

Stanley County School District #57-1
Board of Education – Regular Meeting Agenda

May 10, 2023 – 6:00 P.M.
Board Room – Parkview Auditorium

Proposed Agenda

1. Call meeting to order
2. Pledge of Allegiance
3. Approval of Agenda
4. Conflict of Interest Declaration
5. Consent Agenda
 - a. Approval of Minutes for April 12, 2023, Board Meeting, and April 24, 2023, Special Board Meeting
 - b. Approval of Bills
 - c. Imprest Expense
 - d. Financials for April 2023
6. Public Comment
7. Student Report
8. Approval of Negotiated Agreements
9. SDDOE – End of Waiver Term Report
10. Approval of Policy BD: School Board Meetings
11. Approval of Policy BDC: Executive Sessions
12. First Reading of Policy BDDC: Agenda Preparation and Dissemination
13. First Reading of Policy BDDE: Parliamentary Procedure
14. First Reading of Exhibit BDDE-E(1): Parliamentary Procedure – Guide
15. First Reading of Exhibit BDDE-E(2): Parliamentary Procedure – Motions Chart
16. Approval of ASBSD Workers Compensation and Benefits Fund
17. Approval of SDHSAA School Board Resolution
18. SDHSAA Board of Directors Election & Amendments
19. Preliminary Budget Presentation
20. Administrators Report
21. Executive Session – per SDCL 1-25-2 (1) Personnel, (4) Negotiations.
22. Resignations
23. Contracts/Letter of Intent
24. Adjournment

Policy BD: SCHOOL BOARD MEETINGS

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | Last Reviewed Date: 04/26/2023

REGULAR MEETINGS

All regular official School Board meetings will be held on the second Wednesday of each month at 6:00 P.M., unless otherwise designated at the annual organizational meeting of the Board. Meetings will be held in the Board Room in Parkview.

The official meetings of the school board are open to the public unless a specific law is cited by the school board to close the official meeting to the public. An official meeting is any meeting of a quorum of the school board at which official business of the school district is discussed or decided, or public policy is formulated, whether in person or by means of teleconference.

Subject to the following rules, any person may record, through audio or video technology, a school board meeting that is open to the public as long as the recording is reasonable, obvious, and not disruptive.

1. A person who wishes to audio or video record some or all of an official school board meeting must inform the school board president/chairperson or superintendent prior to the beginning of the meeting of the person's intent to record. At the beginning of the meeting, the school board president will then inform all persons present of the recording.
2. The quantity and type of recording equipment used shall be subject to the discretion of the school board, and the school board president/chairperson shall have the discretion to exclude or terminate recording of the meeting. This discretion is not to be exercised in an effort to restrict the public's right to be informed of school board meeting proceedings, but only where these rules have been violated.
3. Recording equipment must not produce distracting light or noise, and no artificial lighting device of any kind shall be employed with a video camera.
4. Recording equipment must not obstruct the vision of persons attending the school board meeting and their ability to see all school board members.
5. Any person violating the rules set forth above may be directed to cease the recording or leave the premises

The School Board shall reserve at every regularly scheduled official meeting a period for public comment, limited at the Board's discretion, but not so limited as to provide for no public comment.

SPECIAL MEETINGS

Special meetings may be called by the President of the Board, or in his or her absence the Vice-President, or a majority of the Board members. Notice stating the time and place of any special meeting and the purpose for its call, will be given each Board member and the Superintendent by the Business Manager, either orally or in writing, in sufficient time to allow each member's presence. No business other than that stated in the notice will be transacted at a special meeting.

TELECONFERENCE

Any official meeting, including executive meetings, may be conducted by teleconference. A teleconference is an exchange of information by audio, video, or electronic medium, including the internet. A member is deemed present if the member answers present to the roll call conducted by teleconference for the purpose of determining a quorum. Each vote at an official meeting held by teleconference may be taken by voice vote. If any member votes in the negative, the vote shall proceed to a roll call vote. A teleconference may be used to conduct a hearing. If the school board conducts an official meeting by teleconference, the school board shall provide a place at which the public may listen to and participate in the teleconference meeting. For any official meeting held by teleconference, which has less than a quorum of school board members participating in the meeting who are present at the location open to the public, arrangements shall be provided for the public to listen to the meeting via telephone or internet. The requirement to provide one or more places for the public to listen to the teleconference does not apply to an executive meeting.

Policy BDC: EXECUTIVE SESSIONS

Status: DRAFT - 2nd
Reading

Original Adopted Date: Pending | Last Reviewed Date: 04/26/2023

All official meetings of the school board are open to the public unless SDCL 1-25-2 and the appropriate subdivision of that statute is cited in a motion to close the meeting to the public.

As permitted by law, the school board may discuss some matters in executive (closed) session. An executive or closed meeting may be held only for the purposes of:

1. Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term "employee" does not include any independent contractor;
2. Discussing the expulsion, suspension, discipline, assignment of or the educational program of a student;
3. Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters, or pertaining to matters to which the attorney-client privilege attaches;
4. Preparing for contract negotiations or negotiating with employees or employee representatives;
5. Discussing marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business;
6. Discussing information related to emergency or disaster response plans or protocols, safety or security audits or review as set forth in SDCL 1-27-1.5(8) and SDCL 1-27-1.5(17).

An executive or closed session may be held only upon a majority vote of the members of the Board present and voting. Discussion during the executive/closed session is limited to the purpose(s) specified in the closure motion(s). Nothing in state law or this policy prevents an executive or closed meeting if the federal or state Constitution or the federal or state statutes require or permit it.

All official actions concerning the matters discussed will be made only at an open official meeting.

By the very nature of the matter discussed in executive/closed session, the matters discussed shall be kept confidential by the Board and individual Board members (and the administration, as agents of the Board) unless and until allowed to be disclosed publicly by the individual(s) to whom the discussion relates or unless and until authorized or required by law.

It is therefore the policy of the Board that the Board and Board members shall respect the right of privacy of District employees and students, and neither the Board nor individual Board members shall disclose nor convey confidential information regarding District employees or students, the knowledge of which was acquired during executive/closed sessions unless authorized or required by law to disclose the information.

Notes: Violation of the "Open Meeting Law" can result in personal liability and potential criminal charges.

Policy BDDC: AGENDA PREPARATION AND DISSEMINATION

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 05/03/2023

The proposed agenda for all meetings of the Board will be prepared by the Superintendent in consultation with the Board President.

Items of business may be suggested by any Board member, staff member or citizen of the district. The agenda for regularly scheduled school board meetings will always allow time for remarks from the public who wish to speak briefly before the Board.

The Board will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items not on the posted proposed agenda may be discussed and acted upon only if a majority of the Board agrees to consider the item at the time the Board members adopt an amended agenda at the time of agenda adoption.

To ensure the board has the information necessary to make informed decisions, the superintendent may prepare and disseminate information to supplement items on the boards meeting agenda. All members of the school board will receive the agenda and any related supplemental information in advance of the board meeting and with ample time to review the material.

The proposed agenda, together with supporting materials, will be distributed to Board members at least 24 hours prior to regularly scheduled Board meetings to permit them time to give items of business careful consideration.

The supporting material shall either be posted on the school district's website or made available at the business office at least twenty-four hours prior to the meeting, or at the time the material is distributed to the school board, whichever is later. If the material is not posted on the school district's website, at least one copy of the printed material shall be available in the meeting room for inspection by any person while the school board is considering the printed material. However, the public's right to access printed information does not apply to any material or record that is legally exempt from disclosure.

The Board shall provide public notice, with proposed agenda, that is visible, readable, and accessible for at least an entire, continuous twenty-four hours immediately preceding any meeting, by posting a copy of the notice, visible to the public, at the building in which the Superintendent's office is located. The proposed agenda shall include the date, time, and location of the meeting. The notice shall also be posted on the public body's website upon dissemination of the notice. For special or rescheduled meetings, the information in the notice shall be delivered in person, by mail, by email, or by telephone, to members of the local news media who have requested notice.

ASBSD sample policies are intended to be a guide for school districts. As is the case with any policy, a local school district's unique circumstances, challenges and opportunities need to be considered.

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Policy BDDE: PARLIAMENTARY PROCEDURE

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending | Last Reviewed Date: 05/03/2023

The Board of Education shall utilize Robert's Rules of Order for Parliamentary Procedure as the guide for conducting official meetings held by the Board of Education. However, in utilizing Robert's Rules of Order for Parliamentary Procedure as a guide it is not intended nor is it required that there be strict compliance with Robert's Rules of Parliamentary Procedure. The Board President/Chairperson shall make all decisions related to parliamentary procedure that may arise during the course of a meeting. Any Board member may appeal the decision of the Board President/Chairperson to the full Board (school board members present at the meeting), and the Board shall, by majority vote, decide the procedural issue or question pending before the Board.

The purpose of parliamentary procedure is:

1. to establish guidelines by which the business of the governing board can be conducted in a regular and internally consistent manner;
2. to organize the meetings so that all necessary matters can be brought to the Board and that decisions of the Board can be made in an orderly and reasonable manner;
3. to insure that members of the Board, concentrating on the substantive issues at hand, have the necessary information to make decisions, and to insure adequate discussion of decisions to be made; and
4. to insure that meetings and actions of the Board are conducted so as to be informative to the staff and the public, and to produce a clear record of actions taken and decisions made.

ASBSD sample policies are intended to be a guide for school districts. As is the case with any policy, a local school district's unique circumstances, challenges and opportunities need to be considered.

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Exhibit BDDE-E(1): PARLIAMENTARY PROCEDURE - Guide

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending

See PDF on the next page.

PARLIAMENTARY PROCEDURE GUIDE

The Board of Education shall utilize Robert's Rules of Order for Parliamentary Procedure as the guide for conducting official meetings held by the Board of Education. However, in utilizing Robert's Rules of Order for Parliamentary Procedure as a guide it is not intended nor is it required that there be strict compliance with Robert's Rules of Parliamentary Procedure. The Board President/Chairperson shall make all decisions related to parliamentary procedure that may arise during the course of a meeting. Any Board member may appeal the decision of the Board President/Chairperson to the full Board (school board members present at the meeting), and the Board shall, by majority vote, decide the procedural issue or question pending before the Board.

1. To obtain the right to speak, address the Chairperson/President and be recognized by the Chairperson/President before speaking. (Member: "Mr./Madame Chair/President . . ." and Chair/President: "The chair recognizes _____").
2. To introduce a motion, say, "I move that..."
3. A motion may be withdrawn by the maker with consent of the person who seconded the motion or by majority vote if objection to withdraw the motion is made.
4. To amend a motion, say, "I move to amend the motion by...." Ways of amending are:
 - a) Striking out parts of the motion;
 - b) Inserting one or more words into the motion;
 - c) Striking out and inserting one or more words into the motion; and
 - d) Substituting a completely new (different) motion.
5. A motion to reconsider a decision made by the board must be introduced by one who voted with the prevailing side in that previous vote, but is out of order (cannot be made) if any part of the decision has been put into action.
6. If the parliamentary procedure of the board is to be questioned, say, "Point of order". The Chairperson/President must allow the member to state his/her point, and then the Chairperson/President must rule on it. If the Chairperson/President denies a point of order, the Chairperson's/President's decision may be appealed and either upheld or not upheld by a majority vote.
7. If a board member has a question to ask about a matter under discussion or a procedure to be followed, say, "Point of information". The Chairperson/President must allow the board member to state the question and provide if possible the information requested.
8. All members of the board, including the Chairperson/President, should participate in discussion and vote on all matters before the board unless the board member has a conflict of interest, in which case the board member must abstain. Abstentions should be noted in the minutes, but do not count as an affirmative or negative vote on the matter before the board.

ASBSD sample exhibits are intended to be a guide for school districts. As is the case with any exhibit, a local school district's unique circumstances, challenges and opportunities need to be considered.

9. A tie vote does not gain a majority and means that the motion is defeated.
10. A legal quorum of the board is required to be present in order to conduct official school business and board action requires the approval of a majority of those members voting.
11. A school board is a public board and the vote of its official actions should be part of the published minutes. A roll call vote may not be required. Roll call votes are required only when one or more school board members are participating via the phone, or when requested by a school board member. It should be clear from the minutes how members of the board have voted.
12. Some boards provide for public comments at some point in the meeting (i.e., during a public forum before or after approval of the agenda, or just before adjournment). At all other times, the public should speak only after being recognized by the Chairperson/President (who may, but does not have to, recognize a person wishing to speak).
13. The vehicle of action is through a motion. The chair may assist the mover with wording for clarity.
14. A motion should deal with only one issue or idea. The Chairperson/President or a member can ask that a motion be rephrased or rewritten or divided into two motions if it deals with two or more different matters.
15. The Chairperson/President may allow general information to be presented on an agenda item before a motion is made, but the Chairperson/President should require a motion to be made and seconded before discussion and debate on the item under consideration is allowed.
16. Debate must be limited to the issue at hand. Speakers who wander or attempt to enter new matters should be ruled out of order.
17. No new main motions may be made while another is on the floor
18. Main motions may be amended. Votes on amendments must be taken before there is a vote on the original motion.
19. No more than one amendment to an amendment should be permitted.
20. Before a vote on a main motion is taken, business can be interrupted by a motion to:
 - a) Lay it on the table - A motion to "lay it on the table," often referred to as a motion to table, is properly used only when there is urgent business to be addressed while a main motion is on the floor and debate on the pending motion is temporarily suspended and resumed during the current meeting or at the next meeting. A motion to remove the motion from the table is required to resume debate on a motion that was tabled;
 - b) Postpone action to a certain time or indefinitely - A motion to postpone to a certain time is used when the intent is to make the decision after more information is available or for some other scheduling reason. A motion to postpone to a certain

time should include when the main motion under consideration shall be taken up again by the governing board A motion to postpone indefinitely is used when the intent is to kill the motion under consideration. Passing a motion to postpone indefinitely is to defeat the motion without voting against the motion;

- c) Refer it to a committee;
 - d) Withdraw it from consideration; or
 - e) Adjourn the meeting.
21. The chair should avoid closing a discussion when members wish to speak. A governing board member may seek to close discussion on a motion and have a vote by making a motion ("I move the previous question"). If there is a second to the motion (the motion to "move the previous question" is not subject to debate), immediately there is a vote on the motion to close debate. A two-thirds majority vote is required to pass the motion to close debate, and if the motion passes, the President/Chairperson must put the question to a vote without further debate. In cases where the Chairperson/President believes discussion to have ended, the Chairperson/President may call for a vote on the main motion without a formal motion to close debate unless a member objects.
 22. A motion once voted down cannot be reconsidered at the same meeting of the board without the consent of a majority of the members of the board.
 23. If any member acts in any respect in a disorderly manner, it shall be the privilege of any member, and the duty of the Chairperson/President to call the member to order.
 24. If any member considers himself or herself aggrieved by a decision of the chair, it shall be his or her privilege to appeal to the board, and the vote on the appeal should be taken without debate.
 25. When the Chairperson/President has commenced taking a vote no further debate or remark should be permitted, unless there has evidently been some mistake, in which case the mistake shall be rectified, and the Chairperson/President shall recommence taking the vote.
 26. The Board President/Chairperson has the primary responsibility for conducting the meeting.

Notes: State law prohibits school board members who have a conflict of interest from participating in discussion and voting on matters before the board.

By state law, a legal quorum of the board is required to be present in order to conduct official school business and board action requires the approval of a majority of those members voting. However, local board policy may require approval by a majority of the members of the full board.

Adopted: 1/1/2007 Revised: 4/28/2014; 5/5/2014; 4/13/2016 Reviewed 6/14/2012:

Exhibit BDDE-E(2): PARLIAMENTARY PROCEDURE - Motions Chart

Status: DRAFT - 1st
Reading

Original Adopted Date: Pending

See PDF on the next page.

PARLIAMENTARY PROCEDURE MOTIONS CHART

A motion with a higher number takes precedence over a motion with a lower number (i.e., a motion with the higher number dictates what is to be addressed at that time by the school board).

	MOTION TO:	2 ND REQUIRED ?	DEBATE ?	AMEND ?	VOTE REQUIRED
1	Make a decision on a matter before the School Board (main/original motion)	yes	yes	yes	majority
2	Amend or Substitute Motion	yes	yes	yes	majority
3	Amend the Amendment	yes	no	yes	majority
4	Refer to Committee	yes	yes	yes	majority
5	Postpone to a Certain Time	yes	yes	yes	majority
6	Close Debate	yes	no	yes	2/3
7	Take a Recess	yes	no	yes	majority
8	Adjourn	yes	no	no	majority

The following motions or inquiries may be made at any time during the meeting when there is no other agenda item currently pending or being addressed by the school board:

MOTION TO:	2 ND REQUIRED ?	DEBATE ?	AMEND ?	VOTE REQUIRED
Address a matter which has been tabled (take matter from table)	yes	yes	no	majority
Reconsider Prior Action	yes	yes	no	majority
Rescind Prior Action	yes	yes	yes	majority

The following motions deal with the conduct of the meeting and may be brought up at any time when business is being conducted:

MOTION TO:	2 ND REQUIRED ?	DEBATE ?	AMEND ?	VOTE REQUIRED
Point of Order (on parliamentary procedure)	no	no	no	none
Request for information	no	no	no	none
Appeal a Decision of the Chair/President	yes	yes	no	majority
Require a roll call vote	no	no	no	none