance of functions authorized by the Board and duly vouchered. (I.C. 20-26-4-7)

Each school board member is entitled to the same group health insurance benefits as members of the teaching staff. The premium (individual or family) shall be paid by the Board.

After serving 10 years, and if covered at the time the elected term ends or the board member retires/resigns, school board members and/or spouses are eligible to maintain coverage up to age 65; however, the cost thereof shall be paid by the former Board member or spouse.

Revised 12/17/2012, 12/15/2014

0144.2 Board Member Ethics

Because of the important responsibility that Board members have in ensuring high quality schools are available to prepare the community's children so they may become contributing members of the community, the Board shall constantly strive to maintain a high code of ethics. In an effort to render effective service to the community, Board members shall ...

1. Honor the high responsibility which her/his membership demands by ...
 - a. Always placing the interests of students ahead of other interests;

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- b. Understanding that the basic function of the School Board member is “policy-making” and not “administering,” and by accepting the responsibility of learning to discriminate between these two functions;
 - c. Accepting the responsibility, along with her/his fellow Board members, of seeing that facilities and resources are sufficient to adhere to the mission and achieve the goals established by the Board;
 - d. Refusing to engage in politics in either the traditional partisan, or in any petty sense;
 - e. Always representing the entire school community;
 - f. Accepting the responsibility of being well-informed regarding the duties of Board members and the proper functions of public schools;
 - g. Advocating to the legislature those programs and statutory or regulatory changes necessary or desirable to adhere to the Corporation’s mission and achieve the Corporation’s goals;
- 2. Respect her/his relationships with other members of the Board by ...
 - a. Recognizing that authority rests only with the Board in official meetings, and that the individual member has no legal status to bind the Board outside of such meetings;
 - b. Refusing to make statements or promises as to how s/he will vote on any matter which should properly come before the Board as a whole;
 - c. Making decisions only after all facts bearing on a question have been presented and discussed;
 - d. Respecting the opinions of others and by graciously conforming to the principal of “majority rule;”
 - e. Refusing to participate in irregular meetings such as “secret” or “star chamber” meetings, which are not official and which all members do not have the opportunity to attend and which are held without the knowledge of other Board members;
 - f. Attempting to fairly appraise both the present and future educational needs of the community;
 - g. Listening to and considering the opinions of other Board members prior to taking action;
- 3. Maintain desirable relations with the Superintendent of Schools and her/his staff by ...
 - a. Striving to procure, when the vacancy exists, the best professional leader available to serve as the chief executive officer of the Corporation;
 - b. Giving the Superintendent full administrative authority to properly discharging her/his professional duties, and also by holding her/him responsible for acceptable results;
 - c. Acting upon the recommendation of the Superintendent in matters of employment or dismissal of school personnel;
 - d. Having the Superintendent present at all meetings of the Board except when her/his contract or salary are under consideration;
 - e. Referring all complaints, questions, or concerns to the proper administrative office and discussing them only when appropriate at a regular meeting after failure of an administrative solution;

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- f. Striving to provide adequate safeguards around the Superintendent and other staff members to the end that they can live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis;
 - g. Presenting personal concerns of any employee directly to the Superintendent;
- 4. Meet her/his responsibility to her/his community by ...
 - a. Attempting to fairly appraise both the present and future educational needs of the community;
 - b. Regarding it as a major responsibility of the Board to interpret the aims and the methods of the schools of the community;
 - c. Insisting that all school business transactions be conducted in an open, ethical, and above-board basis;
 - d. Vigorously seeking adequate financial support for the schools;
 - e. Refusing to use her/his position on a School Board in any whatsoever for personal gain, influence, or prestige;
 - f. Refusing to discuss personnel matters and any other confidential business of the Board with any member of the public.
 - g. Winning the community's confidence that all is being done in the best interests of school children.

Revised 12/17/2012

0144.3 Conflict of Interest

Board members shall perform their official duties in a manner free from any prejudice or self-interest. To this end,

- A. every effort shall be made to avoid the possibility of a claim being made that an individual participated in reaching a decision on a matter in which s/he had either a direct or an indirect financial interest of a substantial nature;
- B. each member of the Board shall resist every temptation and outside pressure to use her/his position as a Board member to benefit either herself/himself or any other individual or agency apart from the total interest of the School Corporation;
- C. when a member of the Board determines that the possibility of a personal interest conflict exists, s/he should, prior to the matter being considered, disclose her/his interest in accordance with statute (such disclosure shall become a matter of record in the minutes of the Board), and thereafter shall abstain from participation in both the discussion of the matter and the vote thereon (I.C. 35-44-1-3); and
- D. no member of the Board shall obtain, for at least one (1) year after termination of service to the Board, a pecuniary interest in any Corporation contract or purchase which was approved during her/his tenure (I.C. 35-44-1-7).

Revised 12/17/2012

0150 ORGANIZATION

0151 Organizational Meeting

The School Board shall organize annually on or before the second meeting in January at a meeting held in accordance with law. The meeting shall be called to order by the ranking member of the preceding Board who shall serve as presiding officer until the election of a President.

Revised 12/17/2012

0151.1 Board of Finance for Northwest Allen County Schools

The School Board shall constitute a Board of Finance, with the same officers as the Board. Acting as a Board of Finance, the Board shall receive investment reports and has supervision of the revocation of public depositories for the Corporation as required by statute.

I.C. 5-13-7-1 et seq.

Adopted 4/7/1997

Revised 5/21/2001; 12/17/2012

0152 Officers

The Board shall elect from its members a President, Vice-President, and a Secretary all of who are separate members of the Board.

The Board shall also appoint a Treasurer of the Board and of the Corporation who is not the Superintendent or a Board member.

Election of officers shall be by a majority of the full Board. Where no such majority exists on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes.

Officers shall serve for one (1) year and until their respective successors are elected and shall qualify. An officer may be removed for cause by a majority vote of the full Board. The Board shall fill a vacancy of either office within thirty (30) days of the occurrence of the vacancy.

I.C. 20-5-3-1

Revised 12/17/2012

0154 Additional Actions at Organizational Meeting

The Board shall, at the organizational meeting,

- A. designate a day, place, and time for regular meetings which shall be held at least two hours every month;
- B. appoint a legal counsel;
- C. appoint a Board member as legislative liaison to the Indiana School Boards Association;

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- D. establish board member compensation and establish bond amounts for the school Corporation Treasurer;
- E. in accordance with state statute, designate the newspaper(s) and/or qualified publication(s) which the Corporation shall use to publish notices; and
- F. solicit and approve any Conflict of Interest Disclosures offered by affected public servants.

Revised 12/17/2012

0155 Committees

Committees appointed by the Board shall, when specifically charged to do so by the Board, conduct studies, make recommendations to the Board, and act in an advisory capacity, but shall not take action on behalf of the Board.

Meetings of Board-appointed committees shall be subject to the Open Door Law and must abide by its provisions whenever a committee meets to receive information, deliberated, make recommendations, establish a policy, or make a decision.

The President shall, as soon after the organizational meeting as practicable, appoint members of the Board to standing committees for terms of one (1) year.

Ad hoc committees may be created and charged at any time by the President or a majority of the members present at any meeting which the need for a committee becomes evident or the Superintendent with approval of the Board.

Members of ad hoc committees shall serve until the committee is discharged.

A member may request (or refuse) appointment to a committee.

Refusal to serve on any one committee shall not be grounds for failure to appoint a member to another committee.

I.C. 5-14-1.5 et seq.

Revised 1/3/1995; 9/1/2009; 12/17/2012

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0160 MEETINGS

0161 Parliamentary Authority

~~The parliamentary authority governing the School Board shall be Robert's Rules of Order, Newly Revised in all cases in which it is not inconsistent with statute, administrative code, or these bylaws, or the rules of order of this Board.~~ REPLACED BY: B225 - SEE BOARD DOCS

0162 Quorum

~~Three (3) members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.~~ REPLACED BY: B225 - SEE BOARD DOCS

0163 Presiding Officer

~~The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice President shall preside at the meeting; if neither person is available, the secretary shall preside at the meeting.~~

~~Revised 12/17/2012~~ REPLACED BY: B225 - SEE BOARD DOCS

~~0164 Call~~ REPLACED BY: B225 - SEE BOARD DOCS

~~0164.1 Regular Meetings~~

~~The Board shall hold meetings on the dates and at the times and places determined annually by a resolution of the Board.~~

~~Revised 12/17/2012~~ REPLACED BY: B225 - SEE BOARD DOCS

~~0164.2 Special Meetings~~

~~Special meetings of the Board may be called by the President or in his/her absence by the ranking officer of the Board or the Superintendent provided there is compliance with the notice provision of these Bylaws.~~ REPLACED BY: B225 - SEE BOARD DOCS

~~0164.3 Emergency Meetings~~

~~In the event of a severe and imminent threat to the health, safety, or welfare of the Corporation, its employees, or students, any member of the Board, or the Superintendent may call an emergency session if it can be shown that delay would be detrimental to efforts to respond to the threat. No formal notice to Board members of any emergency meeting shall be required, but the press and public shall be notified as soon as possible before commencement of the meeting.~~

~~I.C. 20-5-3-2, I.C. 5-14-1.5~~

~~Revised 12/17/2012~~ REPLACED BY: B225 - SEE BOARD DOCS

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0164.4 Work Sessions

Work sessions of the Board may be conducted by the Board upon discretion of the Board President or majority vote of the Board.

Revised 12/17/2012

0164.5 Executive Sessions

Executive sessions may be conducted by the Board as directed by the President of the Board. Executive sessions may be held only as permitted by law.

Final action on any issue must be taken at a meeting open to the public.

The Board may not conduct an executive session during a meeting, except as permitted by law.

In keeping with the confidential nature of executive sessions, no member of the Board shall disclose the content of subject matter or discussions which take place during such sessions.

I.C. 5-14-1.5-5/6; I.C. 5-14-1.5-6.1(b)(4)

Revised 11/21/1995; 9/1/2009; 12/17/2012

0165 Notice

~~0165.1 Regular Meetings~~

~~All meetings of the Board shall be held in the Board Room in the Northwest Allen County Schools Administration Building unless otherwise specified in the notice adopted by the Board. All meetings of the Board shall be open to the public, except as allowed in this policy. The public is encouraged to attend meetings of the Board.~~ REPLACED BY: B225 - SEE BOARD DOCS

~~0165.2 Change of Regular Meetings~~

~~Within forty eight (48) hours after the Board adopts a resolution changing the date, time, or place of a regularly scheduled meeting, the meeting notice shall state the date, time, and place of the rescheduled meeting, as well as the name, address, and telephone number of the Corporation.~~

REPLACED BY: B225 - SEE BOARD DOCS

~~0165.3 Special Meetings~~

~~A notice of any special meeting shall be posted at least forty eight (48) hours, excluding weekends and/or legal holidays before said special meeting at the Administrative Office Building and such other places as the Board may determine. Said notice shall state the date, time, and place of such special meeting and the business to be transacted there at, as well as the name, address, and telephone number of the Corporation. Each member of the Board shall be notified at least seventy two (72) hours before said meeting by one of the following methods:~~ REPLACED BY: B225 - SEE BOARD DOCS

- ~~A. notification to the member personally;~~
- ~~B. sending the notice by mail, telegram, or facsimile;~~
- ~~C. depositing the notice in a government mail receptacle, enclosed in a sealed envelope, plainly addressed to such member as his/her last known address.~~

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0165.4 Recess

~~Public notice of the date, time, and place of any rescheduled or reconvened meeting shall be given at least forty eight (48) hours before the meeting. This requirement does not apply to reconvened meetings where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the minutes thereof, and there is no change in the agenda.~~

REPLACED BY: B225 - SEE BOARD DOCS

~~I.C. 5-14-1.5-3.1~~

0165.5 Series of Meetings

Members of the Board may not participate in a series of meetings (gatherings) if the series consists of at least two (2) gatherings and the series of gatherings consists of the following criteria:

- A. one (1) of the gatherings is attended by at least three (3) Board members but less than a quorum and the other gathering includes at least two (2) Board members;
- B. the sum of the number of different members attending any of the gatherings at least equals a quorum of the Board;
- C. all gatherings concern the same subject matter and are held within a period of not more than seven (7) consecutive days; or
- D. the gatherings are held to take official action on public business.

A Board member attends a gathering if the member is present at the gathering in person or if the member participates in the gathering by telephone or other electronic means, excluding electronic mail.

~~I.C. 5-14-1.5-3.1~~

Adopted 9/1/2009

Revised 12/17/2012

0166 Agenda

~~The Superintendent shall prepare and submit to each Board member a written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda shall list the various matters to come before the Board and shall serve as a guide for the order of procedure for the meeting.~~

~~Individual Board members may include items on the agenda upon the concurrence of the Board President. The Board President shall communicate any additional agenda items to the Superintendent prior to the finalization of the agenda.~~

~~The agenda of the regular meeting and/or special meetings shall be accompanied by a report from the Superintendent on information relating to the Corporation with such recommendations as s/he shall make.~~

~~Each agenda shall contain the following statement:~~

~~"This meeting is a meeting of the School Board in public for the purpose of conducting the School Corporation's business and is~~

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~~not to be considered a public community meeting. There will be time for public participation as indicated by agenda item titled Audience Comments."~~

~~The agenda for each regular meeting shall be mailed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than three (3) days prior to the meeting, or delivered so as to provide least twenty four (24) hours before the meeting, consistent with provisions calling for special meetings.~~

~~Prior to the meeting, a copy of the agenda shall be posted at the entrance to the meeting location.~~

~~The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be suspended at any meeting by a majority vote of the members present.~~

~~I.C. 5-14-1.5-4~~

~~Revised 5/1/1995; 5/21/2001; 12/17/2012~~ REPLACED BY: B225 - SEE BOARD DOCS

0167 Conduct

0167.1 Voting

~~All regular and those special meetings of the Board at which the Board is authorized to perform business shall be conducted in public. No act shall be valid unless approved at a meeting of the Board by a majority vote of the members of the Board and a record made of the vote. All Board members must be physically present in order to have their votes officially recorded.~~

~~A Board member who is not physically present at a meeting of the Board, but who communicates with members of the Board during the meeting by telephone, computer, videoconferencing, or any other electronic means of communication, may not participate in final action taken at the meeting and may not be considered to be present at the meeting.~~

~~The minutes of a meeting must indicate that a member participated by using a means of communication noted above. The minutes must also state each member who was physically present, each member who participated by using electronic means of communication, and each member who was absent.~~

~~Abstentions shall not be counted as votes, but shall be recorded and are deemed to acquiesce in the outcome of the vote.~~

~~In the case of a tie vote in which an abstention is involved, the motion shall fail for lack of a majority.~~

~~All actions requiring a vote shall provide that the vote of each member be recorded. Proxy voting shall not be permitted. Any member may request that the Board be polled.~~

~~I.C. 5-10-2-2-16; I.C. 5-14-1.5~~

~~Revised 1/3/1995; 9/1/2009; 12/17/2012~~ REPLACED BY: B225 - SEE BOARD DOCS

0167.3 Public Participation at Board Meetings

To permit fair and orderly public expression, the Board may provide a period for public participation at its regular meetings. Public participation shall not include business or academic concerns particular to an individual or concerning a particular school. If the concern has been shared through the normal chain of command and/or appropriate appeal procedures have been exhausted through prior discussions with the appropriate supervisor and the Superintendent or his/her designee in an attempt to resolve the problem, such items may be submitted in writing to the Board and shall be signed by the person or persons making the charge or complaint.

At each meeting where public participation is permitted the presiding officer shall review the procedures to be followed by the Board and constituents.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted at the discretion of the presiding officer;
- B. Anyone having a legitimate interest in the actions of the Board may participate during the public portion of a meeting;
- C. Participants must be recognized by the presiding officer and must preface their comments by an announcement of their name, and residency;
- D. Each statement made by a participant shall be limited to two (2) minutes duration;
- E. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard;
- F. All statements shall be directed to the presiding officer; no person may address or question Board members individually;
- G. The presiding officer may:
 - 1. prohibit public comments which are frivolous repetitive, or harassing;
 - 2. interrupt, warn, or terminate a person's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;
 - 3. request any individual to leave the meeting when that person behaves in a manner that is disruptive of the orderly conduct of the meeting;
 - 4. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
 - 5. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action; or
 - 6. waive these rules; and
- H. Tape or video recordings are permitted. The person operating the recorder should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and the recorder agrees to abide by the following conditions:
 - 1. No obstructions are created between the Board and the audience;
 - 2. No interviews are conducted during the Board meeting; and
 - 3. No commentary is made that would distract either the Board or members of the audience.

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I.C. 5-14-1.5-1

Revised 11/18/2002; 11/14/2011; 12/17/2012

0167.4 Adjournment

~~The Board may at any time recess or adjourn to an adjourned meeting at a time, date, and place announced before the adjournment takes place. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon. However, a meeting may not be recessed or adjourned for the purpose of conducting an executive session.~~

~~Revised 5/21/2001~~ **REPLACED BY: B225 - SEE BOARD DOCS**

0168 Minutes

0168.1 Open Meeting

The Board shall designate a person to keep minutes of each meeting showing the date, time, place, any decisions made at a meeting open to the public, and the purpose or purposes for which any executive session is called. The minutes shall also state the name of each member who was physically present at the meeting, was not present at the meeting but participated by using a form of communication described in Bylaw 0167.1, or was absent. These minutes must be approved by the Board and endorsed by the Secretary at the next meeting. The minutes shall include all votes taken at the meeting. Proposed minutes shall be available for public inspection within a reasonable period of time after the meeting to which the minutes refer. Approved minutes shall be available for public inspection not later than five (5) business days after the meeting at which the minutes are approved. The minutes shall be available for inspection at the Superintendent's office and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying

The official minutes shall be bound together by years and kept in the School Administrative offices.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at regular meetings.

The minutes shall show only action taken.

I.C. 5-14-1.5-4

Revised 1/3/95; 12/17/2012

0168.2 Executive Session

The minutes of an executive session shall show the date, time, and place of the session; the members present and the identification of the subject matter considered by specific reference to the enumerated instance(s) for which public notice was given. The Board shall certify in the minutes that it discussed no subject matter in the executive session other than the subject matter specified in the public notice.

0170 DUTIES

0171 Officers

0171.1 President

The President of the Board shall:

- A. preside at meetings of the Board;
- B. countersign orders legally drawn by the Secretary upon the Treasurer for money to be disbursed on behalf of the School Corporation;
- C. cause an action to be prosecuted in the name of the Corporation on the Treasurer's bond in case of breach of a condition of the bond;
- D. perform other duties appropriate to the office of the President in the management of schools.

0171.2 Vice-President

The Vice-President of the Board shall:

- A. preside at meetings of the Board when the President is not able to attend;
- B. perform other duties appropriate to the office of Vice-President in the management of the Corporation as the Board determines;
- C. in case of a vacancy in the office of President, succeed to the office of President for the balance of the unexpired term.

0171.3 Secretary

The Secretary of the Board shall:

- A. act as clerk at meetings of the Board;
- B. record and sign the minutes of meetings, orders, resolutions, and other proceedings of the Board in proper record books;
- C. verify the annual report of the Corporation and other reports required by the State Board;
- D. perform other duties required by law or by the School Board;
- E. preside at meetings of the Board where the president and vice-president are not able to attend.

Revised 12/17/2012

0171.4 Treasurer

The Board shall appoint a person, other than the Superintendent or a member of the Board, to serve as treasurer of the Corporation.

The Treasurer shall be the official custodian of all funds of the Corporation and shall be responsible for the proper safeguarding and accounting for all such funds.

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The Treasurer shall issue a receipt for all funds coming into his/her hands as well as deposit money and issue all warrants in accordance with law.

The Treasurer may also transact Corporation financial business through the use of electronic funds transfer.

The Treasurer may, with the approval of the Board, delegate the regular duties associated with his/her responsibility to a deputy, providing that person is not the Superintendent or a member of the Board.

Revised 9/1/09; 12/17/2012

0172 Legal Counsel

The Board shall appoint a legal counsel whose duty shall be to advise the Board and the Superintendent, and others as designated by the Superintendent, on specific legal problems submitted by the Superintendent and to make such recommendations as required. The legal counsel shall also represent the Board where required by law.

Revised 12/17/2012

0174 Reports

The Board shall publish a financial report and an annual report as required by law. In addition, the Board shall publish other reports it deems necessary to keep the community and governmental authorities adequately informed about the operation of the Corporation.

I.C. 5-11-1-4

0175 Association Memberships

The School Board may maintain membership in the National and State School Boards Associations and may take part in the activities of these groups.

The Board may also maintain institutional memberships in other educational organizations which the Superintendent and Board find to be of benefit to members and Corporation personnel.

The materials and other benefits of these memberships will be distributed and used to the best advantage of the Board and staff.

Revised 12/17/2012

0175.1 School Board Conference, Conventions, and Workshops

The Board recognizes the value of membership and attendance at conferences and meetings at the local, County, State, and National level.

Attendance at local, County, State and National workshops and conferences is encouraged.

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Each Board member is expected to report to the Board after attending a conference at Corporation expense

Travel and personal expenses of spouse, children, or other guests traveling with a Board member shall be the responsibility of the Board member or of the individual. Expenses for convention functions approved by the Board will be borne by the Corporation within budgetary limits.

Revised 12/17/2012