

B - SCHOOL BOARD OPERATIONS

Internal Organization

BBA	Officers
BBBA	Duties
BBBE	Compensation
BBC	Board Committees
BBF	Advisory Committees
BC	Meetings
BCBD	Agenda Preparation and Dissemination
BCBF	Rules of Order
BCBG	Voting Method
BCBH	Minutes
BCBI	Public Participation
BCBK	Executive Sessions
BD	Policy Development
BE	Public Records, Inspection and Reproduction of
BF	Annual Reports
BH	Board Member Code of Ethics

OFFICERS

At its first regular meeting in May, the Board shall elect each year one of its members to serve as president and one to serve as vice-president. The Superintendent shall serve as secretary of the Board.

The duties of the president shall be to preside at all meetings of the Board, to appoint committees when authorized by the Board, and to perform such other duties as may be prescribed by law or by action of the Board.

Ref: Ala. Code 16-11-5, 16-11-6.

DUTIES

The duties and obligations of an individual Board member shall include the following:

1. To attend all meetings;
2. To become familiar with the Federal and State School Laws, the State Department of Education rules and regulations, Board policies, rules and regulations;
3. To assist in establishing the highest goals and objectives for the School District which can realistically be achieved with the available resources;
4. To vote and act in the Board meetings for the good of the total School District;
5. To accept the will of the majority vote and give support to the resultant policy;
6. To represent the Board in such a way as to promote public interest in and support for Board-related activities;
7. To refer complaints to the proper school authorities and to abstain from individual counsel and action;
8. To recognize that frank discussions based on objective rationale are vital to the ultimate success of the School District;
9. To comply with all statutory requirements, State and local Board policies, and regulations of duly authorized administrative agencies;
10. To act ethically in all matters at all times thereby representing the School District to the best of one's ability.

Ref: Ala. Code 16-11-9.

COMPENSATION

Members of the Phenix City Board of Education shall serve without compensation. However, members of the Board shall be reimbursed only for expenses incurred in the performance of official Board functions.

Ref: Ala. Code 16-11-2, 16-11-3.

BOARD COMMITTEES

The Board authorizes the President of the Board to appoint such special or temporary committees of the Board as may be needed. No standing committees shall be authorized. The duties of special committees shall be outlined at the time of appointment and the committee shall be considered dissolved when the final report is made to the Board. The President and the Superintendent shall serve as ex-officio members of any committees appointed.

ADVISORY COMMITTEES

The Board of Education grants to the Superintendent the authority to appoint advisory committees. These committees shall serve in an advisory capacity only, making recommendations to the Superintendent concerning their assigned objectives. The membership of such advisory committees shall not be limited to employees of the school district. Professionals in the community who have special skills or knowledge concerning specific subjects under consideration or other persons of the community shall be eligible to serve on advisory committees.

MEETINGS

The Board shall hold its annual meeting each year at its first regular meeting in May following the appointment of said Board or any member thereof. At this meeting, the Board shall elect officers for one year terms. Meetings of the School Board shall be open to the public, and the order of business of any regular meeting may include an opportunity for the public to address the Board provided, however, the Board does not obligate itself to act on any request or proposal unless such request or proposal is submitted in writing.

Regular Meetings

The schedule for regular meetings of the Board shall be approved at the Board's annual meeting. The schedule for the regular meeting date may be changed to an alternate date, subject to approval of a majority of the Board.

The regular meetings dates may also be changed to alternate dates for such good and sufficient reasons as illness, lack of quorum or other similarly valid and legally defensible reasons.

Special Meetings

The Board shall hold special meetings at such place and time as the duties and business of the Board may require. Such meetings shall be called by the Board President or the Superintendent. Formal written notice concerning time, date and place of such special meetings shall not be required

since the reason for convening such sessions mandates immediate action. When possible, however, the Superintendent, as Secretary, shall provide such written notice.

A written request for a special meeting by two Board members shall make it mandatory for the President to call a special meeting of the Board.

Ref: Ala. Code 16-11-5.

AGENDA PREPARATION AND DISSEMINATION

The Board President shall direct the Superintendent to prepare, or cause to be prepared, an agenda for all regular Board meetings. Items of business may be suggested by Board members, administrative staff, employees, school patrons, or lay citizens of the school district for inclusion on the agenda. A request to be considered for a place on the agenda shall be filed in writing with the Superintendent at least five days prior to the next Board meeting. Any material to be used must be submitted at the time of request.

Items of business may not be suggested from the floor for discussion except at the discretion of the President or by a two-thirds majority vote of Board members present. Board action on items of business suggested from the floor must be deferred until the subsequent meeting.

The order of business shall be as follows:

1. Call to Order
2. Roll call and establishment of a quorum
3. Approval of agenda
4. Disposition of minutes and payroll of bills and accounts
5. Communications and/or hearing of delegations
6. Unfinished business
7. New business
8. Report of the Superintendent
9. Adjournment.

All Board meeting materials and supporting data shall be disseminated to the members of the Board so that they are received no later than 24 hours prior to any Board meeting, whenever possible.

Ref: Ala. Code 13-5-1, 16-11-5.

RULES OF ORDER

The Board shall observe Robert's Rules of Order, Newly Revised, with the exception that the President may discuss and vote on all matters before the Board.

No motion or resolution shall be declared adopted without the concurrence of the majority of the whole board.

Quorum

A majority of the full membership shall constitute a quorum at regular or special meetings of the Board.

The only action that may be taken in the absence of a quorum is to adjourn the meeting to another time in the expectation of a quorum.

Ref: Ala. Code 16-11-5.

VOTING METHOD

Board of Education members shall not be represented by proxy at any meeting at any time. All Board members present at meetings shall be authorized to speak on issues, offer and second motions, and vote.

Any matter requiring a vote of the Board shall be voted by open ballot.

A roll call vote may be required by the President on matters of extreme importance or at the request of any Board member.

MINUTES

The Board of Education requires complete and accurate minutes of each Board meeting be kept by the Superintendent as Secretary to the Board or a person designated by him. A copy of the minutes shall be mailed to all members following each meeting. After approval of the minutes by the Board, they shall be copied in an official record book, signed by the President and Superintendent, and shall be open to public inspection during normal business hours.

Ref: Ala. Code 16-12-3, 36-12-2.

PUBLIC PARTICIPATION

The Board of Education conducts all meetings in full view of and with welcomed participation by the public. The Board encourages citizens of the community to appear and bring before the Board any matter deemed important to the improvement of the school district.

All delegations or individuals who wish to appear before the Board shall submit such request to the Superintendent at least five (5) working days prior to the meeting date, stating that matters are to be presented to the Board and the approximate time such matters should consume at the meeting. Such items will normally be included on the agenda of the meeting at which the delegation or individual wishes to appear before the Board. Each delegation appearing before the Board shall select one person in advance as its spokesman.

The President of the Board may recognize persons at the Board meetings for the purpose of introducing such persons. However, a person is not entitled to take up business before the Board unless the item in which he is interested has been placed on the agenda of the meeting or unless a motion to permit such a person to take up business before the Board is approved by two-thirds of the Board members present. Such persons shall neither engage in debate with the Board or address questions to any member of the Board.

The Board, in its discretion, may address questions to persons who address the Board after the presentation is completed.

The Board shall have authority to terminate the remarks or remove any person when such remarks become personal in nature or such person disrupts, becomes boisterous, or interferes in any manner with the orderly process of the meeting.

The Board request that you limit your comments to five (5) minutes or less in length. Thank you in advance for your consideration.

Ref: Ala. Code 13A-14-2, 16-11-9.

EXECUTIVE SESSIONS

The Board of Education may hold executive sessions for specific purposes upon approval of the majority of members present and voting. Such purposes shall be limited to those reasons specified in the new law, Title 36, Chapter 25A (Open Meetings Act). Executive sessions shall be attended only by members of the Board, the Superintendent, and persons designated by the Board. All matters discussed by the Board in executive session shall be regarded as confidential by all persons in attendance and shall not be divulged to the public. Nothing having the effect of regulation, policy or official action of any kind shall be decided in executive session.

Ref: Ala. Code 13A-14-2

REVISED: 7/26/07

POLICY DEVELOPMENT

The Board shall formulate policies to guide the actions of those to whom it delegates authority. These guides shall constitute the policies governing the operation of the School District. They shall be recorded in writing and made a part of the official Policy Manual. Such policies are to be distinguished from practices, procedures, rules, regulations and other standards which, however widely followed, have not been approved as official policy by the Board.

Board employees shall be administratively accountable to the Board for unjustified deviation from or violation of Board-approved policy. However, the adoption of a Board policy shall not create a duty owing from the Board or any employee thereof to any person or other legal entity, the breach of which is legally actionable; nor shall any policy be deemed to create or impose any standard of care or safety on the Board; nor shall any policy be contractual right or right derived from contract upon any person or entity, directly or indirectly; nor shall any policy give rise to any corresponding obligation on the part of the Board; nor shall any policy be construed to create a right of action or judicial review of the exercise of otherwise unreviewable Board authority.

No Board policy shall be construed to create or confer any contractual right, property right, entitlement of, expectancy of, or other legal cognizable interest in employment or continuing employment. Nothing in any policy shall be construed to create or grant employment rights greater than or in addition to which are conferred and mandated by express statutory provision or written contract.

Any intent to establish or confer legally enforceable substantive or procedural rights or benefits in or upon any person or entity by the adoption of any policy is expressly disavowed and disclaimed.

The formulation and adoption of Board policies and the study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board shall exercise its leadership in the operation of the school district.

Before adopting written policies, however, the Board shall directly or indirectly through the Superintendent, consult with the professional organization representing the majority of certified employees, professional assistants, principals, teachers and interested citizens. All policies shall be filed with the State Superintendent of Education and shall be made available to all employees and interested citizens.

Policy Adoption

The Board recognizes policy adoption as a major responsibility. For a policy to be adopted by the Board, it must receive a majority vote of the full Board. A policy recommended to the Board shall not be adopted until a subsequent meeting. This practice provides Board members time to study the proposed policy and to give interested parties an opportunity to react.

The formal adoption of Board policies shall be recorded in the minutes of the Board. The official minutes shall constitute the authority for any change made in the Policy Manual.

The Board is recognized as the legal body authorized to approve policies for the school

district, and will not delegate or relinquish that authority to another party or group. The Board welcomes comments and suggestions on local policy matters, and will comply with all laws addressing proper involvement of other parties in the policy process.

Policy Dissemination

The Board shall direct the Superintendent to establish and maintain an orderly plan for disseminating Board policies and administrative rules and regulations.

Board policies and administrative rules and regulations shall be made accessible to all employees of the School District directly or indirectly affected by those policies. Board policies and administrative rules and regulations shall also be made accessible to members of the Board, students and members of the community served by the School District. The latter shall be accommodated through display in individual school libraries.

Policy Review

The Board shall periodically direct the systematic review of its policies.

The Superintendent shall appropriately involve representative groups of administrators, teachers, supervisors, students, support personnel and lay persons relative to policies affecting each group.

Selection of the members of policy review committees shall be neither discriminatory nor arbitrary in nature.

All policy review committee recommendations shall be forwarded to the Superintendent for review and modifications considered necessary for the welfare of the District. The Superintendent may present the recommendations, or modifications thereof, to the Board for review following committee approval.

Administration in Policy Absence: Suspension of Policies

The Board authorizes the Superintendent to take reasonable and prudent action when the Board has provided no guidelines for administrative action. The Superintendent shall have the power to act unless the power to take such action is vested in the Board by law.

Administrative actions of the Superintendent shall be subject to review by the Board at its regular meetings. It shall be the duty of the Superintendent to inform the Board promptly of such action and of the resultant need for policy.

The operation and effect of any section or sections or parts thereof of any policy contained in this Policy Manual duly adopted by the Board of Education and not mandated or required to remain in continuous force by law or contract may be temporarily suspended by a majority vote of Board members at a lawful regular or special meeting of such Board at which a quorum of Board members is present.

Ref: Ala. Code 16-11-18.

PUBLIC RECORDS, INSPECTION AND REPRODUCTION OF

MISSION: To ensure the confidentiality of all records deemed to be personal in nature and to ensure public access to records of legal entitlement.

All school system records, except those which by order of a court, or by law, or which may invade individual privacy, shall be open for personal inspection by any interested member of the public at a reasonable time and place by advance appointment only.

Request for access to school system public records shall be made through the Superintendent's office where a determination shall be made within three business days or less whether the records requested are accessible under this policy.

Examples of records deemed to be accessible include financial records (exclusive of individual payroll records), purchase orders, bid sheets, specifications for purchases, budgets, and minutes of official meetings of the Phenix City Board of Education.

Examples of records deemed not to be accessible due to possible invasion of privacy include an employee's home address, telephone number, work station, salary, marital status, evaluations, recommendations, other personnel file data, and student records and rosters.

The Superintendent shall establish procedures to make public records available and shall establish reasonable costs for collecting and reproducing such records.

ADOPTED: 8/97
AMENDED

ANNUAL REPORTS

The Board shall publish annually in the month of October in the newspaper a full and complete financial statement showing receipts by source and disbursement by function as well as a statement showing outstanding funded and unfunded indebtedness of the School District for the twelve months preceding September 30. The State Superintendent shall determine the form of said statement and shall condition the payment of public school funds upon compliance therewith.

The Board shall require the Superintendent to prepare or cause to be prepared an annual accountability report for each school in the district. These reports shall include the following:

1. Funding and Expenditure Report
2. Student Achievement Report
3. School Safety and Discipline Report

These reports shall be released to the media, presented to parent organizations, members of the Legislature who represent the schools covered in each report, and the State Superintendent of Education. These reports shall be made available to the public upon request on or before ninety days after the end of the fiscal year.

Ref: Ala. Code 16-11-24; Act 95-313, Ala. State Leg.

BOARD MEMBER CODE OF ETHICS

The Board of Education embraces the code of Ethics adopted by the National School Board Association. As a member of the Phenix City Board of Education, the member shall:

1. Endeavor to attend all meetings of the Phenix City Board of Education, both regular and special.
2. Become familiar with and endeavor to keep abreast with current State School Laws, State Department of Education rules and regulations.
3. Obtain a general knowledge of educational aims and objectives of the Phenix City School System and to endeavor to keep these current with the needs of all the children and youth served by the Phenix City Public School System.
4. Vote and act for the good of all the people served by the Phenix City Public School System.
5. Try not to dominate the Board nor neglect his/her share of the responsibility of being a member representative of all segments of the City Public School Community.
6. Accept the will of the majority vote of the Board and give wholehearted support of the resulting policy and its implementation by the Superintendent of Schools and his staff.
7. Represent the Board in such a way as to promote public interest and support of the public schools of the Phenix City School System.
8. Refer complaints and suggestions for improvement to the proper school authorities and abstain from individual counsel and action.
9. Support, whenever possible, by his/her attendance and participation, the efforts of the regional, state, and national School Board Associations to improve public school education.

10. Avail himself/herself of appropriate orientation opportunities provided by the executive office of the Board to acquaint himself/herself with the education programs and facilities of the Phenix City School System and his/her duties and responsibilities as a Board member.
11. Recognize that membership on the Board of Education is a community trust and responsibility and that the Board is a policy-making body with regard to the administration and supervision of the public schools and educational interests of the school community through its executive officer.