



**MOBILE COUNTY PUBLIC
SCHOOL SYSTEM
POLICY BOOK**

**CHAPTER 2:
SCHOOL BOARD
OPERATIONS**

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INTERNAL ORGANIZATION

The board shall meet and conduct its annual meeting in November of each year at which time it will elect officers and organize.

BOARD MEMBER AUTHORITY

Members of the board shall have authority only when acting as a board legally in session. The board shall not be bound in any way by any statement or action on the part of an individual member except when such statement or action is in pursuance of specific instruction of the board.

ETHICS

The board adopts the following statement of ethics to guide members:

- I. As a member of the Board of School Commissioners, representing all the citizens of my school district, I recognize the following:
 - A. My fellow citizens have entrusted me with the educational development of the children and youth of this community.
 - B. The public expects my first and greatest concern to be in the best interest of each and every one of these young people without distinction as to who they are or what their background may be.
 - C. The future welfare of this community, of this state, and of the nation depends in the largest measure upon the quality of education we provide in the public schools to fit the needs of every learner.
 - D. My fellow board members and I must take the initiative in helping all the people of this community to have all of the facts all of the time about their schools, to the end that they will readily provide the finest possible school program, school staff, and school facilities.
 - E. Legally the authority of the board is derived from the state, which ultimately controls the organization and operation of the school system and which determines the degree of discretionary power left with the board and the people of this community for the exercise of local autonomy.
 - F. I must neither neglect my personal obligation to the community and my legal obligation to the state, nor surrender these responsibilities to any other person, group, or organization; but that, beyond these, I have a moral and civic obligation to the nation which can remain strong and free only so long as public schools in the United States of America are kept free and strong.
- II. In view of the foregoing consideration, my constant endeavor shall be the following:
 - A. I shall devote time, thought, and study to the duties and responsibilities as a school board member so that I may render effective and creditable service.
 - B. I shall work with my fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points at issue.

- C. I shall base my personal decision upon all available facts in each situation; to vote my honest conviction in every case, unswayed by partisan bias of any kind; thereafter to abide by and to uphold the final majority decision of the board.
- D. I shall remember at all times that as an individual I have no legal authority outside the meetings of the board, and to conduct my relationships with the school staff, the local citizenry, and all media of communication on the basis of this fact.
- E. I shall resist every temptation and outside pressure to use my position as a school board member to benefit either myself or any other individual or agency apart from the total interest of the school system.
- F. I shall recognize that it is as important for the board to understand and evaluate the educational program of the schools as it is to plan for the business of school operation.
- G. I shall bear in mind under all circumstances that the primary function of the board is to establish the policies by which the schools are to be administered, but that the administration of the educational program and the conduct of school business shall be left to the employed superintendent of schools and his or her professional and nonprofessional staff.
- H. I shall welcome and encourage active cooperation by citizens, organizations and the media of communication in the district with respect to established policy on current school operation and proposed future developments.
- I. I shall support my state and national school boards associations.
- J. Finally, I shall strive step by step toward ideal conditions for most effective school board service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

BOARD OFFICERS

The officers of the board shall be a president and vice president who shall be elected by the board members at the annual meeting, and whose term of office shall be for a period of one year. Officers will assume duty immediately following their election.

The board shall appoint as its executive officer the superintendent who shall also be the Secretary of the Board of School Commissioners. As secretary, he or she shall conduct all correspondence of the board, keep and preserve all of its records, receive all reports required by the board, and ascertain that such reports are in proper form, complete and accurate. In case the office of the superintendent is temporarily vacant, or when the superintendent is absent by reason of the nature of business under consideration, or otherwise, the board may recognize the acting superintendent in this capacity.

Duties

The president, or in her or his absence the vice president, shall preside at all meetings of the board, preserve order and decorum and decide all points of order, subject to an appeal by the board. He or she shall be entitled to vote on all questions.

The president shall appoint all special committees unless the board declares otherwise.

In the absence of both the president and vice president, a president pro tempore shall be elected who shall in such cases perform all the duties of the president.

BOARD COMMITTEES

Committee of the Whole

The board will generally function as a Committee of the Whole where all school board commissioners are members of the work group. Committee meetings may be called by any member of the board or by the superintendent. The board president shall preside over the Committee of the Whole during its meetings. The purpose of the board sitting as a Committee of the Whole is to study various school system related matters. Its purpose is not to take official action. The committee may take no formal action during such a committee meeting. All formal actions must be taken in a duly advertised regular or special called meeting of the board.

When the board sits as a Committee of the Whole, its general duties are advisory and not executive. The superintendent or his designee shall serve as ex-officio member of all such committee meetings. All Committee of the Whole meetings shall be open to the public, properly advertised and minutes shall be maintained.

Ad Hoc Committees

The board shall authorize Ad Hoc Committees as they are deemed necessary. These Ad Hoc Committees shall make recommendations to the board and shall be dismissed upon receipt of the committee's final report. There shall be no limit on the number of individuals the board may appoint to an Ad Hoc Committee; however, no more than two (2) school board members may serve on the same Ad Hoc Committee at a time.

An Ad Hoc Committee shall be assigned a very specific area of study and a definite term of existence, not to exceed ninety (90) days. Ad Hoc Committee meetings shall be arranged by consent. Needs warranting consideration may be suggested by the board president, individual board members or the superintendent.

The general duties of an Ad Hoc Committee shall be advisory and not executive. Ad Hoc Committees do not have authority to direct the action of administrators or other employees. The superintendent or his designee shall serve as ex-officio members of all Ad Hoc Committees. All Committees will report their findings and recommendations to the board before the committee's designated expiration date.

Advisory Committees

The board upon recommendation of the superintendent may appoint Advisory Committees whose membership may be other than that of elected board members. Such Advisory Committees will make recommendations to the board and operate only within the parameters established by the board. Advisory Committees shall report their findings to the superintendent for dissemination to the board. Any dissemination of information by Advisory Committees shall be made only with prior approval by the superintendent and the board. Advisory Committees will be dissolved at the discretion of the board upon the superintendent's recommendation.

Date Adopted: December 11, 2007

Revised: February 19, 2009

POLICY DEVELOPMENT

Reference: Alabama Code - §16-1-30

Date Adopted: December 11, 2007

PUBLIC HEARINGS

Reference: Alabama Code - §16-8-3
Alabama Code - §16-13-140 (budget).

Date Adopted: December 11, 2007

BOARD MEETINGS

The board shall transact all business of the board in official meetings by duly recorded vote by a majority of the whole board.

The board shall hold regular meetings, may schedule special meetings, and will hold an organizational meeting in November.

The board shall adopt an annual schedule of regular meetings.

Special meetings of the board may be held whenever called by the president or upon written request of three or more members of the board. Written notice setting forth the object for which said special meeting is called shall be disseminated to each member of the board. No delegations shall be permitted during special meetings unless the board votes to suspend the rules to allow delegations.

Any legal meeting of the board may be recessed to a designated time and place.

TIME AND PLACE

All meetings of the board shall be held in the board room at the central office, at an appointed hour, unless a different place and time shall be designated by resolution or in the notice of the meeting.

MEETING NOTICE

Individual Requests for Notice

Individuals requesting to receive notice of school board meetings should complete the form provided by the school system. Notice of school board meetings will be sent through the Internet. Individuals requesting such notice must have access to a valid e-mail account and are responsible for informing the superintendent of any change of address. The board is not responsible for e-mail that is not deliverable. Individuals will remain on the meeting notification list until the superintendent is notified in writing that the individual wishes to be removed from the list, unless e-mail notices for three meetings have been undeliverable via the Internet. When three notices have not been delivered, the individual will be removed from the meeting notification list.

Legal Reference: Alabama Code - §36-25A-3

Date Adopted: December 11, 2007

BOARD MEETING MATERIALS

A written agenda for each regular board meeting shall be prepared by the superintendent in consultation with the board president and distributed to each board member three days in advance of the meeting, and, if practicable, 24 hours prior to special meetings.

The minutes of the previous meeting(s) will be attached to the agenda.

Copies of committee reports shall be given to board members by the time of the regular meeting. Reference items which also may be needed for clarification shall be in readiness prior to the meeting.

RULES OF ORDER

The most recent edition of *Robert's Rules of Order: Newly Revised* shall govern the board in its deliberations, except as modified by board policy.

If a quorum is present, the board may proceed in the following order of business:

1. Approval of the minutes of previous meeting
2. Report of the superintendent
3. Report of standing committees
4. Report of special committees
5. Unfinished business
6. New business
7. Adjournment

The order of business within the agenda may be suspended at any meeting by a majority vote.

QUORUM

Three members of the board shall constitute a quorum for the transaction of business at any regular or special meeting.

EXECUTIVE SESSIONS

The board, upon approval of three or more of the board members, may meet in an executive session in accordance with the Alabama Open Meetings Act.

Executive sessions may only be called if expressly provided for by law or for one of the following reasons:

1. General Reputation and Character/Job Performance for specified employees
2. Formal Hearings
3. Discussion with an Attorney about Litigation*
4. Security Plans and Measures
5. Criminal Investigation/Disclose the identify of an undercover agent or informer*
6. Negotiations to Buy / Sell / Lease Real Property
7. Preliminary Negotiations in Trade Competition*
8. Negotiations between body and group of public employees*
9. Quasi-Judicial Role

*A written/oral declaration by a designated authority is required to certify an executive session is warranted before the body votes to enter executive session.

The procedure to convene an executive session (excluding quasi-judicial or formal hearings) is as follows:

1. Convene an open meeting
2. Enter a motion stating the reason for the executive session.
3. Receive a written or oral declaration (if necessary).
4. Vote to go into executive session with each member's vote recorded in the minutes.
5. The presiding officer should state if and when the body will reconvene.

PUBLIC PARTICIPATION

A person or delegation who desires to appear before the board in official meetings as an individual citizen or as a duly authorized representative of a group of citizens or parents of Mobile County students shall be afforded the opportunity of doing so by complying with the following provisions:

1. An individual or delegation must have exhausted all remedies available to resolve the issue(s) before requesting to speak before the board. Individuals or delegations should contact members of the Superintendent's Executive Leadership Staff to include Deputy Superintendents, Assistant Superintendents or Executive Directors to discuss the matter in attempts to come to a resolution. If the matter cannot be resolved with the applicable Executive Staff, an appointment shall be scheduled with the Superintendent to resolve the issue before requesting to speak with the board.
2. If the matter cannot be resolved, the person or delegation shall notify the Superintendent in writing at least (5) five days before the regular scheduled board meeting stating in general the nature of the matter to be discussed. Shall events occur within the five (5) day window before the scheduled meeting, exceptions to this requirement may be made at the discretion of the Superintendent and Board President.
3. All visitors shall be expected to demonstrate respectful behavior and shall not obstruct the orderly functions of the board. The presiding officer shall retain the privilege of ordering removal of disruptive persons from the board room.
4. Individuals, limited to two per delegation whose names must be given, addressing the board shall be allowed a maximum of three (3) minutes of uninterrupted time to make his/her presentation. The oral presentation may be accompanied by written copies for distribution to the board members and Superintendent.
5. The character, reputation, or good name of an individual shall not be disparaged in the presentation.
6. A copy of these rules shall be made available to any member of the public notifying the Superintendent of his or her desire to address the board.

The President of the Board shall not be obligated to recognize any person who desires to take up any business with the Board unless proper procedures have been followed as determined by the Superintendent. The Board gives the President or presiding officer full authority to terminate the remarks of any person when such remarks have as their objective a personal attack on any person associated with the Mobile County School System.

MINUTES / RECORDS OF MEETINGS

A record of each board meeting shall be prepared by the superintendent. Minutes will be taken at board meetings during which action is proposed or taken. All motions and votes will be recorded. A record of all other meetings will be made. Both meeting minutes and records of meetings will include: date, time, place, members present/absent.

At each regular board meeting, the minutes of the preceding meeting shall be approved by the board.

The official minutes and records of meetings will be kept in bound volumes.

SCHOOL BOARD RECORDS

All records of the board required by law to be available for public inspection shall be available for inspection at the superintendent's office, or at such place in the administrative offices of the school system as may be directed by the superintendent.

BOARD MEMBER DEVELOPMENT OPPORTUNITIES

The board shall encourage individual and collective memberships in professional organizations. School board members are encouraged to attend workshops presented by the county, state, and national school boards associations and to attend teachers' conventions. Professional magazines and other resources in the materials center are available to each board member.

NEW MEMBER ORIENTATION

Under the guidance of experienced board members and the superintendent, orientation will be provided for new board members through:

- Workshops for new board members conducted by state and area school boards association.
- Discussions and visits with the superintendent and other members of the school staff.
- Printed and audio-visual materials on school board and administrative policies and procedures.

Orientation will be continuous and may also include:

- Attending board and administrative conferences.
- Exchanging ideas through joint meetings with neighboring school boards.

SCHOOL BOARDS ASSOCIATION MEMBERSHIP

The board recognizes the value of professional association to be found in the Alabama Association of School Boards and the National School Boards Association and encourages individual and board affiliation and attendance at conferences.

BOARD MEMBER TRAINING

- 1.1.1 General – Mobile County Board of Education members will pursue ongoing training to develop and enhance their knowledge and effectiveness as Board members and to improve Board governance and operations. Training will include participation in:
- a. Orientation for newly elected or appointed school board members;
 - b. Training or consulting workshop for the local Board as a whole;
 - c. State or national school board association event addressing Board governance or operation, or other Board member development opportunities relating to leadership development, Board governance, or Board operations.
- 1.1.2 Source of Training and Report – The board recommends the requirements of this policy be satisfied by participation in training provided by the Alabama Association of School Boards or other sources considered knowledgeable in school board governance and leadership and approved by the Board. Board members will provide a report to the Board about training experiences at the next available Board meeting.
- 1.1.3 Board Self Evaluation – The board will conduct an annual evaluation that includes development of a list of recommended improvements in knowledge and skills of Board members.

Legal Reference: Act of Alabama 2009-297

Adopted: February 23, 2010