

**BOARD OF EDUCATION
LEGAL STATUS**

The board of education is comprised of five (5) members elected by a vote of the district. The board of education derives its authority from state law. The board's power is judicial and legislative, and the superintendent selected by the board serves as its executive officer. **When not in legal session, a board member has no legal authority whatsoever.**

The legislative function of the board is to make plans and policies, select the superintendent and delegate to him or her the responsibility to place plans and policies into operation, and provide the financial means for their achievement.

The judicial function of the board is to hear and resolve hearings, grievances, disciplinary appeals, public complaints and other actions of a judicial nature.

Reference: 70 O.S. §5-107A

ELECTION OF SCHOOL BOARD MEMBERS

Board members shall be elected to serve a term of five years or until such time as their successors are duly appointed or elected and have qualified as prescribed by law. Terms of office shall be staggered so that one member shall retire from the board each year.

Reference: 70 O.S. §5-107A

BOARD VACANCIES

The board of education shall determine if and when a vacancy occurs on the board. Such vacancy shall be filled by appointment, and the appointee shall serve until the next regular election if the person is appointed to fill such vacancy in the first half of the term of office for the board position. If the person is appointed to fill such vacancy after the first half of the term of office for the board position, then the appointee shall serve for the balance of the unexpired term. If no one is appointed within sixty (60) days of the date the board declared the seat vacant, a special election shall be held and the elected member shall fill the vacancy for the unexpired term.

Each board member is expected to attend all board meetings. If an emergency situation should arise which will prevent a board member from attending a scheduled meeting, the board member should notify the board president or the superintendent. Three or more consecutive unexcused absences from board meetings may constitute abandonment of office, and the board may declare the position vacant and fill the vacancy as prescribed by law.

Reference: 26 O.S. §13A-110

CONTINUING EDUCATION FOR SCHOOL BOARD MEMBERS

Except as provided below, at the time a school district elector files a notification and declaration of candidacy for the office of board of education membership, the elector shall agree and pledge in writing that, upon election or appointment as a member of the board, he or she will attend a two-day workshop to be held by the State Department of Education or, upon approval of the State Board of Education, attend 12 hours of other workshops held by another organization or association representing Oklahoma school district boards of education, for study and instruction concerning school finance, the Oklahoma School Code and related laws, and the ethics, duties and responsibilities of board of education members. If elected, the elector must complete the workshop(s) within 15 months following or preceding his or her election. If a member has not satisfied the applicable workshop requirements within 15 months of his or her election, the district's board of education shall declare the seat of such member vacant and fill the vacancy according to law. Any board member who does not obtain the required education will be ineligible, pursuant to Oklahoma law, to serve on the board of education for a period of 5 years.

When an incumbent board member files a notification and declaration of candidacy for reelection to the board of education, the incumbent shall not be required to comply with the statutory requirement described above if the incumbent produces a certificate of completion showing that he or she has completed the workshop described above. However, the member will be required to agree and pledge in writing that, upon reelection, he or she will attend a six-hour workshop emphasizing changes in school law, within 15 months following his or her election.

Upon completion of the workshop(s) described above, the member's certificate of completion will be included in the public records of the board's minutes.

Any member of the board or any individual elected, certified as the elected member by the county election board, but not sworn in and seated as a member of the board of education at the time of a workshop, who attends and successfully completes a workshop as required above, shall be reimbursed for expenses incurred, not to exceed compensation in the sum of \$25 per day and actual expenses that are itemized and documented for lodging, meals, registration fees and transportation to and from the place of the workshop, as provided in the State Travel Reimbursement Act.

In addition to the workshop requirements described above, every member of the board shall be required to attend a minimum of 15 hours of continuing education during any full term of office of the member. The continuing education courses, local and state workshops, seminars, conferences and conventions that will satisfy these requirements will be held within the state and will be approved jointly by the State Department of Education and the State Department of Vocational and Technical Education. Failure by a board member to satisfy the continuing education requirements of this section shall result in the ineligibility of the member to run for reelection to the board of education. Any member of the board who attends and completes a course that satisfies in part or in full the requirements of this policy shall be reimbursed by the

district for expenses incurred. This paragraph shall not apply to those school board members who filed for reelection prior to July 1, 1991.

Reference: 70 O.S. §5-110, 70 O.S. §5-110.1

**SCHOOL BOARD
INTERNAL ORGANIZATION**

The board of education shall be organized at the beginning of the first meeting following the annual school election and certification of election of new members. The term of office of newly elected board members shall begin at the first regular, special or emergency board meeting after the member has been certified as elected.

The board shall elect from its membership, at the first regular meeting, a president and vice-president, each of whom shall serve for a term of one year and until a successor is elected and qualified. The board shall also elect a clerk and, in its discretion, a deputy clerk, either of whom may be one of the members of the board, each of whom shall hold office during the pleasure of the board and each of whom shall receive such compensation for services as the board may allow.

Reference: 70 O.S. §5-107A, 70 O.S. §5-119

BOARD OF EDUCATION OFFICERS
PRESIDENT

The president of the board of education serves as the presiding officer and manages routine work of the board, signs all contracts, appoints all committees, signs all warrants ordered by the board of education to be drawn upon the treasurer of school money, defends the treasurer of school money, certifies tax levies and defends them, serves as spokesperson, and performs other duties that are delegated to him/her by state law or by order of the board of education.

In addition to performing the duties specifically imposed by the board of education, the president shall have the authority to enforce all permanent rules and regulations adopted for the governance and control of the district, and shall at all times take such measures and employ such means as may be proper and lawful to enforce school laws within the district in the interim between meetings of the board.

The president shall have authority to appoint a member or members as ex officio representatives of the board of education to other organizations of the community that request such representation.

Reference: 70 O.S. §5-120

BOARD OF EDUCATION OFFICERS
VICE-PRESIDENT

It shall be the duty of the vice-president to perform all of the duties of the president in case of the president's absence or disability.

Reference: 70 O.S. §5-121

BOARD OF EDUCATION OFFICERS
TREASURER

It is the policy of the board of education to employ a treasurer for the district. The treasurer shall serve at the pleasure of the board and for such compensation as the board may determine, and shall perform those duties as the board may in its discretion confer upon the treasurer, including but not limited to the duty to maintain records and files as required by law or as instructed by the board or the superintendent. The board of education shall require a minimum bonding capacity of \$50,000 when using an independent treasurer and may increase that amount as circumstances warrant.

Reference: 70 O.S. §5-114

BOARD OF EDUCATION OFFICERS
CLERK

The board of education has established the following duties for the clerk of the board of education:

1. Attend all meetings of the board, countersign all warrants for school monies drawn upon the treasurer by the board and perform such other duties as the board may direct.
2. In addition to performing the duties specifically imposed upon him/her by the school code, cooperate with the superintendent of schools, the board treasurer and the minutes/encumbrance clerk in the management of the business affairs of the school.
3. Attest, in writing, the execution of all deeds, contracts, reports and other instruments that are to be executed by the board of education.
4. Furnish, whenever requested, any and all reports concerning school affairs, on such forms and in such manner as the State Board of Education or the Superintendent of Public Instruction may require.
5. Destroy all claims, warrants, contracts, purchase orders and any other financial records or documents, including those relating to school activity funds, on file or stored in the offices of the board of education of the district for a period of longer than five (5) years.

MINUTE CLERK

The board of education has established the following duties for the minute clerk:

1. Attend all meetings of the board and keep an accurate journal of the proceedings thereof.
2. List numbers of approved encumbrances in the minutes of the board meetings.
3. Furnish tentative minutes to papers requesting copies.
4. Perform such other duties as directed by the board of education.

The minute clerk will post a surety bond in the amount of \$1,000.00 before discharging any duties as minute/encumbrance clerk.

Reference: 70 O.S. §5-119

ENCUMBRANCE CLERK

The board of education has established the following responsibilities for the encumbrance clerk:

1. Keep district books and documents.
2. Enter authorized amounts of appropriations in the appropriate accounts.
3. Charge the correct appropriation account and credit the affected encumbrance outstanding accounts with approved encumbrances after first determining that the encumbrances do not exceed the balance of the appropriation charged.
4. Receive certification from the proper district employee that services or merchandise billed to the district have been received, file bills and invoices in official records, debit the outstanding account and credit the accounts payable account for the amount of the approved bills.
5. Pay the approved bills by issuing warrants against the designated funds, charge the warrants against the appropriate accounts payable accounts and credit them to the appropriate warrants issued accounts, notify the board treasurer when bills are approved for payment in lieu of issuing warrants so that the treasurer can record payments by check, wire transfer, direct payroll deposit or make other disbursement approved by the Federal Reserve System.
6. Receive all warrants, certificates of indebtedness or bonds after the treasurer has registered the warrants in numerical order.
7. Perform other duties as assigned by the board of education, which may include completing purchase order forms.

The encumbrance clerk will post a surety bond in the amount of \$1,000.00 before discharging any duties as encumbrance clerk.

Reference: 70 O.S. §5-119

SCHOOL BOARD MEETINGS

The board of education shall transact all business at official meetings of the board. These may be regular, continued or reconvened, special or emergency meetings, defined as follows:

1. Regular Meeting – the usual, official legal action meeting held regularly.
2. Continued or Reconvened Meeting – a meeting assembled for the purpose of finishing business appearing on an agenda of a previous meeting.
3. Special Meeting – an official legal action meeting called between scheduled regular meetings to consider specific topics.
4. Emergency Meeting – an official legal action meeting held only for dealing with situations involving either injury to persons or injury or damage to public or personal property or immediate financial loss so severe that the 48-hour notice period for a special meeting would be impractical and increase the likelihood of injury or damage or immediate financial loss.

A “meeting” is defined as the gathering of a quorum of members of the school district to propose or take legal action, including any deliberations with respect to such action.

No meetings will be held by teleconference. However, meetings may be held by videoconference as long as the meeting conforms to the requirements of Oklahoma’s Open Meeting Act. Accordingly, any meeting conducted by videoconference must meet the following requirements:

- A quorum must be present in person.
- The meeting notice and agenda prepared in advance of the meeting shall indicate that the meeting will include videoconferencing locations and shall state the location, address and telephone number of each available videoconference site, the identity of each member of the body and the specific site from which each member of the body shall be physically present and participating in the meeting.
- After the meeting notice and agenda are prepared and posted, no member of the public body shall be allowed to participate in the meeting from any location other than the specific location posted on the agenda in advance of the meeting.
- In order to allow the public to attend and observe each board member carrying out their duties, a member of the board desiring to participate in a meeting by videoconference shall participate from a site and room from within the school district.

- Public bodies may provide additional videoconference sites as a convenience to the public, but additional sites shall not be used to exclude or discourage public attendance at any video at any videoconference site.
- The public shall be allowed to participate and speak, as allowed by rule or policy set by the public body.
- Any materials shared electronically between members of the public body, before or during the videoconference, shall also be immediately available to the public in the same form and manner as shared with members of the public body.
- All votes occurring during any meeting conducted using videoconferencing shall occur and be recorded by roll call vote.
- *Executive sessions by videoconference are prohibited.*

The regular meeting of the board of education shall be the first Monday of each month at 7:00 p.m. at the location indicated in the annual letter to the Coal County Clerk. The board may change the meeting place and hour of the meeting by agreement of a majority of the whole number elected.

Special meetings of the board may be called by the president at any time, and he/she shall call special meetings whenever so requested, in writing, by any member of the board. Business transacted at any special meeting may be for either a specific or a general purpose.

Reference: 25 O.S. §304; 25 O.S. §307.1

**BOARD OF EDUCATION
NOTIFICATION OF MEETINGS**

Notice of all meetings of the board of education shall be made in accordance with the Oklahoma Open Meeting Act.

Notice to County Clerk

Prior to December 15 each year, the board of education shall provide the county clerk a listing of the time, date and place of all regular meetings for the coming calendar year.

Any change in the date, time or place of a regular meeting shall be provided in writing to the county clerk at least ten days prior to implementing the change.

Posting of Agenda

At least twenty-four (24) hours prior to a regular or special meeting, a meeting agenda shall be posted which shall include the date, time and place of the meeting and the business to be undertaken at the meeting. The calculation of the twenty-four (24) hour period shall exclude Saturdays, Sundays, and holidays.

Special or Emergency Meetings

Notice of the time, date and place of a special meeting shall be provided to the county clerk in person, in writing, or by telephone at least forty-eight (48) hours prior to the meeting.

Emergency meetings may be held without the required public notice if it is reasonably believed that delay would increase the likelihood of personal injury, property damage or immediate financial loss to the district. The person calling an emergency meeting shall give as much advance notice as is possible in person or by telephone.

Parties Requesting Notice

Written notice of the date, time and place of the meeting will be mailed or delivered to each person, newspaper, wire service, radio station and television station that has filed a written request for such notice. Such requests must be renewed annually, and an annual fee of Eighteen Dollars (\$18.00) will be charged each person or entity that requests written notification.

Continuing Meetings

In the event any meeting of the board is to be continued or reconvened, public notice of the action, including the date, time and place of the continued meeting, shall be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting which is continued may be discussed at the continued or reconvened meeting.

Internet Website

Within 6 months of the establishment of an internet website the district shall make available on its website or on a general website, if a general website is used, a schedule and information about regularly scheduled meetings of the district's board of education. The information shall include the date, time, place and agenda of each board meeting. When reasonably possible the district shall also provide information about the date, time, place and agenda of any special or emergency meeting of the district's board of education.

Videoconference

In any instance in which the board, in accordance with the Open Meetings Act, will conduct a meeting by videoconference, its meeting notice and agenda shall indicate that the meeting will include videoconferencing locations and shall state the location, address, and telephone number of each available videoconference site. The notice and agenda shall also state the identity of each member of the board of education who shall participate in the board's meeting by videoconference and the specific site from which each member of the board shall be physically present and participating in the meeting.

References: 25 O.S. §311; 74 O.S. §3106.2

QUORUM
BOARD MEETING PROCEDURE

A quorum consisting of a majority of the board membership shall be necessary to conduct business at a meeting of the board of education. In the event that a quorum is not present and a regularly scheduled board meeting cannot be convened, the meeting shall be cancelled. If a regularly scheduled board meeting is cancelled due to lack of a quorum, a notice of such cancellation shall be immediately prepared and posted with the original agenda of the cancelled meeting. A special meeting may then be called with the appropriate minimum of 48 hours' notice to the county clerk. The agenda for the special meeting shall include all of the items listed on the agenda of the regular meeting.

If a quorum is present, but the meeting needs to be relocated due to lack of space, building problem, etc., a motion to reconvene the meeting at another place will be made and voted upon. If the board decides to reconvene the meeting, the decision will be announced and a written notice will be posted with the original agenda showing the date, time and place of the reconvened meeting. The minutes of the original meeting will reflect the decision to reconvene and the full announcement.

Reference: 25 O.S. §303, 304, 311

**BOARD OF EDUCATION MEETING
PUBLIC PARTICIPATION**

All regular, special and emergency meetings of the board of education shall be open to the public. Board records will be available for inspection during customary office hours and may be copied as provided under the district's Open Records Act policy.

The board desires to hear the viewpoints of citizens throughout the district and considers the responsible presentation of these viewpoints vital to the efficient operation of the school. The board hopes citizens of the district attend its sessions so they become better acquainted with the operation and program of the school and so the board may have an opportunity to hear the wishes and ideas of the public.

To assure that persons who wish to appear before the board of education may be heard and, at the same time, conduct its meetings properly and efficiently, the board adopts as policy the following procedures and rules pertaining to public participation in regular board meetings.

Including Items on the Board Agenda

Anyone wishing to speak before the board, representing either him/herself or a group, must inform the superintendent of his/her desire to address the board and identify the topic to be discussed, at least seven (7) days before the regular meeting. This will allow the superintendent to include an appropriate item on the agenda.

At the board meeting, the board president is responsible for recognizing the speaker, who must give his/her name and identify the group, if any, he/she represents.

The superintendent has final authority for determining whether items suggested for inclusion on the board agenda are allowable under Oklahoma law.

Comments from the Public

A maximum of 15 minutes will be allotted for "Comments from the Public" at each regular board meeting. Generally, the maximum time for each individual speaker will be 3 minutes, but that limit may be altered by approval and action of the board. Comments and questions from the speaker must relate to an action item on the meeting agenda.

Individuals or groups wishing to speak during the public comments portion of the meeting must check in with the board clerk at least fifteen minutes prior to the start of the meeting. The individual or group member must provide the following information, in writing, in order to speak before the board:

- name and address of the individual
- the agenda action item(s) the individual wishes to address
- the organization the individual represents or is affiliated with, if applicable

Any agenda item for which no public participation has been scheduled in advance of the meeting shall be acted upon without discussion by the public.

Board members will not respond to questions or comment during public participation.

The board will not hear either positive or negative comments about staff members or persons connected with the district until those comments/complaints have reached the board through the proper administrative procedures.

No individual or group may use this agenda item as a forum for campaigning for or against a candidate for public office.

The majority of the board may discontinue any presentation which violates any of these public participation guidelines. The board majority may also, in its discretion, dispense with this segment of the meeting if it deems it necessary or appropriate and proceed directly to the official business of the board without public participation.

Criticism from the Public

Members of the public who wish to offer constructive criticism or comments on any aspect of district operations should first privately talk with the individual directly involved and, if no solution is reached, to the appropriate administrator in charge. All individuals are expected to work cooperatively to attempt to reach a satisfactory conclusion to any issues raised.

The board requires that all criticism/comments be heard at the appropriate administrative level prior to being brought to the board. If no satisfactory solution is reached at the administrative level, criticism and comments may be submitted to the board in writing with desired actions specified. The letter will be referred to the superintendent or appropriate administrator for study and possible resolution and recommendation. Any staff member involved will be advised of the nature of the letter and be given an opportunity to explain, comment and present facts.

The board will conduct any inquiry into such complaints in a fair and just manner, with due regard for applicable policies, procedures or laws that may affect how, when, or in what manner comments or statements are presented to the board.

Reference: 25 O.S. §303, 304

BOARD OF EDUCATION
EXECUTIVE OFFICER – SUPERINTENDENT

The board of education recognizes that the superintendent of schools is the executive officer of the board of education and the administrative head of the school system. The superintendent must hold an administrator's certificate recognized by the State Board of Education. If the superintendent is employed for the first time in Oklahoma, he or she must attend training seminars as required by the Oklahoma Department of Education. The following duties have been established for the office of the superintendent of schools:

1. The superintendent is the executive officer of the board and the leader of the educational forces of the community. The board shall seek the superintendent's recommendation on school matters.
2. The superintendent shall attend the meetings of the board (except when his/her employment is being considered) and advise the board on all school matters.
3. The superintendent shall make recommendations to the board of candidates for teacher and supervisory positions, as well as other employees of the school system as the need arises. The board shall not normally employ a school employee against the recommendation of the superintendent. The board will direct the superintendent to make additional recommendations if necessary.
4. The superintendent shall devote him/herself to the study of public educational trends, keep the board informed on conditions of the schools of the district, and present recommendations for the determination of policy. The superintendent shall, once policies have been established, devise ways and means for their operation and make periodic reports on the success of such policies.
5. All purchases of supplies, materials or equipment shall be made on authority of a purchase order approved by the superintendent.
6. Responsibility for the operation and maintenance of the lunch program is delegated to the superintendent. Monthly reports regarding the financial status of the program shall be made available to the board of education.
7. Responsibility for the operation and maintenance of the activity funds shall be delegated to the superintendent.
8. The superintendent shall prepare procedures for admitting non-resident children who apply for permission to attend school in this district, and for the transfer of children who apply for permission to attend schools in other districts.

9. The superintendent shall be responsible for the administration of suspensions and exclusions of children of compulsory school age for any reason.
10. The superintendent shall be responsible for providing the ways and means for teaching the subjects required by the State Board of Education and such other subjects as may be designated or approved by the board of education.
11. The superintendent shall have all school accounts audited each year and a copy of the audit filed with the clerk of the board of education.
12. The superintendent shall carefully observe the methods of instruction and the discipline of teachers; suggest improvements; remedy defects in their management; advise as to the best methods of instruction and discipline; and pay special attention to the classification of students, the program of studies and the apportionment of time allotted to each of the prescribed subjects.
13. The superintendent shall secure adequate plant facilities; standardize supplies, equipment and other materials used in the school; and formulate standard procedures for purchasing equipment in all departments of the school.
14. The superintendent shall prepare a well-coordinated budget by requiring the various divisions of the school system to participate in its development.
15. The superintendent shall have the authority to close the school in case of emergency.
16. The superintendent shall visit schools in other cities to observe developing educational trends and to suggest appropriate means for the advancement of the district.

The renewal of the superintendent shall be considered by the board and announced no later than its regular meeting in January each year. It is the duty of the president of the board to notify the superintendent as soon as possible following the board's decision.

BOARD-SUPERINTENDENT RELATIONSHIP

Delegation by the board of its executive powers to the superintendent provides freedom for the superintendent to manage the schools within the board's policies and frees the board to devote its time to policy making and other governance functions.

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 for keeping the board informed about school operations and problems.

The board as a whole, as individual members, shall:

1. Give the superintendent full administrative authority for properly discharging his or her professional duties, holding him or her responsible for acceptable results.
2. Except under extraordinary circumstances, act only upon the recommendation of the superintendent in matters of school personnel.
3. Hold all meetings of the board in the presence of the superintendent except when the superintendent's contract, salary, or employment are under consideration.
4. Refer all complaints to the superintendent and discuss them only at a board meeting after administrative solutions fail to resolve the complaints.
5. Strive to provide adequate safeguards around the superintendent and other staff members.
6. Present personal criticisms of any employee directly to the superintendent.

**TERM OF OFFICE AND SALARY
OF SUPERINTENDENT**

The superintendent of the district shall be employed for a term specified by this board and will be employed on a twelve-month basis, with vacation time to be agreed upon. The salary of the superintendent, including all fringe benefits, if any, will be determined prior to the execution of an employment contract and shall be stated therein.

It is the policy of this board to consider the issuance of the superintendent's contract each year to insure continuity and stability in the office. The renewal of the contract shall be considered in January, each year, or at some other date as determined by the board. In its discretion, the board may contract with the superintendent for a term as mutually agreed upon, but not to exceed three (3) years beyond the fiscal year in which the contract is approved by the board and accepted by the superintendent.

Prior to considering the superintendent's contract for renewal, the board shall complete and present to the superintendent an evaluation form pertaining to the superintendent's performance.

The superintendent's employment contract shall include terms and conditions as agreed upon in writing by the board and the superintendent and will be filed by the superintendent with the State Department of Education within fifteen (15) days after it is signed. The board may not pay any salary, benefits or other compensation not specified in the contract on file and may not pay any amounts for accumulated sick leave or vacation leave benefits not calculated on the same formula used for determining payments for such benefits for other full-time employees of the district.

Reference: OKLA. CONST. X, §26

EVALUATION OF THE SUPERINTENDENT

The board of education, in recognition of its accountability to the community and its obligations under state law, will conduct an annual formal evaluation of the superintendent. The evaluation shall be conducted toward the goal of improving the school district through an improving superintendency.

Members of the board will first evaluate the superintendent independently, using a written form adopted by the board for this purpose. The board will convene to discuss the assessments and to prepare a composite evaluation. The composite evaluation will be discussed by the full board and the superintendent. The board and the superintendent will each retain a copy of the written evaluation report.

Evaluation of the superintendent shall be conducted in such manner as to:

1. Provide positive and constructive feedback to the superintendent that will support and promote the superintendent's professional growth and development;
2. Help the board evaluate its work in planning the educational program in this community; and
3. Strengthen the working relationship between the board and the superintendent by providing a comprehensive vehicle of communication.