ARTICLE 0 BYLAWS

Contents

0100 DEFINITIONS 2
0110 OFFICIAL DESCRIPTION 9
0120 POWERS AND PHILOSOPHY 10
0130 FUNCTIONS 12
0140 MEMBERSHIP 16
0150 ORGANIZATION 28
0160 MEETINGS 32
0160.01 ELECTRONIC PARTICIPATION BY BOARD MEMBERS IN BOARD MEETINGS 42
0170 DUTIES 45

0100 DEFINITIONS

As used in the Board's bylaws and policies the following terms shall have the meaning set forth below:

Administrative Guideline

A written statement adopted and approved by the Superintendent which is consistent with Board policy to outline and prescribe procedures to be used in implementing Board policy.

Apps and Web Services

Apps and web services are software (i.e., computer programs) that support the interaction of personal communication devices (as defined below) over a network or client-server applications in which the user interface runs in a web browser. Apps and web services are used to communicate or transfer information or data that allow students to perform actions or tasks that assist them in attaining educational achievement goals and objectives, enable staff to monitor and assess their students' progress, and allow staff to perform other tasks related to their employment. Apps and web services also are used to facilitate communication to, from, and among and between staff, students, and parents.

Board

The Board of School Trustees, which is the governing body of the Corporation as defined in I.C. 20-18-2-5.

Bylaw

A rule of the Board for its own governance adopted by a Board vote at a meeting.

Certificated Employee

An employee of the Board in a position that requires a license or permit from the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-4. The term includes teachers, and all administrators in positions requiring a license or permit from the Division of Professional Standards of the Indiana Department of Education.

Classified Employee

A non-certificated employee as defined in these definitions. Synonymous with "support" and "non-professional."

Corporation

The Wa-Nee Community School Corporation.

Due Process

Procedural due process requires an established rule or standard, notice of facts of an alleged violation and the applicable rule or standard (accusation), and an opportunity to respond before a decision is made.

Full Board

All members of the Board.

Individualized Education Program or IEP

Individualized education program" or "IEP" means a written document, developed, reviewed, and revised by the case conference committee ("CCC") in accordance with Title 511, Article 7 of the Indiana Administrative Code that describes the following:

(1) How a student will access the general education curriculum, if appropriate.

(2) The special education and related services needed to participate in the educational environment.

The required components of an IEP are contained in 511 IAC 7-42-6.

A transition IEP is an IEP that is:

(1) developed in accordance with 511 IAC 7-43-4; and

(2) in effect when the student enters into grade 9 or becomes fourteen (14) years of age, whichever occurs first, or earlier if determined appropriate by the CCC.

Information Resources

The Board defines Information Resources to include any data or information in electronic, audio-visual or physical form, or any hardware or software that makes possible the storage and use of data or information. This definition includes but is not limited to electronic mail, voice mail, social media, text messages, databases, CD-ROMs, DVDs, web sites, motion picture film, recorded magnetic media, photographs, digitized information, or microfilm. This also includes any equipment, computer facilities, or online services used in accessing, storing, transmitting or retrieving electronic communications.

May

A statement providing that an action is permitted but not required.

Meeting

A gathering of the majority of the members of the Board for the purpose of taking "official action" on "public business" of the Corporation. See Indiana Code 5-14-1.5-2(c) (d), and (e).

Non-Certificated Employee

An employee of the Board employed in a position that does not require a permit or license issued by the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-11. Synonymous with "classified employee" and "support employee".

Official Action

Board action to receive information, deliberate, make recommendations, establish policy, make decisions, or take final action. See Indiana Code 5-14-1.5-2(d).

Parent

The natural- or adoptive, parent(s) or the party designated by a court- as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court terminates or otherwise limits parental rights.

Personal Communication Devices

Personal communication devices ("PCDs") include computers, laptops, tablets, e-readers, cellular or mobile phones, smartphones (e.g., beepers or pagers), and/or other web-enabled devices of any type.

Policy

A general, written statement approved by the Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The chief executive officer of the Board of School Trustees (see Bylaw 0170).

Principal

A professional employee who is assigned to be the educational leader and head administrator of one or more Corporation schools. The term is synonymous with the building administrator in charge of a facility. The use of the term includes a delegate unless the law, policy or guideline specifically prohibits delegation. "Vice Principal" or "Assistant Principal" means an administrator assisting a Principal with the performance of all or a portion of the duties assigned to the Principal.

Professional Employee or Professional Staff Member

An employee of the Board in a position that requires a license or permit from the Division of Professional Standards of the Indiana Department of Education. See Indiana Code 20-29-2-4. The term includes teachers, and all administrators in positions requiring a license or permit from the Department of Professional Standards of the Indiana Department of Education. Synonymous with "certificated employee."

Public Business

The performance by the Board of a function upon which it is specifically authorized to take official action, or not statutorily prohibited from performing. See Indiana Code 5-14-1.5-2(e), Indiana Code 20-26-3, and Indiana Code 20-26-5-4.

Relative

The mother, father, sister, brother, spouse, child, parent of spouse, grandparents, grandchild, or dependent residing in the immediate household of a person.

Secretary

An officer of the Board of School Trustees (or Education) responsible for preparation of minutes of Board meetings and custody of the Records of the Board (see Bylaw 0170).

Shall

Expressing non-discretionary required action or action, synonymous with "will" or "must".

Student

A person who is officially enrolled in a school or program of the Corporation.

Superintendent

The chief executive officer of the School Corporation. The use of the term includes a delegate unless the law, policy or guideline specifically prohibits delegation.

Support Employee

A non-certificated employee as the term is used in Indiana Code 20-29-2-11, and as defined in these definitions.

Teacher

A professional person whose position in a school corporation requires certain educational preparation and licensing and whose primary responsibility is the instruction of students. The term includes a superintendent who holds a license under I.C. 20-28-5, a principal, a teacher, a librarian, school psychologist and a school counselor. See I.C. 20-28-2-22.

Technology Resources

The Board defines Technology Resources to include computers, laptops, tablets, e-readers, cellular or mobile telephones, smartphones, web-enabled devices, video and/or audio recording equipment, SLR and DSLR cameras, projectors, software and operating systems that work on any device, copy machines, printers and scanners, information storage devices (including mobile or portable storage devices, such as external hard drives, CDs, DVDs, USB thumb drives and memory chips), the computer network, Internet connection, and online educational services and apps.

Vice-President

The Vice-President of the Board of School Trustees (see Bylaw 0170).

Voting

An action by which a member of the Board indicates approval or rejection of a motion by a Board member that has been seconded by another Board member at a meeting convened in compliance with all applicable laws including the Indiana Open Door Law (Indiana Code 5-14-1.5). Also see Bylaw 0167.1.

Using Citations to Indiana and Federal Statutes, Rules and Cases

Citations to Indiana Law, Rules and Court Decisions

Citations to the Indiana Code are shown as I.C. or Ind. Code. The numbers which follow I.C. or Ind. Code separated by a hyphen state the title, article, chapter, section, and subsection of an Indiana statute. So Ind. Code 5-14-1.5-6.1(a) is found at title 5, article 14, chapter 1.5, section 6.1, subsection (a).

Citations to the Indiana Administrative Code ("IAC" or "I.A.C.") are prefaced by a title and followed by an article, rule, and section number. So 511 I.A.C. 6-5-1 identifies title 511, article 6, rule 5, section 1.

Citations to Indiana cases begin with a citation to a volume and page in Thompson West Northeast Reporter Series. So a citation to 545 N.E.2d 341 (Ind. 1997) is a cite to volume 545, page 341 of the Northeast Reporter, Second Series. The "(Ind. 1997)" tells the reader the case cited is an Indiana Supreme Court decision issued in 1997.

Citations to Federal Laws, Rules and Court Decisions

Citations to the United States Code ("USC or "U.S.C.")are preceded by a title number and followed by a section number. So 20 USC 1232g refers to title 20 of the United States Code section 1232g.

Citations to the Code of Federal Regulations ("CFR" or "C.F.R.") are identified by a citation similar to the Indiana Administrative Code. The citation to the title precedes CFR, and the section number follows.

Federal cases are cited in much the same way as Indiana cases. Trial court decisions are reported in the Federal Supplement as "F. Supp." followed by the series number, such as "F. Supp.2d" for the second series

of the Federal Supplement. Appellate decisions are published in the Federal Reporter, which is now in its third series. Citations in both the Federal Supplement and the Federal Reporter follow the same format. A volume number precedes the name of the volume, and a page number in that volume follows the volume number. So a cite to 406 F.3d 500 (7th Cir. 2005) directs the reader to volume 406 of the Federal Reporter Third Series, page 500. The (7th Cir. 2005) tells the reader that the case was issued by the Seventh Circuit Court of Appeals in 2005.

Revised 7/9/12
Revised 2/23/15
Revised 9/14/15
Revised 2/8/16
Revised 5/8/17
Revised 8/28/17

0110 OFFICIAL DESCRIPTION

0111 **Name**

The governing body of this School Corporation shall be known officially as the Board of School Trustees of the Wa-Nee Community School Corporation.

0112 **Purpose**

The School Board exists for the purpose of a governing system for providing a free, public education in grades K - 12 for children in the Wa-Nee Community School Corporation. I.C. 20-26-5-1

0113 **Boundaries**

The Wa-Nee Community School Corporation is comprised of the area in the description on file in the Wa-Nee Community School Administration Office.

T.C. 10/20/15

0115 **Address**

The official address of the School Corporation shall be 1300 North Main Street, Napanee, IN 46550.

0120 POWERS AND PHILOSOPHY

0121 Board Authority

The supervision of this Corporation shall be conducted by the School Board, hereinafter sometimes referred to as the "Board", which is constituted and is governed by the laws of the State of Indiana.

0122 Board Powers

The School Corporation shall be a body corporate, and, as such, capable of suing and being sued, contracting and being contracted with, acquiring, holding, possessing and disposing of real and personal property, and taking and holding in trust for the use and benefit of the Corporation, any grant or devise of land and any donation or bequest of money or other personal property.

The Board shall exercise all powers expressly granted to the Corporation by statute or through rules adopted by the State Board of Education and those powers necessary or desirable in the conduct of the Corporation's affairs, even if the power is not granted by statute or rule. The Board may exercise any power the Corporation possesses to the extent that the power is not expressly denied by the State Constitution, statute, or State Board rule and is not expressly granted to another entity.

The Board shall retain the power to act, through written policies, in situations in which there is no Constitutional or statutory provision requiring a specific manner for the Corporation to exercise a power and no Constitutional or statutory prohibition to the exercise of that power.

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

I.C. 20-26-3, 20-26-5-4, 36-1-7

T.C. 10/20/15
Revised 10/24/16

0123 Philosophy of the Board

A School Corporation is a legal entity for providing a system of public education within a geographic area of the State of Indiana. The system was created by, and is governed by, State statutes.

The School Board has the dual responsibility for implementing the Corporation's legal obligations pertaining to public education and for meeting the desires of the citizens. While the Board has an obligation to determine and assess citizen desires, it is understood that when individuals are elected or appointed to represent citizens in the conduct of specified educational programs, they, at the same time, are endowed with the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Board declares and, thereby, reaffirms its intent to:

A. Maintain two-way communications with citizens of the Corporation. The Board shall keep them informed of the progress and problems of the Corporation, and the citizens shall be urged to bring their aspirations and concerns about the Corporation and its schools to the attention.

B. Establish policies and make decisions on the basis of declared educational philosophy and goals.

C. Act as a truly representative body for citizens in all matters related to programs and operations. The Board recognizes that ultimate responsibility for public education rests with the State, but the School Board has been assigned specific authority through statute, and the Board shall not relinquish or fail to exercise that authority.

T.C. 10/20/15
Revised 10/24/16

0130 FUNCTIONS

0131 Legislative

0131.1 Bylaws and Policies

The Board shall adopt bylaws and policies for the organization and operation of this Board and the Corporation.

The bylaws and policies may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected except that the Board may, upon a vote and where compelling reasons exist, cause to suspend at any time the operation of a bylaw or policy herein contained, provided the suspension does not conflict with law, and such suspension shall terminate at the next meeting of the Board or at such earlier time as is specified in the motion to suspend.

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

Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution as a bylaw or a policy.

Bylaws shall be adopted, amended, repealed, or suspended by a two-thirds (2/3s) vote of the full Board (physically present). Policies shall be adopted, amended, or repealed by a majority vote of the full Board (physically present). (Two-thirds (2/3's) of a seven (7) member Board is five (5) members.)

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be published in the Board policy manual.

Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

Further, any policy or part of a policy that is inconsistent with the law or with a decision rendered by a court of competent jurisdiction shall no longer be in force and effect as a policy.

The Board may adopt, amend, or repeal administrative rules of order for its own operation by simple resolution of the Board passed by a majority of those present and voting.

I.C. 20-26-5-4

T.C. 10/20/15
Revised 2/10/20

0131.2 **Technical Corrections**

Periodically it may be deemed necessary to make technical corrections to policies that already have been adopted through normal procedures. These technical corrections may include:

A. transfer of sections

B. renumbering subsections, sections, chapters and titles

C. corrections or additions for grammatical or typographical errors

D. changes in citations of the law such as renumbering

E. changes in names for compliance personnel

F. changes in titles of personnel when Board action is taken in making new positions or reducing staff

not affecting the construction or meaning of those sections, subsections, chapters, titles, or policies as a whole.

Should the Board choose to make such technical corrections it may be accomplished by resolution as part of the consent agenda without going through the normal policy adoption procedure.

Adopted 9/14/15

0132 Executive

0132.1 Selection of Superintendent

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

Before entering into a contract of employment with a Superintendent, the Board shall comply with the requirements of I.C. 20-26-5-4.3 regarding notice and hearing. See also Board Policy 1220 regarding Employment of the Superintendent. After entering into a contract of employment with the Superintendent, the Board shall comply with the requirements of I.C. 20-26-5-4.3 regarding posting the Superintendent's contract. See also Board Policy 8311 regarding Public Access to Employee Contracts.

Revised 10/27/14

0132.2 Administrative Authority

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

The Superintendent shall prepare guidelines for the administration of the Corporation that are consistent with statutes, regulations of the State Board, and/or the policies of this Board. (See Policy 1230.01)

The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action.

I.C. 20-26-5-4

Revised 3/02

0133 Judicial

The Board may assume jurisdiction over any dispute or controversy arising within this Corporation and concerning any matter in which authority has been vested in the Board by statute, rule, a contract, or policy of this Board.

In furtherance of its adjudicatory function, the Board may hold hearings which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences which may flow from it, the degree of difficulty of establishing findings of fact from conflicting evidence, the impact of the Board's decision on the Corporation, and any statutory or regulatory requirements.

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

If a Board member:

A. testifies concerning a material fact in dispute,

B. has a personal interest in the matter under consideration,

C. has participated in the gathering of evidence or the formulation of strategy, or

D. has expressed an opinion on one or more material facts in dispute,

that Board member shall not participate in the Board's consideration of the matter or vote in the matter, unless the Board member certifies and declares to the parties in the matter and to the Board that s/he is capable of resolving the matter based solely on the evidence presented to the Board.

If a Board member is unable to make this certification, the Board member shall voluntarily recuse himself/herself and shall not participate in any evidentiary hearing, discussion, or vote in the matter.

Revised 3/02
Revised 1/28/08
Revised 10/27/14

0140 MEMBERSHIP

0141 Number

The Board shall consist of seven (7) members:

A. One (1) member shall be a resident of Olive Township.

B. One (1) member shall be a resident of Harrison Township.

C. One (1) member shall be a resident of Locke Township.

D. One (1) member shall be a resident of Union Township.

E. One (1) member shall be a resident of that part of Kosciusko County included in the school district.

F. Two (2) members at large who shall reside within the school district.

T.C. 10/20/15

0142 Election/Appointment of Members and Eligibility to Serve

Members of the Board shall be qualified and elected in accordance with the Corporation's organization plan on file with the State Board of Education. In accordance with I.C. 20-26-4-11, if a teacher or a noncertified employee (as defined in I.C. 20-29-2-11) of the Board is elected or appointed to the Board, the employee must resign from employment by the Board before serving on the Board.

No person otherwise eligible to assume office as a member of the Board shall be disqualified on the basis of age if s/he is at least eighteen (18) years of age (I.C. 20-26-4-9); and ownership of property shall not be a qualification to serve as a Board member (I.C. 20-26-4-11).

Before August 1st of each school year (July 1 to June 30), the Superintendent shall file with the State Superintendent of Public Instruction a listing of the:

A. names and addresses of members of the Board;

B. names and addresses of the Board's officers;

C. expiration dates of the terms of the Board members and officers.

Should a change occur in Board membership during the term of one or more members of the Board, the School Corporation shall file the change with the State Superintendent of Public Instruction within thirty (30) days after the change occurs. (I.C. 20-23-8-22)

Revised 7/9/12

0142.1 **Term**

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

0142.2 **Oath**

Each newly elected, re-elected, appointed or re-appointed Board member shall take an oath of office administered by a notary public or other qualified person not later than thirty (30) days after the beginning of the term of office to which s/he was elected or appointed as well as other oaths which may be required for transactions connected with or related to the educational program of the Corporation. (I.C. 33-16-4-1)

The oath must be signed by the Board member and the person who administers it and filed in the circuit court clerk's office of the county containing the greatest percentage of the population of the school corporation. (I.C. 20-26-4-2; I.C. 5-4-1-4)

Revised 2/23/15

0142.3 **Vacancies**

Vacancy on the School Board

The office of a School Board member becomes vacant before the term's expiration when any of the following occurs:

1. The death of the board member;
2. The written resignation of the board member;
3. The board member ceases to be a resident of the Corporation; or
4. The board member is removed from office.

The person who fills the vacant seat must have the qualifications for the vacant seat as a regularly elected or appointed board member.

The vacancy will be filled in the following manner for the stated circumstances.

Board Member Stated a Major Political Party Affiliation:

Whenever a vacancy occurs by a board member who stated an affiliation with a major party when the board member ran for the seat, the vacancy will be filled by the affiliated political party caucus under state law providing for the party caucus to fill vacancies of elected officials. The person appointed by the party caucus will serve on the board for the balance of the term of the vacated seat.

Board Member Stated No Major Political Party Affiliation:

Whenever a vacancy occurs, the remaining members will fill the vacancy and the successor will fill the remainder of the unexpired term. The Board will fill the vacancy within 30 days after it occurred by a majority vote at a public meeting of the Board.

Should the Board fail to act within thirty (30) days after the vacancy occurs, the judge of the circuit court in the county where the majority of the registered voters of the corporation reside shall make the appointment.

Whenever a vacancy occurs on the School Board, the Board will accept applications from corporation residents who are interested in filling the vacancy. After reviewing the applications, the Board may invite the prospective candidates for personal interviews to be conducted during a public board meeting.

LEGAL REFERENCE: IC 20-23-4-30
IC 3-13-11

Revised 3/02
Revised 2/24/03
Revised 8/27/07
Revised 5/9/11
Revised 7/9/12
Revised 2/23/15
Revised 2/9/26

0142.4 **Qualifications**

Candidates for election to the Board of School Trustees in Wa-Nee Community Schools shall be:

A. an American citizen,

B. a qualified voter,

C. twenty-one (21) years of age or older,

D. a resident within the School Corporation continuously for more than one (1) year and the State of Indiana for two (2) years prior to the date of the election,

E. a resident in the school district s/he represents for at least one (1) year prior to the election.

0142.5 **Orientation**

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effective functioning of the Board. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the Corporation, and learn Board procedures.

Each new Board member shall be invited to meet with the Board President, the Superintendent, and the Business Manager to discuss Board functions, policies, and procedures.

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

0142.6 **Board Member Leave of Absence for Military Service**

A Board member who elects to take a leave of absence because s/he has been called into active duty in the Armed Forces of the United States or the National Guard and is therefore unable to perform the duties of boardmanship is entitled to a leave of absence for the period of time of the active duty. A Board member's salary will be prorated to reflect the period of active duty.

The Board member shall give written notice to the Clerk of the Circuit Court stating that s/he has been called into active duty and will be temporarily unable to perform the duties of school Board member.

During the Board member's leave of absence the position on the Board must be filled in the same manner as filling other vacancies on the Board. The person selected or appointed serves until the date the Board member's leave of absence ends or the term of his/her office expires.

The person selected or appointed to the Board assumes the rights and duties of boardmembership and receives the adopted compensation established for the office for the time of the temporary appointment.

In the event the Board member's term of office expires during such a leave of absence, the office shall be filled as provided by law. Except as provided by a Federal law or regulation, a Board member who is on such a leave of absence is entitled to become a candidate for and be elected to the office from which s/he has taken a leave of absence.

I.C. 5-9-4

0143 **Board Member Authority**

Individual members of the Board do not possess the powers that reside in the School Board but no member of the Board shall be denied documents or information to which s/he is legally entitled and which are required in the performance of his/her duties as a Board member.

Access to Corporation personnel records shall be subject to the following guidelines:

A. Examination of school employee personnel records by the School Board shall be conducted only at executive sessions of the Board. Any Board member may request that the Superintendent bring the personnel records of a designated employee(s) to an executive meeting of the Board.

B. Personnel records shall, in their entirety, be returned to the custody of the Superintendent at the conclusion of the executive session of the Board.

C. Information obtained from employee personnel records by members of the Board shall be used only for the purpose of aiding the members in fulfilling their legal responsibilities in making decisions in matters such as appointments, assignments, promotions and demotions, remuneration, discipline, and dismissal or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.

I.C. 20-26-54

0143.1 **Public Expressions of Board Members**

The Board President functions as the official spokesperson for the Board.

From time-to-time, however, individual Board members make public statements on school matters:

A. to local media;

B. to local officials and/or State officials.

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

A. This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:

    1. correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter

    2. routine, not for publication, correspondence of the Superintendent and other Board employees

    3. routine "thank you" letters of the President of the Board

    4. statements by Board members on nonschool matters (providing the statements do not identify the author as a member of the Board)

    5. personal statements not intended for publication

B. Copies of this bylaw shall be made available to local media.

T.C. 10/20/15

0144 **Operations**

0144.1 **Compensation**

As compensation for their services, Board members shall receive each year the maximum compensation allowed by law. Expenses of a Board member shall be reimbursed when incurred in the performance of his/her duties or in the performance of functions authorized by the Board and duly vouchered.

I.C. 20-26-4-7

The following guidelines have been established by the Board to ensure appropriate and proper reimbursement of expenses for Board members.

A. When attending a Board-approved conference, all fees, parking, mileage, meals, and lodging will be reimbursed.

B. No entertainment expenses or purchases of alcoholic beverages are reimbursable.

C. A voucher detailing the amount and nature of each expense must be submitted to the Board for approval within thirty (30) days after the expenses have been incurred.

0144.2 **Board Member Ethics**

A School Board member should honor the high responsibility which his/her membership demands by:

A. thinking always in terms of "children first";

B. understanding that the basic function of the School Board member is "policy-making" and not "administrative", and by accepting the responsibility of learning to discriminate intelligently between these two functions;

C. accepting the responsibility along with his/her fellow Board members of seeing that the maximum of facilities and resources is provided for the proper functioning of schools;

D. refusing to "play politics" in either the traditional partisan, or in any petty sense;

E. representing at all times the entire school community;

F. accepting the responsibility of becoming well informed concerning the duties of Board members, and the proper functions of public schools;

G. recognizing responsibility as a State official to seek the improvement of education throughout the State.

A School Board member should respect his/her relationships with other members of the Board by:

A. recognizing that authority rests only with the Board in official meetings, and that the individual member has no legal status to bind the Board outside of such meetings;

B. recognizing the integrity of his/her predecessor and associates and the merit of their work;

C. refusing to make statements or promises as to how s/he will vote on any matter which should properly come before the Board as a whole;

D. making decisions only after all facts bearing on a question have been presented and discussed;

E. respecting the opinion of others and by graciously conforming to the principle of "majority rule";

F. 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;

G. attempting to fairly appraise both the present and future educational needs of the community.

A School Board member should maintain desirable relations with the Superintendent of Schools and his/her staff by:

A. striving to procure, when the vacancy exists, the best professional leader available for the head administrative post;

B. giving the Superintendent full administrative authority for properly discharging his/her professional duties, and also by holding him/her responsible for acceptable results;

C. acting only upon the recommendation of the Superintendent in matters of employment or dismissal of school personnel;

D. having the Superintendent present at all meetings of the Board except when his/her contract and salary are under consideration;

E. referring all complaints to the proper administrative office and by discussing them only at a regular meeting after failure of administrative solution;

F. striving to provide adequate safeguards around the Superintendent and other staff members to the end that they can live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis;

G. presenting personal criticisms of any employee directly to the Superintendent.

A School Board member should meet his/her responsibilities to his/her community by:

A. attempting to appraise fairly both the present and future educational needs of the community;

B. regarding it as a major responsibility of the Board to interpret the aims and the methods of the schools of the community;

C. insisting that all school business transactions be on an open, ethical, and above-board basis;

D. vigorously seeking adequate financial support for the schools;

E. refusing to use his/her position on a School Board in any way whatsoever for personal gain or personal prestige;

F. refusing to discuss personnel matters or any other confidential business of the Board in his/her home, on the street, or in his/her place of business, etc.;

G. winning the community's confidence that all is being done in the best interests of school children.

Revised 3/8/10
T.C. 10/20/15

0144.3 **Conflict of Interest**

Board members shall utilize the authority of their position solely for the benefit of the school community. To this end:

A. Conflict of Interest Disclosure

If a Board member or a spouse or dependent has a pecuniary interest in a contract or purchase to be approved by the Board, or a Board member or a spouse or dependent will profit from a contract or purchase to be approved by the Board, the Board member shall submit a written Conflicts of Interest disclosure on State Board of Accounts Form 236.

When a Board member makes a Conflicts of Interest disclosure as provided above, the disclosure shall be submitted for approval by the Board before the Board considers approval of the contract or purchase addressed in the disclosure, provided the contract or purchase will be funded entirely by funds other than those received from a Federal grant or award.

The Board member **shall not** participate in the discussion or vote on the acceptance of his/her disclosure or approval of the contract or purchase, and the role played by this Board member shall be described in the minutes of the meeting.

A written conflict of interest disclosure on State Board of Accounts Form 236 that is approved by the Board shall be filed by the Superintendent with the State Board of Accounts and the Clerk of the Circuit Court within fifteen (15) calendar days after approval by the Board. I.C. 35-44.1-1-4

B. Profiteering From Public Service

For one (1) year after leaving the Board, a member of the Board shall not obtain a pecuniary interest in any contract or purchase which was approved by the Board during his/her Board service unless the former member:

1. was screened from any participation in the contract or purchase

2. has not and will not receive a part of any profit from the contract or purchase by the Board; and

3. promptly gives notice to the Board of his/her interest in the contract or purchase.

This limitation does not apply if the Board member receives less than $250.00 of the profits from the contract or purchase.

I.C. 35-44.1-1-4
I.C. 35-44.1-1-5
2 C.F.R. 200.112, 200.113, 200.318

Revised 7/9/12
Revised 2/23/15
Revised 9/14/15
Revised 10/24/16

0144.4 **Defense and Indemnification of Board Members**

This bylaw is applicable to all types of civil claims under law including tort claims, civil rights claims, and contract claims. The Board will pay all costs and fees incurred by or on behalf of any Board member in the defense of any claim under law if the Board by resolution determines that the Board member's action upon which the claim is based arise out of the performance of the member's duties as a Board member, and were taken in good faith.

The Board shall, subject to the provisions of Indiana law, also pay any judgment, compromise, or settlement of a claim, or suit when the Board determines by resolution that it is in the best interest of the Corporation to do so, the act or omission upon which the claim is based occurred within the scope of the Board member's duties as a Board member, and the member did not act in bad faith, or with malfeasance in office. The intent of this bylaw is to hold the Board member harmless from any liability, cost, or damages in connection of or with such a claim, including but not limited to the payment of legal fees and court costs, except where the liability, cost, damage, or fees are predicated on, or arises out of, the bad faith of the Board member or the claim or judgment is based on the member's malfeasance in office.

If a present or former Board member is or could be subject to personal civil liability for a loss occurring because of a noncriminal act or omission within

the scope of the member's duties which violates the civil rights laws of the United States, the Board shall, subject to the limitations established by Indiana law pay the judgment, compromise, or settlement of the claim or suit if the Board determines by resolution that paying the judgment, compromise or settlement is in the best interest of the Corporation. The Board shall also pay all costs and fees incurred by or on behalf of a Board member in defense of any such claim or suit.

A Board member shall not be personally liable on contracts entered into within the scope of the member's duties as a Board member unless the contract clearly states otherwise in writing.

I.C. 20-26-5-4(17)
I.C. 34-13-2
I.C. 34-13-3-5
I.C. 34-13-3-20
I.C. 34-13-4-1
I.C. 35-44.1-1-4

Revised 7/9/12
Revised 9/14/15

0144.5 **Gifts and Gratuities**

A Board member or a Corporation employee making a recommendation to the Board on a matter to be considered by the Board shall not accept a gift or gratuity from a person or entity having a substantial personal or pecuniary interest in the Board's decision on the matter in accordance with the restrictions and provisions of I.C. 35-44.1-1-2.

If a Board member taking part in evaluating a proposal to be considered by the Board, or a dependent of that Board member, has accepted a gift or gratuity from a person or entity having a substantial personal or pecuniary interest in the Board's decision, the Board member shall abstain from all involvement in the formulation of a recommendation to the Board, Board discussion on the matter, and the Board vote on the matter.

I.C. 35-44.1-1-2
I.C. 35-44.1-1
I.C. 35-44.1-2
Adopted 1/28/08
Revised 10/14/13
Revised 9/14/15

0150 ORGANIZATION

0151 Organizational Meeting

The School Board shall organize annually on or before January 30th at a meeting held in accordance with law. The meeting shall be called to order by the Superintendent who shall serve as presiding officer until the election of a temporary chairperson, who shall in turn serve until the election of a President.

I.C. 20-26-4-1
I.C. 3-5-4-11(b) and (c)

Revised 5/28/13

0151.1 Board of Finance of the Wa-Nee Community School Corporation

The School Board shall establish a Board of Finance for the Corporation consisting of the members of the School Board. The Corporation's Board of Finance shall meet at least once each calendar year during the period after the first Monday and on or before the last day of January. At the first meeting in each calendar year, the Board of Finance shall elect a President and a Secretary from its membership. These officers shall hold office until their successors are elected and qualified.

In addition to its annual meeting in January of each calendar year, the President of the Board of Finance shall convene the Board whenever requested to do so by one (1) of the members of the Board, and as necessary to perform the Board's statutory duties. A majority of the Board shall constitute a quorum for the transaction of the Board's business. All meetings of the Board of Finance shall be open to the public and the Secretary shall keep a record of the proceedings of the Board which shall be approved and signed by the President and attested to by the Secretary. This record of proceedings shall be a public record covered by I.C. 5-13-1.

During the annual meeting of the Board of Finance in January of each calendar year, the Corporation's investment officer shall make a written report to the Board summarizing the Corporation's investments during the preceding calendar year and naming each institution or entity in which the Corporation's money was deposited in the preceding year. The Board of Finance shall receive and review the report and the overall investment policy of the Corporation.

The Board of Finance shall designate and commission one or more financial institution(s) meeting the statutory standards for a depository of Corporation

funds to serve as a depository for these funds. The Board is authorized to revoke the commission of a depository for Corporation funds. In its consideration of a proposal to revoke the commission of a depository to receive and hold Corporation funds, the Board of Finance shall apply the statutory standards and follow the statutory procedure for its consideration of this decision.

I.C. 5-13-7-1 et seq., I.C. 5-13-8-9

State Board of Accounts Public Schools Part 14

Revised 3/02

Revised 1/26/04

Revised 4/28/14

0152 **Officers**

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

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

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

I.C. 20-26-4-1

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

0154 **Motions**

The Board may, at the organizational meeting:

A. designate a day, place, and time for regular meetings which may be held twice a month;

B. adopt existing bylaws and policies for its own operation and for operations conducted through the Corporation;

C. authorize the President of the Board to appoint individual Board members to any necessary committees or as representatives to various organizations;

D. appoint a legal counsel;

E. appoint a Board member as legislative liaison to the Indiana School Boards Association.

Revised 3/02
Revised 1/26/04
T.C. 10/20/15

0155 **Committees**

Committees appointed directly by the Board or the President shall constitute a "governing body" as defined in the Open Door Law. When specifically charged to do so by the Board or President, a committee shall conduct studies, receive information, make recommendations to the Board, and act in an advisory capacity, but shall not take action on behalf of the Board.

Meetings of committees appointed directly by the Board or its President and given authority to take official action upon public business are subject to the Open Door Law and shall give notice of meetings and hold public meetings as required by that statute. "Official action" includes receiving information, deliberating, and making recommendations. A committee subject to the Open Door Law shall keep minutes of its meetings.

Meetings of committees appointed by the Superintendent that report to the Superintendent shall not be subject to the Open Door Law, but records of committees appointed by the Superintendent shall be subject to the Access to Public Records Act.

The President shall, as soon after the organizational meeting as practicable, appoint members of the Board to standing committees where they shall serve a term of one (1) year.

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

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

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

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

Each Board committee shall be convened by a chairperson who shall report for the committee and shall be chosen by the committee from among its members.

Revised 3/02

Revised 5/28/13

I.C. 5-14-1.5-2(b) Definition of "governing body"
I.C. 5-14-3-4 Minutes required for ODL covered meetings
I.C. 5-14-3 Access to Public Records Act

0160 MEETINGS

0161 Parliamentary Authority

The parliamentary authority governing the School Board shall be Robert's Rules of Order, Newly Revised.

0162 Quorum

Four (4) members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

Revised 3/02

0163 Presiding Officer

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice-President shall act in his/her stead; if neither person is available, any member shall be designated by a plurality of those present to preside. The act of any person so designated shall be legal and binding.

0164 Call

0164.1 Regular Meetings

The regular business meetings of the Board shall be determined annually at the Board reorganization meeting held in January.

In the event that date or time of a Board meeting is changed for any reason, the superintendent shall determine date and/or time of the meeting in consultation with the board president by polling the board members to determine the date and/or time the meeting can be held with at least a quorum of the board present if not the entire board. No board member or the superintendent may unilaterally change the date, time, or place of a board meeting.

0164.2 Special Meetings

A "special meeting" of the Board is a meeting other than a regular meeting on a schedule of regular meetings established at the Board's annual organizational meeting. At a special meeting, the Board may take any action permitted at a regular meeting. Executive sessions are excluded from this definition.

Special meetings of the Board may be called by the President or the Superintendent provided notice is given in compliance with state law.

0164.3 **Emergency Meetings**

Emergency meetings of the governing body may be called by its President or by the superintendent to address an emergency involving actual or threatened injury to person or property, or actual threatened disruption of the school's activity under the jurisdiction of the School Board.

I.C. 20-26-4-3, 5-14-1.5

0165 **Notice of Board Meetings**

The Board will give notice of regular, special, and emergency Board meetings to Board members, news media, and the general public in compliance with Open Door Law.

Notice of any meeting of the Board shall also contain the following statement:

"The Board's meeting site is fully accessible to all persons. Any person requiring further accommodations should contact the Superintendent's office at (574) 773-3131."

Revised 10/14/13
T.C. 10/20/15

0165.1 **Notice of Regular Meetings**

Public notice of regular Board meetings will be given only once a year by posting a copy of the notice at the administrative offices of the School Corporation and delivering notice to all news media which submit an annual written request for such notice for the next calendar year to the Board on or before December 31 of the preceding calendar year.

In addition to notice of regular meetings to the news media, the Board shall give public notice to persons who give the Board a written request for notice of meetings not later than December 31 of the preceding calendar year. The Board shall give this notice by e-mail or by publishing notice of regular meetings on the Board's Internet website at least forty-eight (48) hours in advance of the meeting excluding Saturdays, Sundays, and legal holidays.

Additional notice of a regular meeting shall be given by the Board if the date, time, or place of a regular meeting is changed. Notice to the public of a change in the date, time, or place of a regular Board meeting, executive session, or any rescheduled or reconvened meeting shall be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before the meeting is to convene by posting a copy of the notice at the administrative offices of the School Corporation and delivering notice to all news media which submit an annual written request for such notice for the next calendar year to the Board on or before December 31st of the preceding calendar year. With the exception of executive sessions, this requirement does not apply to reconvened meetings where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the memoranda and minutes of the meeting if there is no change in the agenda.

Notice to the news media under this section shall be given by depositing the notice in the United States Mail with first class postage prepaid, transmitting the notice by e-mail.

Revised 7/9/12
Revised 10/14/13

Notice to Board Members of Special Meeting

A notice of a special meeting shall be served upon each member of the Board so that it is received by the Board member at least seventy-two (72) hours before the special meeting is to convene. This notice shall be given by delivering written notice to the member personally or by mail. Notice may be given by e-mail or electronically if the member agrees to receive notice in this form. If each member of the Board has waived notice of the special meeting, notice of the meeting to Board members is not necessary.

Waiver of notice of a special meeting by a Board member may be given by the member's presence at the special meeting or the member's execution of a written waiver of notice of the date, time, and place of the special meeting, executed either before or after the special meeting.

0165.2 **Notice of Emergency Meeting**

The Board may meet to address an actual or threatened emergency involving injury to person or property or actual or threatened disruption of the operation of the School Corporation. The notice requirements of the Open Door Law do not apply to a Board meeting, convened to address an emergency, but news media which have requested notice of meetings must be given the same notice as is given to Board members without charge, and the public must be notified by posting a copy of the notice at the administrative offices of the School Corporation and on the School Corporation's Internet website.

Revised 3/9/09
Revised 10/14/13

0166 **Agenda**

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

Each agenda shall contain the following statement:

> "This meeting is a meeting of the School Board in public for the purpose of conducting the School Corporation's business and is not to be considered a public community meeting. There will be time for public participation as indicated by the agenda."

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

The agenda of each regular meeting shall be mailed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally the agenda should be mailed no later than two (2) days prior to the meeting, or delivered so as to provide time for the member to study the agenda. The agenda for a special meeting shall be delivered at least two (2) days before the meeting, consistent with the provisions calling for the special meeting.

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

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

I.C. 5-14-1.5-4

Revised 3/02
Revised 3/9/09
Revised 7/9/12

0166.1 **Consent Agenda**

The School Board shall use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

A. minutes of prior meetings

B. bills for payment

C. personnel actions

D. resolutions that require annual adoption, such as bank signatories, Indiana High School Athletic Association membership, etc.

E. resignations and leaves

F. conference leaves

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

Revised 3/02
Revised 7/9/12

0166.2 **Agenda Preparation and Dissemination**

The Superintendent, in consultation with the Board president, will prepare Agendas for meetings of the Board.

Requests for items to be included on the Agenda should be forwarded to the Superintendent or Board president at least six (6) days prior to the meeting at which it is requested that it be considered. The request should include any background information supporting the request. This material will be included in the Board delivery made prior to the meeting.

Not less than twenty-four (24) hours prior to each meeting, the Superintendent will supply to each Board member a copy of the agenda, with such related briefing materials, papers, and proposals as will assist the Board member in preparing for orderly and informal participation in the meeting. In cases of an emergency or in the event of late-developing items, the Superintendent may add items to the agenda.

Copies of the agenda will be available to the public at the Wa-Nee Schools Administration Office prior to the meeting.

Revised 5/28/13
T.C. 10/20/15

0167 **Conduct**

0167.1 **Voting**

All regular and those special meetings of the Board at which the Board is authorized to take official action shall be conducted in compliance with the Indiana Open Door Law (I.C. 5-14-1.5). Except with respect to the approval or modification of a contract, action shall be valid unless approved at a public meeting of the Board by a majority vote of a quorum of the Board and a proper record made of the vote. Board action to approve or modify a contract shall require an affirmative vote of a majority of all members of the Board. A Board member must be physically present in order to cast a valid vote.

A Board member who is not physically present at a meeting of the Board, but who communicates with members of the Board during the meeting by telephone, computer, videoconferencing, or any other electronic means of

communication that permits the member to hear and be heard by the Board members and public present at the meeting, may participate in any Board discussion, but may not participate in a vote taken at the meeting and may not be considered to be present at the meeting for purposes of the existence of a quorum.

The minutes of a meeting must state each member who was physically present, each member who participated by using electronic means of communication, and each member who was absent.

Abstentions shall not be counted as votes, but shall be recorded in the minutes of a meeting and are deemed to acquiesce in the outcome of the vote. In situations in which a specific number of affirmative votes are required and abstentions have been recorded, the motion shall fail if the specified number of affirmative votes have not been cast. In the case of a tie vote in which a member abstains, the motion shall fail for lack of a majority.

All actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member be recorded. Proxy voting shall not be permitted. Any member may request that the Board be polled.

I.C. 5-14-1.5

I.C. 20-26-4-8

Revised 3/02
Revised 2/24/03
Revised 1/28/08
Revised 5/9/11
Revised 7/9/12

0167.2 **Public Participation at Board Meetings**

The School Board recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on Corporation matters.

To permit fair and orderly public expression, the Board shall provide a period for public participation at every regular meeting of the Board and publish procedures to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the procedures of the Board for its conduct.

The presiding officer shall be guided by the following rules:

A. Public participation shall be permitted as indicated on the order of business.

B. Anyone having a legitimate interest in the actions of the Board may participate during the public portion of a meeting.

C. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name, address, and group affiliation, if and when appropriate.

D. Each statement made by a participant shall be limited to three (3) minutes duration.

E. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.

F. The portion of the meeting during which the participation of the public is invited shall be limited to thirty (30) minutes for each topic, unless extended by a vote of the Board. Topics may include items that are not listed on the Board Meeting Agenda.

G. Tape or video recordings are permitted. The person operating the recorder should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and agrees to abide by the following conditions:

1. No obstructions are created between the Board and the audience.

2. No interviews are conducted during the Board meeting, or on the premises where the Board meeting is being held.

3. No commentary is made that would distract either the Board or members of the audience.

H. **Complaints Regarding Individual Employees**

Oral complaints regarding individual employees of the Wa-Nee Community Schools will not be permitted at a School Board meeting. Such complaints may be presented in writing to the Board at the meeting and must contain the signature(s) of the

complainant(s). An Executive Session may be called to discuss such matters.

I.C. 5-14-1.5-1

Revised 3/02
Revised 1/26/04
Revised 9/29/10
Revised 5/28/13
T.C. 10/20/15

0167.3 **Adjournment**

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

Revised 3/02

0168 **Minutes**

0168.1 **Open Meeting**

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

The official minutes shall be bound together by years and kept in the Wa-Nee Community Schools Administration Office.

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

The minutes shall show the general substance of all matters proposed, discussed, or decided and a record of all votes taken, by individual, if there is a roll call.

I.C. 5-14-1.5-4

T.C. 10/20/15

Revised 2/10/20

0160.01 ELECTRONIC PARTICIPATION BY BOARD MEMBERS IN BOARD MEETINGS

This policy applies to the Wa-Nee Community Schools Board of School Trustees and any committee or advisory board appointed directly by the School Board. This policy does not apply when the school corporation is subject to a declared local or state public emergency.

Subject to the provisions of this policy, a board member may participate in a school board meeting by any electronic means of communication that:

1. allows all participating members of the School Board to simultaneously communicate with each other; and
2. other than an executive session, allows the public to simultaneously attend and observe the meeting.

At least a majority of the entire school board must be physically present at a school board meeting in which board members participate by means of electronic communication.

Limitation on Number of Board Members Participation

Not more than 50% of the board members may participate by electronic means of communication at the same school board meeting.

Board Member Notice of Participation

A board member who wishes to participate in a school board meeting by electronic means of communications must notify the Board President and/or the superintendent or designee in writing at least three (3) days before the date of the school board meeting. The written notice must contain the reason(s) for participation by electronic means. Once a board member has given notice of participation by electronic means, the superintendent (or superintendent designee) will be responsible to set up the electronic means of communication for the board member and the school board meeting requested.

A board member may not participate in more than fifty percent (50%) of the school board meetings in a calendar year by an electronic means of communication, unless the board member's participation is due to:

1. military service,
2. illness or other medical condition,
3. death of a relative, or
4. an emergency involving actual or threatened injury to persons or property.

A board member may attend two (2) consecutive school board meetings by electronic communication and must attend at least one (1) school board meeting in person between two sets of consecutive meetings the board member attends by electronic communication, unless the board member's absence is due to:

1. military service,
2. illness or other medical condition,
3. death of a relative, or
4. an emergency involving actual or threatened injury to persons or property.

No board member may participate by means of electronic communication in a school board meeting at which the Board will take final action to:

1. adopt a budget,
2. make a reduction in personnel,
3. initiate a referendum,
4. impose or increase a fee,
5. exercise the School Board's power of eminent domain, or
6. establish, raise, or renew a tax.

Voting

A board member who participates by an electronic means of communication shall be considered present for purposes of establishing a quorum and participating in the school board meeting; and may vote on a matter before the Board only if the board member can be seen and heard.

All votes taken during a school board meeting at which at least one board member participates by an electronic means of communication must be taken by roll call vote.

Minutes

The minutes of a school board meeting at which any board member participates by electronic means of communication must:

1. Identify each board member who:
   a. was physically present at the meeting,
   b. participated in the meeting by electronic means of communication, and
   c. was absent.

2. Identify the electronic means of communication by which:
   a. board members participated in the meeting, and
   b. members of the public attended and observed the meeting.

LEGAL REFERENCE: IC 5-14-1.5-3.5

0170 DUTIES

0171 Officers

0171.1 President

The President of the School Board shall:

A. preside at meetings of the Board:

B. countersign orders legally drawn by the Secretary upon the Treasurer for money to be disbursed on behalf of the School Corporation;

C. cause an action to be prosecuted in the name of the Corporation on the Treasurer's bond in case of breach of a condition of the bond.

D. perform other duties appropriate to the office of the President in the management of schools.

0171.2 Vice-President

The Vice-President of the School Board shall:

A. preside at meetings of the Board when the President is not able to attend;

B. perform other duties appropriate to the office of Vice-President in the management of the Corporation as the Board determines.

0171.3 Secretary

The Secretary of the School Board shall:

A. record and sign the minutes of meetings, orders, resolutions, and other proceedings of the Board in proper record books;

B. preside at meetings when both the President and the Vice-President are not able to attend;

C. perform other duties required by law or by the School Board.

0171.4 **Treasurer**

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

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

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

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

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

0172 **Legal Counsel**

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

0174 **Reports**

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

I.C. 5-11-1-4

0175 **Association Membership**

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

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

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

0175.1 **School Board Conferences, Conventions, and Workshops**

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

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

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

T.C. 10/20/15