

BOARD OPERATIONAL GOALS

Code **BA** Issued **DRAFT/11**

Purpose: To establish the basic structure for board operations.

The board is committed to the education of students to the best of their individual abilities; to a constant awareness of the concerns and desires of the community regarding the quality and performance of the school system, with the board assuming an educational leadership role; to the employment of a superintendent who will see that the district maintains a position as an outstanding school system and under whose leadership the school personnel will carry out the policies of the board; and to the continued improvement of the district schools for the benefit of its students and their improved academic achievement.

Additionally, the board's goals are as follows.

- to communicate the educational expectations and aspirations of the community through the formulation of policies which stimulate the learner and the learning process
- to manage the school system in accordance with board policy
- to provide leadership in order that the goals and objectives of the school system can be effectively carried out
- to maintain two-way communication with various publics served by the schools in order to interpret public attitudes, to identify policies and procedures of the schools, and to encourage public involvement with and understanding of the schools
- to evaluate the data appropriate for the management functions of planning, evaluating, organizing and implementing the goals and objectives of the district

The board will ensure development of the following.

Curriculum - A curriculum that provides all students the opportunity to reach their fullest potential, thus equipping them to be productive members of society.

Facilities - A facilities plan that evaluates present schools to ensure they provide the best learning environment and that monitors growth in the district to determine needs for new facilities.

Administration - An effective support program that provides for the health and safety needs of students.

Communications - A communications plan that provides a program dealing with internal and external communications.

Personnel - A plan that provides for recruiting, employing and maintaining effective, qualified teachers and staff.

Adopted 1974; Revised 1/25/93, ^

BOARD LEGAL STATUS

Code **BB** Issued **DRAFT/11**

Purpose: To establish the legal foundation for board operations.

The legally constituted governing body of the school district is the board of trustees of District Five Schools of Spartanburg County. The board is composed of nine members who reside in designated areas within the boundaries of the county. State law has provided that each school district will be under the management and control of its board of trustees.

The board's powers are derived from the state constitution and acts of the general assembly. Consequently, the board may perform only those acts for which some authority exists. This authority may be expressly stated or implied either in state law or in rules and regulations of the state board of education. The board's authority to exercise permissive powers within the framework of state laws and regulations allows for freedom of action.

While the board is responsible to the state board of education, it is, by law and tradition, responsible to the community it serves and represents. It is, therefore, the duty of the board to carry out the will of the community in matters of public education, within the boundaries set by the laws and regulations of the state of South Carolina and Spartanburg County.

All powers of the board lie in its action as a body. Board members acting as individuals have no authority over personnel or school affairs.

The regular term of office for each trustee is four years. The term of office of every elected trustee of the school district must commence one week following the certification of his/her election.

Adopted 1/25/93; Revised ^

Legal references:

A. S. C. Constitution:

1. Article II, Sections 3 & 4 - Definition of qualified electors.
2. Article XVII, Sections 1 & 1A - Qualifications for office and prohibition against dual office holding.

B. S. C. Code, 1976, as amended:

1. Section 7-5-120 - Qualifications for voter registration.
2. Title 8 - Deals with rights and responsibilities of public officers.
3. Section 59-15-50 - Oath of board members.
4. Section 59-17-10 through 59-17-90 - School district organization, consolidation, etc.
5. Section 59-19-10 - Each school district will be under the management of the board of trustees.
6. Section 59-19-315 - Commencement of trustee's term of office.

C. S.C. Acts and Joint Resolutions:

1. 1958 (50) 1542 - Spartanburg County boards of trustees for school districts; number; appointment or election.
2. 1984 Act 612 - Provides for election of trustees; terms; conduct of election; reappointment of trustees.
3. 1986 Act 617 - Amends Act 612 of 1984 regarding reappointment of trustees in the event no one has filed a petition of candidacy.

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4. 1988 Act 792 - Amends 1984 Act 612, as amended, so as to authorize the county board of education to fill vacancies on the district boards.
 5. 1994 Act 610 - Abolishes the county board of education and devolves powers and duties upon the seven district boards; oversight committee established, etc.
 6. 1995 Act 189 - Repeals 1994 Act 610 relating to abolition of county board; provides for fiscal autonomy for seven local boards; except for powers listed, all other powers of county board are devolved upon seven district boards.
 7. 1998 Act 499 - Establishes Spartanburg County Oversight Committee; abolishes county board of education and devolves its powers and duties upon the oversight committee.
 8. 2009 Act 111 - Amends 1984 Act 612, as amended, related to the method of conducting district board elections by changing the petition percentage to place a candidate on the ballot.
- D. Attorney General's Opinion:
1. 1960-61, No. 1092, p. 164 - Any action taken by the board of trustees must be taken at a regularly called and assembled meeting with a quorum present.

BOARD POWERS AND DUTIES

Code **BBA** Issue **DRAFT/11**

Purpose: To establish the basic legal structure in which the board operates.

The law of the state requires district boards to discharge certain duties and confers upon them many legislative, judicial and executive powers.

The board takes a broad view of its required functions. It sees them as the following.

Legislative/Polycymaking

The legislative authority includes polycymaking action and the review of rules and regulations established to put policies into operation. The board is responsible for the adoption of policy. The policies will be put in written form and continually re-evaluated in terms of the changing needs and functions of public education.

Executive

The superintendent performs administrative duties for the board by virtue of the powers delegated to him/her. The board will hold the superintendent responsible for the proper and efficient administration of the district.

Quasi-judicial

The board serves in a quasi-judicial function when it acts on appeals of parents/legal guardians, pupils or employees on decisions made by the superintendent or his/her designee.

Appraisal and approval

The board is responsible for evaluating the effectiveness of its policies and how well they have been put into action. The superintendent recommends specific action, and it is the function of the board to appraise the value and importance of each recommendation and to act on each proposal.

Educational planning

The board is responsible for requiring and acquiring reliable information from responsible sources which will enable it and the staff to work toward the continuing improvement of the education program.

Interpretation

The board is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself and the staff informed about the wishes of the public. All planning, both that which is and is not related to the budget, needs to be interpreted to the public if citizens are to support the school program.

Operational action

The board is responsible for carrying on board business, such as adopting procedures for meetings, electing board officers, and ensuring compliance with state laws and directives of the state department of education.

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Provision of financial resources

The board is responsible for adopting a budget which will provide the resources in terms of buildings, staff, materials, equipment and programs to enable the school system to carry out its mission.

Reviewing action

The board has final authority within the law for the operation of schools. No section of these policies and procedures may be construed to limit the statutory powers of the board to exercise its own judgment on the basis of the recommendation of the superintendent.

Visits to schools

~~Board members should make visits to the school only under board authorization and with the full knowledge of staff including the superintendent, principals and other supervisors.~~

Board members may make visits to schools or classrooms. ~~after making arrangements for visitations through the principals of the various schools.~~ Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

Adopted 1/25/93; Revised ^

Legal references:

- A. S.C. Code, 1976, as amended:
1. Section 59-19-90 - General powers and duties of school trustees.
 2. Title 59 - Public education.

BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

Code **BBA** Issued **DRAFT/11**

Purpose: To establish the basic structure of the authority and responsibilities of the board and its members.

Because all powers of the board of trustees lie in its action as a group, individual board members exercise their authority over district affairs only as they vote to take action at a legal meeting of the board.

In other instances, an individual board member, including the chairman, will have power only when the board, by vote, has delegated authority to him/her. The board will not be bound in any way by any action or statement on the part of any individual board member not delegated by the board.

The board and its members will deal with administrative services through the superintendent and will not give orders to any subordinates of the superintendent either publicly or privately, but may make suggestions and recommendations.

The board will make its members, the district staff and the public aware through its actions and policies that only the board acting as a whole has authority to take official action.

The members of the board of trustees are officers of the state. Constitutional provisions which apply to officers apply to school board members.

Adopted 7/28/75; Revised 1/25/93, ^

Legal references:

- A. S. C. Constitution:
 - 1. Article II, Sections 3 & 4 - Definition of qualified electors.
 - 2. Article XVII, Sections 1 & 1A - Qualifications for office and prohibition against dual office holding.
- B. S. C. Code, 1976, as amended:
 - 1. Section 7-5-120 - Qualifications for voter registration.
 - 2. Title 8 - Deals with rights and responsibilities of public officers.
 - 3. Section 59-15-50 - Oath of board members.
- C. Attorney General's Opinion:
 - 1. 1960-61, No. 1092, p. 164 - Any action taken by the board of trustees must be taken at a regularly called and assembled meeting with a quorum present.

BOARD MEMBERSHIP - ELECTIONS

Code **BBB** Issued **DRAFT/11**

Purpose: To establish the basic structure for election to the board.

Board members are elected in a nonpartisan election on the first Tuesday following the first Monday in November of every odd-numbered year. The regular term of office for each trustee is four years. The term of office of every elected trustee of the school district must commence December first of the year in which the member is elected.

Adopted 1/25/93; Revised 2/27/06, ^

Legal references:

A. South Carolina Constitution:

1. Article VI, Section 4 - Officers to take and subscribe oath.
2. Article VI, Section 5 - Form of oath.

B. S.C. Code, 1976, as amended:

1. Section 59-19-315 - Commencement of trustee's term of office.

C. S. C. Acts and Joint Resolutions:

1. 1958 (50) 1542 - Spartanburg County boards of trustees for school districts; number; appointment or election.
2. 1984 Act 612 - Provides for election of trustees; terms; conduct of election; reappointment of trustees.
3. 1986 Act 617 - Amends Act 612 of 1984 regarding reappointment of trustees in the event no one has filed a petition of candidacy.
4. 2009 Act 111 - Amends 1984 Act 612, as amended, related to the method of conducting district board elections by changing the petition percentage to place a candidate on the ballot.

BOARD MEMBER QUALIFICATIONS

Code **BBBA** Issued **DRAFT/11**

Purpose: To establish the basic structure for qualifying for school board service.

Members of the board should have a genuine interest in and devotion to public education, a willingness to give time and effort to the work, a capacity for understanding people, and the ability to work cooperatively with others.

Members of the board should endeavor to attend all meetings. At those meetings members will discuss items presented on the agenda, suggest other items for consideration and vote upon motions and resolutions presented.

Board members must be nonpartisan in dealing with school matters. They must not subordinate the education of children and youth to any partisan principle, group interest or personal ambition.

Additionally, board members should meet the following qualifications.

- have personal integrity, intelligence and appreciation of the values of good education
- be successful citizens willing and capable of assuming responsibility
- have the ability to work with others and the courage of their convictions
- always vote their beliefs and be champions of the public schools
- be prepared and willing to devote a large amount of time to the study of the problems of education in their own district, as well as the state and nation at large, so as to be able to interpret them to the electorate of this district
- be willing and able to make sacrifices of their time, knowledge and personal pleasure for the benefit of the district

Constitutional and statutory provisions require that all officers of the state and its subdivisions be qualified electors; that is, registered to vote, in their resident precinct.

There is a provision in the South Carolina Constitution which prohibits dual office-holding, except in instances when an officer is given ex-officio status by statute. Any office-holder who is elected to a second office must vacate the first office. Thus, a board member may not hold another office. Under this provision, "office-holding" means being elected or appointed to an office of the state or its subdivisions.

The South Carolina Constitution also prohibits any person convicted of a felony under state or federal law or other crimes related to elections and voting from being elected to and serving in an office in this state or its political subdivisions, including school districts.

Adopted 1/25/93; Revised ^

Legal references:

A. S.C. Constitution:

1. Article II, Sections 3 & 4 - Definition of qualified electors.

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2. Article II, Section 7 - Disqualifications by reason of mental incompetence or conviction of crime.
 3. Article VI, Section 3 - Prohibits dual office-holding.
 4. Article VI, Section 1 - Prohibits persons convicted of certain crimes from election to office (with some exceptions).
 5. Article XVII, Sections 1 & 1A - Qualification for office and prohibition against dual office-holding.
- B. S.C. Code, 1976, as amended:
1. Section 7-5-120 - Qualifications for voter registration.

BOARD MEMBER RESIGNATION

Code **BBBC** *Issued* **DRAFT/11**

Purpose: To establish the basic structure for board member resignation.

If a board member's permanent residence ceases to be in his/her election district, a vacancy is created and such change of permanent residence outside the election district will be treated as a resignation.

Whenever a board member finds it impossible to complete his/her term of office, he/she will announce his/her desire to resign from the board and submit a letter of resignation to the chairman of the board at least 30 days prior to the effective date of said resignation.

Adopted 1/25/93; Revised ^

UNEXPIRED TERM FULFILLMENT/ VACANCIES

Code **BBBE** Issued **DRAFT/11**

Purpose: To establish the basic structure for filling vacancies prior to the end of a term.

If for any reason a vacancy occurs on the board, the board will appoint a successor to fill such vacancy for the remainder of the unexpired term. In the event another method for filling vacancies on the board is prescribed by law after the adoption of this policy, the board will utilize such method as is in effect on the date a vacancy occurs.

Adopted 1/25/93; Revised 5/7/02, 4/26/10, ^

Legal references:

A. S. C. Code of Laws, 1976, as amended:

1. Section - 59-19-60 - Removal of trustees; vacancies.

B. S.C. Acts and Joint Resolutions:

1. 1984 Act 612 - Provides for election of trustees; terms; conduct of election; reappointment of trustees.
2. 1988 Act 792 - Amends 1984 Act 612, as amended, relating to method of conducting an election for trustees so as to authorize the county board of education to fill vacancies.
3. 1994 Act 610 - Abolishes county board of education and devolves powers and duties upon the seven district boards: oversight committee established, etc.
4. 1995 Act 189 - Repeals 1994 Act 610 relating to abolition of county board; provides for fiscal autonomy for seven local boards; except for powers listed, all other powers of county board are devolved upon seven district boards.
5. 1998 Act 499 - Establishes Spartanburg County Oversight Committee; abolishes county board of education.

BOARD MEMBER CONDUCT

Code **BC** Issued **DRAFT/11**

Purpose: To establish the basic structure for board member conduct as individuals and while sitting as a board.

Public office is a trust created by the confidence in which the public places the integrity of its public officers. To preserve this confidence, it is the desire of the board to operate under the highest ethical standards.

Option: Board may include goals from board self-evaluation.

It is the responsibility of each board member to do the following.

- Become familiar with district policies, rules and regulations, state and federal school laws, and regulations of the state department of education.
- Have a general knowledge of educational aims and objectives of the district.
- Work harmoniously with other board members without trying either to dominate the board or neglect one's share of the work.
- Vote and act in the board meetings impartially for the good of the district.
- Accept the will of the majority vote in all cases and give wholehearted support to the resulting policy.
- Represent the board and district to the public in such a way as to promote both interest and support.
- Refer complaints to the proper school authorities and abstain from individual counsel and action.
- Maintain the confidentiality of all matters discussed in executive session.

Adopted prior to 1974; Revised 1/25/93, ^

BOARD MEMBER CODE OF ETHICS

Code **BCA** Issued **DRAFT/11**

Purpose: To establish the basic structure for ethical board conduct.

The public schools play a vital and important role in our state and country by providing the basic foundation for democratic living and for sustaining the American way of life. Therefore, school board membership represents a challenging responsibility. This code of ethics is adopted by the board as a guide to its members as they strive to render effective and efficient service to their community.

A board member should honor the high responsibility that his/her membership demands by doing the following.

- thinking always in terms of "children first"
- understanding that the basic function of a school board is policymaking, not administration, and by accepting the responsibility of learning to discriminate intelligently between these two functions
- accepting the responsibility along with his/her fellow board members of seeing that the maximum facilities and resources are provided for the proper functioning of schools
- refusing to play politics in either the traditional partisan or any petty sense
- representing, at all times, the entire school district
- accepting the responsibility of becoming well informed concerning the duties of board members and the proper functions of public schools
- recognizing responsibility as a state official to seek the improvement of education throughout the state

A board member should respect his/her relationships with other members of the board by doing the following.

- 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
- recognizing the integrity of his/her predecessors and associates and the merit of their work
- refusing to make statements or promises as to how he/she will vote on any matter which should properly come before the board as a whole
- making decisions only after all facts bearing on a question have been presented and discussed
- respecting the opinion of others and graciously conforming to the principle of majority rule
- 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

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A board member should maintain desirable relations with the superintendent of schools and his/her staff by doing the following.

- striving to procure, when a vacancy exists, the best professional leader available for the head administrative post
- giving the superintendent full administrative authority for properly discharging his/her professional duties and holding him/her responsible for acceptable results
- acting only upon the recommendation of the superintendent in matters of employment or dismissal of school personnel
- having the superintendent present at all meetings of the board except when his/her contract and salary are under consideration
- referring all complaints to the superintendent and discussing them only at a regular meeting after failure of an administrative solution
- 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
- presenting personal criticisms of any employee directly to the superintendent

Adopted 1/25/93; Revised ^

Legal references:

A. S.C. Code, 1976, as amended:

1. School board members are under the jurisdiction of the " Ethics, Government Accountability and Campaign Reform Act," Section 8-13-100, et seq., S. C. Code, and are subject to rules of conduct of the statute.

Such rules include, but are not limited to, the following.

School board members

- a. May not use their position or office for personal financial gain (Section 8-13-700).
- b. May not receive compensation to influence action (Section 8-13-705).
- c. May not receive additional money as payment for advice or assistance given in the course of their employment as a public official (Section 8-13-720).
- d. May not use or disclose confidential information gained in the course of their responsibility as a public official (Section 8-13-725).
- e. May not serve as a member or employee of a governmental regulatory commission that regulates any business with which they are associated (Section 8-13-730).
- f. May not appear before the Public Service Commission or the S.C. Department of Insurance in rate or price-fixing matters (Section 8-13-740).

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- g. May not enter into contract with a governmental agency or department which is to be paid in whole or in part out of governmental funds, unless the contract has been awarded through a process of public notice and competitive bidding and no official function regarding the contract has been performed (Section 8-13-775).
- h. May not offer or give gifts or promises to members or employees of a governmental regulatory agency or department that regulates a business they are associated with (Section 8-13-705).
- i. In cases where a potential conflict of interest exists, individuals shall take such steps as the Ethics Commission shall prescribe to remove oneself from the potential conflict of interest (Section 8-13-700).

No elected public official, regardless of compensation, and no appointed public official, regardless of compensation, shall hold office unless he/she has filed a statement of economic interest with the State Ethics Commission (even if a negative report). (Section 8-13-1110, S.C. Code.)

- 2. Section 8-13-100(15) - Family member means an individual who is the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent or grandchild or a member of the individual's immediate family.
- 3. Section 8-13-100(18) - Definition of immediate family.
- 4. Section 59-19-300 - Prohibits receiving pay as teacher in same district where serving on board.
- 5. Section 59-25-10 - Prohibits board from employing members of immediate family as a teacher, with exceptions.

BOARD MEMBER CODE OF ETHICS

As a school board member in South Carolina, I pledge my efforts to improve public education in my community and will solemnly try to do the following.

- **represent the interests of the entire district** when making decisions; rely on available facts and on my judgement rather than on individuals or special interest groups;
- **understand the proper role of the board** to set policies governing the district and to hire the chief administrative officer to carry out these policies;
- **encourage an open exchange of ideas** by all board members during the decision-making process;
- **seek regular communications** between the board and students, staff and all segments of the community;
- **attend all board meetings**, study issues facing the board and enact policies and official actions only after full discussion at such meetings;
- **work with other board members** in a conscientious and courteous manner befitting the public trust placed in the position of board trustee;
- **communicate concerns and public reaction** to board policies and school programs to the superintendent and other board members in a professional manner;
- **support employment of the persons best qualified** for staff positions and ensure a regular and impartial evaluation of all staff;
- **avoid conflicts of interest** and refrain from using my board position for personal or partisan gain;
- **encourage recognition** of the achievements of students and staff and of the involvement of community residents;
- **support legislation and funding** which will improve the educational opportunities and environment for students and staff;
- **take no individual action which would compromise the integrity of the board** or administration and respect the confidentiality of information that is privileged under the Freedom of Information Act;
- **study current educational issues** and participate in training programs such as those offered through the South Carolina School Boards Association and the National School Boards Association; and
- **make the educational setting in our district the best possible** to encourage all students to achieve and to love learning.

BOARD MEMBER CONFLICT OF INTEREST

Code **BCB** Issued **DRAFT/11**

Purpose: To establish the basic structure for determining board member conflict of interest.

A trustee may provide services or sell products to the district where he/she is a board member provided all transactions are in accordance with the State Ethics Act (see policy BCA).

If, in the discharge of official responsibilities, the board member is required to take an action or make a decision which affects his/her economic interest or the economic interest of a family member or an individual or business with whom he/she is associated, the board member must prepare a written statement outlining the conflict and give it to the chairman of the board. The board member must also be excused from deliberating or voting on the matter. The minutes of the meeting should reflect the disqualification and reasons for it.

The board member may vote on matters where he/she has no greater interest than does any other member of the class to which the board member belongs. For example, a board member may vote on a budget that includes salaries of all employees, even if the board member has a family member employed by the district. However, the board member may not vote on the contract of the family member.

The State Ethics Act provides that a public official may not have an economic interest in a contract with the district if the official is authorized to perform an official function relating to the contract. The law defines official function to include accepting bids and awarding contracts.

A board member may not participate in an action relating to the discipline of his/her family member.

A board member may not receive pay as a teacher of a public school that is located in the same school district where such person is a trustee.

Nepotism

No immediate family member (parent, child, brother or sister) of a board member will be employed as a teacher without the written approval of the board. This does not apply to teachers employed before his/her family member became a member of the board.

Adopted prior to 1974; Revised 1/25/93, 3/31/04, 9/26/11, ^

Legal references:

A. S.C. Constitution:

1. Article XVII, Section 1A - Dual office holding prohibited.

B. S.C. Code, 1976, as amended:

1. Section 8-13-100, et seq. - State Ethics Act.
2. Section 8-13-100(15) - Family member means an individual who is the spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent or grandchild or a member of the individual's immediate family.
3. Section 8-13-100(18) - Definition of immediate family.
4. Section 59-19-300 - Prohibits receiving pay as teacher in same district where serving on board.
5. Section 59-25-10 - Prohibits board from employing members of immediate family as a teacher, with exceptions.

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6. Section 59-31-590 - Prohibits service as agent of school book publisher.
7. Section 59-69-260 - Authorizes board member to provide services or sell products to the district...so long as these transactions are in accordance with state ethical provision of law.

ORGANIZATION OF THE BOARD

Code **BD** Issued **DRAFT/11**

Purpose: To establish the basic structure for board organization and the election of officers.

The officers of the board are chairman, vice chairman and secretary. The officers are elected and sworn in each even-numbered year at the board's organizational meeting in January.

To be eligible to hold office, one must have been serving on the board for a minimum of one year immediately prior to his/her election.

Nominations will be made from floor. By majority vote of the board, such election may be by secret ballot. The board will fill vacancies.

All officers are elected for a two-year term and are eligible to succeed themselves for one term. A board member who has served for four years in any office will be ineligible to serve in that office until one term has passed.

Should the chairman be unable to fulfill his/her service obligation, the current vice chairman will become chairman. If that vice chairman becomes chairman with more than 50 percent of a two-year term remaining, that person will be eligible for only one more two-year term as chairman.

Adopted prior to 1974; Revised 1/25/93, 8/24/98, 10/26/09, ^

Legal references:

- A. S.C. Code, 1976, as amended:
 - 1. Section 59-19-70 - Election of officers.

ORGANIZATION OF THE BOARD

Code **BD-R** Issued **DRAFT/11**

Duties of the chairman

The chairman presides at all meetings of the board and performs other duties as directed by law, state department of education regulations and by this board. In carrying out these responsibilities, the chairman will do the following.

- Sign the instruments, acts and orders necessary to carry out state requirements and the will of the board.
- Consult with the superintendent in the planning of the board's agendas.
- Confer with the superintendent on crucial matters which may occur between board meetings.
- Appoint board committees, subject to board approval.
- Call special meetings of the board as necessary.
- Act as the public spokesperson for the board at all times except as this responsibility is specifically delegated to others.
- Be responsible for the orderly conduct of all board meetings.

As presiding officer at all meetings of the board, the chairman will do the following.

- Call the meeting to order at the appointed time.
- Announce the business to come before the board in its proper order.
- Enforce the board's policies relating to the order of business and the conduct of meetings.
- Recognize persons who desire to speak and protect the speaker who has the floor from disturbance or interference.
- Explain what the effect of a motion would be if it is not clear to every member.
- Restrict discussion to the question when a motion is before the board.
- Answer all parliamentary inquiries, referring questions of legality to the board attorney.
- Put motions to a vote, stating definitely and clearly the vote and result thereof.

The chairman has the right, as other board members have, to offer resolutions, discuss questions and vote.

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Duties of the vice-chairman

The vice-chairman will have the powers and duties of the chairman in his/her absence or during his/her disability and such other powers and duties as the board may from time to time determine.

Duties of the secretary

The secretary attends all board meetings and records the proceedings. The secretary will also supply records and other information which the board may require or need. Among his/her duties will be the following.

- Keep a permanent record of all proceedings of the board.
- Prepare such reports and perform such duties as may be prescribed by statutes or directions of the chairman of the board.

The board, at its discretion, may employ a competent professional person to record minutes and proceedings of the board.

Issued 1/25/93; Revised ^

BOARD-SUPERINTENDENT RELATIONSHIP

Code **BDD** Issued **DRAFT/11**

Purpose: To establish the basic structure for the board's legislation of policies and the execution of those policies by the superintendent and staff.

The board believes that its most important function is formulation and adoption of policy. The superintendent's function is the execution of the policies. The board delegates certain of its executive powers to the superintendent to manage the schools within the established policies.

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

The relationship that exists between a board and its superintendent is an intrinsic part of the educational process within a community. A knowledge of what each can reasonably expect of the other can help substantially in promoting sound working relationships.

The board will do the following.

Select a competent, established educational leader as superintendent and support that person in the discharge of assigned duties.

Serve as the policymaking body.

Allow the superintendent to administer the schools.

Adopt an annual budget.

Exercise sound judgement in business affairs of the school district.

Deal always in an ethical, honest, straightforward, open-and-above-board manner with the superintendent and the community.

Approve an organizational pattern for the administration.

Establish salary schedules and other personnel policies.

The superintendent will do the following.

Administer effectively and provide the professional educational leadership necessary. All individuals employed by the board are responsible directly or indirectly to the superintendent.

Recommend sound policy and enforce the policies by establishing rules and regulations.

Implement board policy effectively through efficient administration.

Prepare and submit an annual budget to the board for consideration.

Keep the board informed on financial matters, use sound long-range planning and keep current expenditures within the approved budget.

Deal always in an ethical, honest, straightforward, open-and-above-board manner with the board, the staff and the community.

Make assignments for each position with the board's authorization.

Recommend personnel policies for adoption and be responsible for assignment of all personnel.

PAGE 2 - BDD - BOARD-SUPERINTENDENT RELATIONSHIP

The board will do the following.

Require and discuss reports of the superintendent concerning the progress of the schools in terms of achievement of pupils, teachers and administrators.

Function only as a board rather than as individuals.

Communicate with staff members through the superintendent.

Remember that schools exist for the benefit of the students and the community.

Hear appeals of school employees and citizens of the community from decisions of the superintendent.

Present the needs of the schools to the citizens of the community.

Adopt school curriculum, textbooks and annual school calendar.

Adopted 7/28/75; Revised 1/25/93, ^

The superintendent will do the following.

Formulate and administer means of evaluating staff members and report findings to the board. Duties and responsibilities may be delegated, but the superintendent has final responsibility for actions of subordinates.

Deal with the board as a whole rather than as individual members.

Ensure necessary staff communication through the superintendent with the board.

Remember that schools exist for the benefit of the students and the community.

Make decisions in line with board policy. Appeals from such decisions may be heard and decided by the board.

Plan means of keeping the community informed about school matters. Serve as a representative of the schools before the public.

Recommend for board action school curriculum, textbooks and annual school calendar.

BOARD COMMITTEES

Code **BDE** Issued **DRAFT/12**

Purpose: To establish the basic structure for the board's use of committees comprised of board members.

In order to strengthen the liaison between the board and key administrative operations, the board authorizes the establishment of the following standing committees.

- curriculum and instruction
- finance
- policy

The chairman will appoint these committees annually and members may serve during their current board term. On each committee formed, the members of the committee will elect a chairman. For a smooth transition, the board chairman will give consideration for continuity of information in appointing board members to each of the three committees. Each committee will be composed of three or more members with the superintendent and the appropriate district staff member serving as ex-officio and staff contact. The board will clearly define the role and responsibilities of each of these committees.

Other committees will be temporary and appointed by the chairman for specific tasks. All committee action will be advisory and not executive.

All committee meetings will be open to the public. Committees will make reasonable and timely efforts to give notice of their meetings in accordance with applicable provisions of the South Carolina Freedom of Information Act, as amended.

Adopted prior to 1974; Revised 1/25/93, 4/27/98, 11/27/00, 2/7/02, 1/25/10, 2/27/12, ^

Legal references:

- A. S. C. code, 1976, as amended:
1. Section 30-4-20 (a) - Defines public body.
 2. Section 30-4-60 - Meetings of public bodies shall be open.
 3. Section 30-4-70 - Meetings which may be closed.
 4. Section 59-19-110 - Board may designate members to investigate matters under its control.

ADVISORY COMMITTEES SCHOOL IMPROVEMENT COUNCIL

Code **BDF** Issued **DRAFT/11**

Purpose: To establish the basic structure for ~~advisory committees~~ School Improvement Councils in the district.

School improvement councils

In keeping with the letter and spirit of state law, the board directs that each school in the district establish a school improvement council. The school improvement councils will function within the guidelines set forth in the district administrative rule as well as state law and regulations of the state board of education.

The school improvement council will actively participate in the development of the school plan as part of the school and district five-year comprehensive plans with annual updates required by Act 135 and in the district performance-based accountability system required by the Education Accountability Act of 1998.

State law does not create any legal authority on the part of the improvement councils or the members thereof to perform any of the duties or functions delegated by statute to the board or any of its employees.

Adopted 1/25/93; Revised 10/23/95, ^

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 59-20-60(3) and (6) - Improvement councils.
2. Section 59-18-900(E) - Reporting.
3. Section 59-18-1300 - District accountability system; development and review.
4. Section 59-18-1310 - Reports consolidated; submission dates.
5. Section 59-18-1500 - ...review and revision of improvement plan.
6. Section 59-18-1510(B) - Activities of external review committee.
7. Section 59-139-10 - Long-range plan; school improvement council input.

B. State Board of Education Regulations:

1. R-43-261 - District and school comprehensive planning.

ADVISORY COMMITTEES SCHOOL IMPROVEMENT COUNCILS

Code **BDF-R** Issued **DRAFT/11**

School Improvement Councils

Duties

State law sets forth the following specific duties for school improvement councils.

- Assist in the preparation of the five-year school improvement or renewal plan and the district performance-based accountability system and annual updates.
- Prepare an annual school report each year to the parents/legal guardians and constituents of the school; the report will provide information on the school's progress in meeting the school district goals and objectives.
- Assist with the development and monitoring of school improvement and innovation.
- Provide advice on the use of school incentive grant awards.
- Provide assistance as the principal may request.
- Carry out other duties prescribed by the local school board.
- Work with an external review team if a school receives a rating of unsatisfactory or a school rating below average requests the council to gather additional information on strengths and weaknesses of a school for the purpose of revising the school improvement plan.
- Provide membership information to the School Improvement Council Assistance office at the University of South Carolina as prescribed by law.

Purposes

Provide means of representative participation by parents/legal guardians, teachers, students and the community in planning and monitoring of school improvement outlined in the five-year plan.

Disseminate information to other parents/legal guardians and citizens within the community and clarify information concerning the school programs and school improvement initiatives.

Provide suggestions to school principals for program improvements.

Review annually an evaluation of school programs and make suggestions to the school principal concerning changes or continuation

Information to be made available

The principal will provide each improvement council with appropriate information so that they can provide advisory assistance with the development and monitoring of the school's improvement efforts. This information will include, but not be limited to, the following.

District Five Schools of Spartanburg County

- test data for the school
- total school improvement plans
- demographic composition of the local school community
- success of graduates during first year of college, if applicable
- dropout information, if applicable
- needs assessment information as related to student achievement progress, including survey information

Eligibility

To serve as a parent/legal guardian representative on the school improvement councils, the parent/legal guardian must have a child attending the schools in the district. When the parent no longer has a child attending the school, the parent's seat will be declared vacant.

No person will serve on more than one improvement council at a time.

No student may serve as the student representative after the student has left the school although the student may become one of the principal's appointed members.

No student will be prohibited from nomination or election due to grade level, academic standing, race, sex or age.

The teacher representatives will be any certificated employees working at least half-time at the local school level. The certificated employee's seat will be declared vacant if the employee should no longer be employed at the school.

Composition

Each school council will be comprised of at least two parents/legal guardians, elected by the parents of the children enrolled in the school; at least two teachers, elected by the faculty; and at least two students in schools with grades nine and above, elected by the students. The principal will appoint additional members of the council from the community. The ratio of elected members to appointed members is two-thirds to one-third of the council. The council will also include ex-officio members such as the principal or other individuals holding positions of leadership in the school or other school organizations.

Election process

Parents

Parents will be elected by nomination either from themselves or from another parent. Students will take home letters asking for nominations and will return the letters of nomination to the school. A ballot of all nominations will then be prepared by the school and returned by the students to the parents. The school will prepare a ballot of all nominations and a method of easting ballots which encourages the broadest participation. Ballots will be counted and election results announced by the principal.

Teachers

The faculty of each school will elect a minimum of two teachers in a manner determined by the faculty.

Students

The student council will determine a process to elect a minimum of two students.

District Five Schools of Spartanburg County

Ex-officio

The principal, PTA/O president, past SIC chair, Title I parent advisory council chair, business partner and others will be seated on the council, as stated in the by-laws.

Vacancies

Vacancies will be filled by appointment from the principal with approval of the council.

Term of office

The elected members of the council will serve a minimum term of two years; the terms will be staggered and determined by lot. Parents of a student or students in their last year of enrollment at an individual school may serve terms of one year only. The names of all council members and other information will be submitted to the School Improvement Council Assistance office at the University of South Carolina for the purpose of sharing information.

The term of office for appointed members will be established by the by-laws adopted by each council.

Time of election

Elections should occur no later than October 15 annually and should be organized to ensure broad participation by parents and faculty.

The student representatives will be elected during the time the student body of the school is holding its regular elections for student government offices.

Annual elections will occur within district guidelines as set out in the council by-laws.

Meetings

Each council will meet monthly (at least eight times a year). The school will maintain a record of actions in the school office.

Council operations, by-laws

All school improvement council operations will conform to state and federal laws and regulations, district policies and professional ethics.

Each council will develop a set of by-laws governing its operations consistent with district policy. A copy of the by-laws will be filed with the district office.

Cf. CM

Issued 1/25/93; Revised ^

BOARD ATTORNEY/LEGAL SERVICES

Code **BDG** *Issued* **DRAFT/11**

Purpose: To establish the basic structure for the board's need for and relationship with its attorney.

The complexity of school board operations requires the frequent procurement of legal services. Consequently, the board, by majority vote, may designate an attorney to counsel the board and administration on legal matters involving the district's welfare.

The attorney will serve at the pleasure of the board and will be paid for services rendered.

The board may ask the attorney to attend such board meetings or other meetings as may be needed. A decision to seek legal advice or assistance on behalf of the school system may be made by the superintendent or the board. Such action will be taken as consistent with board policy and as it meets an obvious need of the board. It may take place as a consequence of formal board direction.

Except in unusual circumstances, the board will make all communications to the school attorney through the superintendent or board chairman.

Adopted 7/28/75; Revised 1/25/93, ^

BOARD CONSULTANTS

Code **BDH** *Issued* **DRAFT/11**

Purpose: To establish the basic structure for the board's need for and relationship with consultants.

The board or the administration may enlist the services of consultants to provide specialized advice or assistance to the district. These services may concern educational, management or administrative matters.

Consultants will have no authority over the work of the employees of the district. They will act only as advisors in the field in which they are qualified to offer assistance.

The board will have final approval of all suggestions made by such consultants.

(Cf. CJ)

Adopted 7/28/75; Revised 1/25/93, ^

BOARD MEETINGS

Code **BE** Issued **DRAFT/11**

Purpose: To establish the basic structure for the conduct of board meetings.

All board meetings will be conducted in accordance with the South Carolina Freedom of Information Act. All board meetings, except for periods in which the board is in executive sessions, are open to the public.

Annual meeting

The board holds its annual organizational meeting in January of each even-numbered year. The board elects officers at the annual meeting.

Regular board meetings

The board holds its regular meeting of the board on the fourth Monday of each month. Unless otherwise specified, all meetings will be held in the district administrative building at 100 N. Danzler Road. The regularly scheduled time will be at 6:30 p.m.

In unusual circumstances, the board may change the time and place of the regular meeting upon a majority vote of the board.

Work sessions

From time to time the board may meet in work sessions. The purpose of these sessions will be for the board to have opportunities for planning and discussion without formal action. Topics for discussion will be announced publicly, and sessions will be conducted in accordance with state law.

Special meetings

The chairman of the board or a majority of members of the board may call a special meeting of the full board. The superintendent should give at least 24 hours notice to all members of the board and the public except when emergency conditions make such notice impossible. The board will not transact any business other than that which is stated in the notice.

Public hearings

The board may conduct public hearings from time to time in order for the public to express their views regarding a specific issue. The board will conduct such meetings in an orderly manner in accordance with board policy and regulation.

Parliamentary procedure

The latest edition of Robert's Rules of Order will govern all matters not covered by the rules of the board.

Adopted 7/28/75; Revised 1/25/93, 2/7/02, 1/25/10, ^

Legal references:

- A. S.C. Code, 1976, as amended:
1. Sections 30-4-10 through 30-4-110 - South Carolina Freedom of Information Act.
 2. Section 59-1-340 - Meetings of boards of trustees and boards of education.
 3. Section 59-19-90(4) - Calling meetings of electors for consultations.
 4. Section 59-19-110 - Board rule-making power includes right to conduct any hearing.

EXECUTIVE SESSIONS/OPEN MEETINGS

Code **BEC** Issued **DRAFT/11**

Purpose: To establish the basic structure for conducting executive sessions.

The board, by majority vote, may go into executive session for reasons provided for by law. Only upon request of the board may persons other than board members be present during executive sessions.

Before going into executive session, the board chairman will put the question of whether to meet in executive session to a vote. If such vote is favorable, the chairman will then announce the **specific purpose** of the executive session, i.e., identify the matter to be considered in executive session.

As permitted by law, executive session matters may involve the following.

- individual student personnel actions
- individual staff personnel actions (unless the individual requests a public meeting)
- discussion of negotiations incident to proposed contractual arrangements
- acquisition or sale of property
- receipt of legal advice, including settlement of a claim
- security
- investigation of criminal misconduct

The board will not take any formal action in executive session. Formal action means a recorded vote committing the board to a specific course of action.

The board will not take a vote in executive session nor will it poll members in executive session. A vote may be taken on any action discussed in executive session only after the board returns to open session.

Board members and other persons attending the executive session are duty bound not to disclose matters discussed in executive session.

Adopted 10/23/78; Revised 1/25/93, ^

Legal references:

A. Section 30-4-70.

- (a) A public body may hold a meeting closed to the public for one or more of the following reasons:
- (1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.

PAGE 2 - BEC - EXECUTIVE SESSIONS/OPEN MEETINGS

- (2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.
 - (3) Discussion regarding the development of security personnel or devices.
 - (4) Investigative proceedings regarding allegations of criminal misconduct.
 - (5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.
- (b) Before going into executive session the public agency shall vote in public on the question and when the vote is favorable, the presiding officer shall announce the specific purpose of the executive session. As used in this subsection, 'specific purpose' means a description of the matter to be discussed as identified in items (1) through (5) of subsection (a) of this section. However, when the executive session is held pursuant to Sections 30-4-70(a)(1) or 30-4-70(a)(5), the identity of the individual or entity being discussed is not required to be disclosed to satisfy the requirement that the specific purpose of the executive session be stated. No action may be taken in executive session except to (a) adjourn or (b) return to public session. The members of a public body may not commit the public body to a course of action by a polling of members in executive session.
- (c) No chance meeting, social meeting, or electronic communication may be used in circumvention of the spirit of requirements of this chapter to act upon a matter over which the public body has supervision, control, jurisdiction, or advisory power.
- (d) This chapter does not prohibit the removal of any person who willfully disrupts a meeting to the extent that orderly conduct of the meeting is seriously compromised.
- (e) Sessions of the General Assembly may enter into executive sessions authorized by the Constitution of this State and rules adopted pursuant thereto.

BOARD MEETING NOTIFICATION

Code **BEDA** Issued **DRAFT/11**

Purpose: To establish the basic structure for board and public notification of board meetings.

The board will provide dates of regular meetings in annual announcements that are made available in printed and/or electronic form to the news media and public.

Notification to board members

The superintendent will distribute notice of each **regular meeting** of the board with agenda and supporting materials to board members at least three days in advance of the meeting, if possible, to permit them to give items of business careful consideration.

The superintendent will give notice of all **special meetings** to the members of the board at least 24 hours prior to the time for the meeting. The notice will indicate the purpose of the special meeting.

Public notice

The superintendent will see that written notice of regular board meetings is made public annually at the beginning of each calendar year. The notice will include the dates, times and places of regular board meetings. The superintendent will send the notice to local news media and post it at the board meeting place.

The superintendent will post an agenda for regularly scheduled meetings at least 24 hours prior to the meeting. The superintendent will post notice of any called, special or rescheduled meetings in the same place as the notice for a regular meeting. The notice for called, special or rescheduled meetings will include the agenda, date, time and place of the meeting. The superintendent will post notice at least 24 hours prior to the meeting time. This will not apply to emergency meetings.

The superintendent will notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places and agenda of all public meetings, regular, special, called or rescheduled. The secretary will note the efforts to comply with this policy in the minutes of the meeting.

Adopted 10/23/78; Revised 1/25/93, ^

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 30-4-10, et seq. - South Carolina Freedom of Information Act.
2. Section 59-19-80 - Requirements as to purchases and teacher employment.

BOARD AGENDA

Code **BEDB** Issued **DRAFT/11**

Purpose: To establish the basic structure for board preparation of and adherence to its meeting agenda.

The superintendent, in cooperation with the board chairman, will prepare the agenda for the regular meetings. The agenda will include references to the board's policies, where appropriate.

Items of business may be suggested by board members and/or staff members. The superintendent and board chairman may decide whether or not to include those items. The final agenda must be approved by the board. If approved, the agenda will allow time for the remarks of persons who have requested to appear before the board.

The board will follow the order of business set 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.

Materials distributed to the board which reflect staff recommendations in their final form are open to the public unless exempt from disclosure by law or are of a personal nature such that public disclosure thereof would constitute unreasonable invasion of personal privacy.

Adopted prior to 1974; Revised 9/26/77, 10/23/78, 1/25/93, ^

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 30-4-80 -Notice of meetings of public bodies; posting of agendas.

VOTING METHOD AT BOARD MEETINGS

Code **BEDF** Issued **DRAFT/11**

Purpose: To establish the basic structure for voting at board meetings.

The board will conduct votes on all motions and resolutions by the employment of "yes," "no" or abstention. If a board member wishes to abstain, he/she may give reason for his/her action. No secret ballots will be used except as described in policy BD Organization of the Board.

Board members voting on the prevailing side of an issue may move to reconsider an item at the same meeting.

There will be no representation by proxy of any member of the board at any time. All members present are authorized to speak on issues, offer and second motions, and vote.

The presiding officer will have the option of speaking to, offering and seconding motions, and voting on all items of business.

Adopted 1/25/93; Revised ^

MINUTES OF BOARD MEETINGS

Code **BEDG** Issued **DRAFT/11**

Purpose: To establish the basic structure for maintaining a record of business conducted at board meetings.

The minutes of a school board meeting constitute the written record of board action. The minutes are legal evidence of the board's action.

The board secretary will keep, or cause to be kept, a complete record of the action of board meetings. As provided by the South Carolina Freedom of Information Act, these minutes will include, but need not be limited to, the following.

- the date, time and place of the meeting
- the members recorded as either present or absent
- the substance of all materials proposed, discussed or decided and, at the request of any member, a record, by an individual member, of any votes taken
- any other information that any member requests be included or reflected in the minutes

A record of efforts made to comply with the notice provisions of the South Carolina Freedom of Information Act will be included in the minutes.

The minutes will become permanent records of the board and will be in the custody of the superintendent. He/she will make them available to interested citizens of the district upon request, with exceptions as provided by law, at reasonable times during the working day.

Adopted 10/23/78; Revised 1/25/93, ^

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 30-4-10, et seq. - South Carolina Freedom of Information Act.
2. Section 30-4-80 - Notice of meetings of public bodies.
3. Section 30-4-90 - Minutes of meetings of public bodies.
4. Section 59-19-80 - Certain items to be in board minutes.

PUBLIC PARTICIPATION AT MEETINGS

Code **BEDH** Issued **DRAFT/11**

Purpose: To establish the basic structure for public participation in board meetings.

The public is cordially invited to attend board meetings. The board conducts meetings for the purpose of carrying on the official business of the school district. The meetings are not public forum meetings but are meetings held in public. Orderly conduct of a meeting does not permit spontaneous discussion from the audience. Regular, special and emergency meetings are open to the general public, news media and school staff.

All persons who wish to participate must do so through established procedures. These procedures are designed to encourage participation and ensure the orderly management of the meetings. The board is committed to compliance with the South Carolina Freedom of Information Act as well as all other federal and state laws which regulate or affect board actions and policy.

Agenda

In order that the board may fairly and adequately discharge its overall responsibility, citizens wanting an item to be placed on the agenda for a specific board meeting should direct requests to the superintendent or board chairman.

A citizen must submit a written request for an item to be placed on the agenda at least five days prior to a scheduled meeting of the board. That request will state the name of the individual or group submitting the request, the address, the purpose of the request, and the topic to be addressed.

The chairman of the board will introduce speakers who have previously submitted a request to the board at the appropriate time during the agenda and invite them to make comments on agenda topics. Persons addressing the board will be expected to limit their remarks to 10 minutes or less. Speakers may offer objective comments on school operations and programs that concern them. While public comment about board actions will be permitted, the board will not permit in public session any expression of personal complaints about school personnel nor against any person connected with the school system.

Public participation

The board ~~will~~ may allocate ~~*** minutes~~ time at the outset of each regular meeting for the public to address the board. The chairman reserves the right to limit discussion of same topic issues in an effort to provide individuals the opportunity to be heard on a variety of topics. Public participation will not exceed three minutes for each individual unless waived by a majority vote of the board. Consideration may be given for a public hearing for gaining input on critical issues.

Speakers may offer objective comments on school operations and programs that concern them. The board will not permit in public session any expression of personal complaints about individual school personnel or any other person connected with the school system.

Adopted 1/25/93; Revised ^

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 30-4-10, et seq. - South Carolina Freedom of Information Act.

District Five Schools of Spartanburg County

NEWS MEDIA SERVICES AT BOARD MEETINGS

Code **BEDI** Issued **DRAFT/11**

Purpose: To establish the basic structure for news media notification of and attendance at board meetings.

The board believes that one of its paramount responsibilities is to keep the public informed of its actions. Therefore, the press and public are welcome to attend board meetings.

The superintendent will send a copy of the agenda in advance of all official board meetings to members of the working press who request it. In the event that representatives of news media are unable to attend a meeting, upon request they will be provided a summary of important board actions.

All reports approved by the board will be a matter of official record and, upon request, the superintendent or his/her designee will make them available to the press or other members of the public.

When individual board members receive requests from news media representatives for information about board meetings, members will refer the information seekers to the board chairman. The board chairman will be the official public spokesperson for the board (except as the board specifically delegates this responsibility to others).

Adopted 7/28/75; Revised 1/25/93, ^

Legal references:

A. S.C. Code 1976, as amended:

1. Section 30-4-10, et seq. - South Carolina Freedom of Information Act.
2. Section 59-1-340 - Board meetings open to news media.

PUBLIC HEARINGS

Code **BEE** Issued **DRAFT/11**

Purpose: To establish the basic structure for the conduct of public hearings by the board.

The school board may conduct a public hearing on any issue it deems appropriate.

The district will offer interested or affected persons an opportunity to be heard informally before the superintendent or the delegated administrative official. If necessary, the board may grant a hearing as well.

The board will follow certain procedures whenever large delegations come before it requesting a hearing regarding a critical issue being decided by the board.

Position of the board stated

After the meeting has been officially opened, the chairman of the board will briefly state the position of the board and give reasons. If the board has not taken official action on the issue, the chairman may so state and may summarize briefly the arguments for and against the issue to be decided.

Speakers for and against the issue

The secretary of the board will secure the names of all wishing to be heard before the board. Those wishing to speak will indicate whether they are for or against the issue involved. The board will not hear persons who do not respond to the secretary's request.

The chairman may set a reasonable time limit for each speaker.

Board may ask questions

After the speakers for and against the issue have been heard, the chairman may allow board members to ask questions pertaining directly to the issue involved.

Action by the board

After the chairman closes public discussion, the board may proceed with its deliberations and take whatever action it deems advisable.

At any hearing, the board (by a majority vote) may take the issue under submission. The board may continue the hearing from time to time but not for a period of more than 60 days from the date of its next regular meeting.

Adopted 1/25/93; Revised ^

Legal references:

- A. S. C. Code, 1976, as amended:
 - 1. Section 59-19-90(4) - Calling meetings of electors for consultations.
 - 2. Section 59-19-110 - Board rule-making power includes right to conduct any hearing.

BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES

Code **BG/BGD** Issued **DRAFT/11**

Purpose: To establish the basic structure for the development of board policy and board review of administrative rules.

The board considers policy development one of its chief functions. The board will develop written policies to serve as guidelines for its own operations and for the successful and efficient functioning of the public schools. Written policies are guides for the discretionary action of those to whom the board delegates authority and are a source of information and guidance for all those who are interested in and affected by the district schools.

Proposals regarding policies may originate with a member of the board, the superintendent, a staff member, parent, student, consultant, civic group, advisory committee or any resident of the district. The board will use a careful and orderly process in examining such proposals prior to action upon them by the board.

The board will continually study and evaluate the written policies and the reports concerning the execution of its written policies to determine the adequacy and effectiveness of those policies. Changes in needs, conditions, purposes and objectives will require revisions, deletions and additions to the policies of present and future boards.

Each proposed policy will require ~~two~~ one reading at regular meetings of the board. The formal adoption of the policies will be recorded in the minutes of the board. Only those written statements so adopted and so recorded will be regarded as official board policy.

Policy dissemination

The superintendent is directed to establish and maintain an orderly plan for making pertinent policies of the board known to staff members, students and others affected by them.

The superintendent will arrange to disseminate to staff members all new policies that affect them and their work and will also provide easy accessibility to an up-to-date policy collection for all employees of the school system and members of the board.

The board's policy manual will be considered a public record and will be open for inspection at the district office and in each school office.

Suspension or repeal of policy

In emergency situations, a majority of the board members present at a regular or special meeting may temporarily suspend the operation of any section or sections of board policy which are not established by law or contract. A proposal for such change must be listed on the agenda of the meeting. All members must be notified in writing of such meeting.

The board may also suspend a policy although such change was not listed on the agenda of the meeting if the favorable vote is unanimous.

PAGE 2 - BG/BGD - BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES

Review of administrative rules

Often policies of the board are accompanied by rules and exhibits that are referred to as administrative rules. These rules are generally drawn up by the administration to execute the policies of the board.

The board will approve administrative rules when such approval is required by law or otherwise advisable. The superintendent will have freedom, however, to issue additional rules and procedures consistent with board policies.

The board may nullify any administrative rules determined to be inconsistent with the policies adopted by the board.

Adopted 7/23/73; Revised 7/28/75, 1/25/93, 9/25/06, ^

Legal references:

A. S.C. Code, 1976, as amended:

1. Sections 30-4-10 et seq., The South Carolina Freedom of Information Act.

NEW MEMBER ORIENTATION/BOARD MEMBER DEVELOPMENT OPPORTUNITIES

Code **BIA/BIB** Issued **DRAFT/11**

Purpose: To establish the basic structure for facilitating awareness by board members of their role and responsibility to ensure their accountability to the public.

The board and superintendent, to the best of their ability, will assist each newly elected member to understand the board's functions, policies and procedures. The superintendent will provide each newly elected member with materials pertinent to board operations, including a copy of the board policy manual.

Orientation for new members

State law requires all new members elected or appointed after July 1, 1997, to successfully complete a state-approved orientation program within one year of taking office. The program will include the powers, duties and responsibilities of board members as well as other topics.

Board members already serving on July 1, 1997, and continuously reelected or reappointed are exempt from this requirement.

Board member development opportunities

The board will encourage all its members to participate in meetings and activities of state, area and national school boards associations, and other educational groups, and to study and examine the materials received from these organizations.

The district budget will include allocations for travel expenses for individual members to advance their development as school board members. When the full board does not attend a conference, convention or workshop, those who do participate will be requested to share information, recommendations and materials acquired at the meeting.

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

Adopted 1974; Revised 9/22/97, ^

Legal references:

- A. S.C. Code, 1976, as amended:
1. Section 8-15-60 - In-service training for employees.
 2. Section 59-19-45 - Orientation program for new board members.

BOARD MEMBER COMPENSATION AND EXPENSES

Code **BID** Issued **DRAFT/11**

Purpose: To establish the basic structure for payment of board expenses.

Expenses for attendance at state and national school boards association meetings, workshops, and any official school business will be paid for by the school district. Board members do not receive expenses for attending board meetings.

Spartanburg School District Five school board members are encouraged to participate in and represent the district at state and national educational conventions, trainings and workshops. Registration, travel and conference expenses will be paid for or reimbursed by the school district for board members only. Registration and travel expenses incurred will be fully reimbursed. Meal reimbursement will be at a per diem rate established by the school board. All travel expenses will be submitted to the district bookkeeper on a form approved by the school board as soon as possible (not to exceed 30 calendar days) after completion of the conference.

(Cf. DKC)

Adopted 1974; Revised 3/24/75, 3/21/88, 1/25/93, ^

Legal references:

- A. S.C. Code, 1976, as amended:
1. Section 8-15-10 - Compensation of public officials.
 2. Section 59-1-350 - Compensation of board members.

BOARD MEMBER INSURANCE/LIABILITY

Code **BIE** Issued **DRAFT/11**

Purpose: To establish the basic structure for maintenance of liability insurance and defense of such claims.

Because they are members of an agency of government whose powers and duties can only be exercised by a decision of the majority of board membership when the board is officially in session, the members of the board and its employees act as agents of the board. 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 or assigned by the district.

Therefore, the district will maintain insurance to protect the district, board or members of the board, superintendent, principals, other administrators, teachers or any other group of employees employed by the board. This insurance will protect these individuals against liability on account of damages or injury to persons and property resulting from any act or omission of such board, or such individual in his/her official capacity as a member or employee of the board or resulting solely out of his/her membership on or employment by the board subject to terms and conditions of purchased insurance.

Adopted 6/24/85; Revised 3/22/93, ^

BOARD MEMBERSHIP IN PROFESSIONAL ASSOCIATIONS

Code **BK** Issued **DRAFT/11**

Purpose: To establish the basic structure for board membership in associations.

The board, as it deems appropriate, will maintain membership in the South Carolina School Boards Association and take an active part in the activities of the association, both as a group and as individual members. The district pays dues for such membership as authorized by law. It maintains an indirect membership in the National School Boards Association through its affiliation with the state group. Membership in SCSBA will be reviewed annually as to renewal.

Adopted 1974; Revised 1/25/93, ^

Legal references:

A. S.C. Code, 1976, as amended:

1. Section 59-19-280 - Trustees may be members of the S.C. School Boards Association.