

CHAPTER 2: SCHOOL BOARD GOVERNANCE AND ORGANIZATION

SCOPE OF THE SCHOOL SYSTEM

2.10

The School Board of is the governing body of the system and is responsible for the control, operation, organization, management, and administration of public schools in the system pursuant to the provisions and minimum standards prescribed by Alabama statutes and State Board of Education rules.

STATUTORY AUTHORITY:

CODE OF ALABAMA 16-1-30,
AL CONSTITUTION 1901, SEC 256, ADMEND 111

LAW(S) IMPLEMENTED:

CODE OF ALABAMA 16-8-8, 16-11-1, 16-11-2

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

ADOPTED: 03/08/07

HISTORY:

REVISION DATE(S): 03/08/07
FORMERLY AA, AB, ABA, ABC, ABCA,: ABCB, ABCC,
ABCD, ABCE

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ORIENTATION AND BOARD TRAINING

2.11

- I. The Attalla City Board of Education members will pressure 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 member;
 - B. Training or consulting workshop for the local board as a whole;
 - C. An event addressing Board governance or operation, or other Board members development opportunities relating to leadership development, board governance, or Board operations.

- II. The Board recommends the requirements of this policy be satisfied by participation in training provided by the Alabama Association of School board or other sources considered knowledgeable in school board governance and leadership. Board members will provide a report to the Board about training experiences at the next available board meeting.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

ALABAMA ADMINISTRATIVE PROCEDURE ACT:

HISTORY:

CODE OF ALABAMA 16-1-30,

CODE OF ALABAMA 6-1-6, 16-11-19

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REVISED: 02/11/10 BOARD MEETING AS PER

LEGISLATIVE ACT 09-297

FORMERLY: BBBB

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BOARD RESPONSIBILITIES AND AUTHORITY

2.20

- I. The School Board is responsible for the organization and control of the public school of the system and is empowered to determine the policies necessary for the effective operation and general improvement of the school system. The School Board is a public corporate entity and may take action only when the Board is meeting in official session and a quorum is present. The School Board shall limit its action to establishing policy and to meeting the requirements prescribed by federal and state law and rules of the State Board of Education. Individual members of the School Board have authority to take official action only when sitting as a member of the School Board in public session. The School Board shall not be bound in any way by any action on the part of an individual Board member or an employee, except when such statement or action is in compliance with the public action of the School Board.

- II. The specific duties of the board shall include, but not be limited to the following:
 - A. To select the person to serve as the Chief Executive Officer and Superintendent of Schools and support such person in the discharge of his/her duties;
 - B. To approve policies relating to the operation of the public schools;
 - C. To adopt a calendar of school events for each ensuing year, which shall be distributed to the teachers and others as deemed necessary;
 - D. To adopt the annual budget, consider and approve payrolls, and approve expenditures of funds as recommended by the Superintendent;
 - E. To monitor the financial status of the system;
 - F. To appoint principals and other personnel policies;
 - G. To determine or approve salary schedules and other personnel policies;
 - H. To consider reports of the Superintendent on the progress of the school and advise him/her on recommended changes in educational programs;
 - I. To adopt plans for structural improvements and construction of new facilities and determine the means to finance them; and

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- J. To inform the citizens of the community and the Legislature of the needs of the schools.
- III. The duties and obligations of an individual Board member shall include, but not be limited to the following:
- A. To attend all meetings;
 - B. To become aware of selected federal and state school laws, State Department of Education rules and regulations, and local Board policies, rules and regulations;
 - C. To become aware of selected federal and state school laws, State Department of Education rules and regulations, and local Board policies, rules and regulations;
 - D. To assist in establishing the highest goals and objectives for the school system which realistically can be achieved;
 - E. To vote and act in the Board meetings for the total good of the school system;
 - F. To accept the will of the majority vote and give support to the resultant policy;
 - G. To represent the Board in such a way as to promote public interest in and support for Board-related activities;
 - H. To refer complaints and inquiries to the proper school authorities and to abstain from individual counsel and action;
 - I. To recognize that candid discussions based on objective rationale are vital to the ultimate success of the school system;
 - J. To comply with statutory requirements, state and local Board policies, and regulations of duty authorized administrative agencies;
 - K. To act ethically in all matters at all times, thereby representing the school system to the best of one's ability; and
 - L. To receive no financial interest or personal benefit, either directly or indirectly, in the purchase of or contract for real or personal property or contractual service with the Board.

Individual Board members are not responsible for daily operations of schools.

- IV. The Board adopts for its members the following Code of Ethics:

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As a member of the local Board of Education, I will strive to improve public education, and to that end I will

- A. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning the issues to be considered at those meetings;
- B. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings;
- C. Render all decisions based on the available facts and my independent judgement and refuse to surrender that judgement to any individual or special interest group;
- D. Encourage the free expression of opinion by all Board members and seek systematic communication among the Board and students, staff, and all elements of the community;
- E. Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent;
- F. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- G. Inform myself about the current educational issues by individual study and through participation in programs providing needs information, such as those sponsored by my state and national school boards association;
- H. Support the employment of those persons best qualified to serve as school staff and insist on a regular and impartial evaluation of all staff;
- I. Avoid being placed in a position of conflict of interest and refrain from using my Board position for personal or partisan gain;
- J. Take no private action that will compromise the Board or administration and respect the confidentiality of information that is privileged under applicable law;
- K. Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

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STATUTORY AUTHORITY: CODE OF ALABAMA 16-1-30,
LAW(S) IMPLEMENTED: 16-8-8, 16-11-19, 16-11-12, 16-11-17,
16-11-24, 16-22-6, 16-24-1, 36-25-1
36-26-100, 41-16-50, 41-16-57
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FORMERLY: ABB, BH-E, AF, AFC, ADA, BBD, BBBD

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ORGANIZATION AND OFFICERS OF THE BOARD

2.21

- I. A President and a Vice-President, and such other officers as the Board may determine, shall be elected annually in October by the School Board.
- II. The President shall preside at all school Board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the School Board. The Vice-President shall preside in the absences of the President and shall perform such other duties of the President as required by circumstances.
- III. The Superintendent, as provided by law, shall be the secretary and executive officer of the School Board

STATUTORY AUTHORITY:
LAW(S) IMPLEMENTED:
ALABAMA ADMINISTRATIVE PROCEDURE ACT:
HISTORY:

**CODE OF ALABAMA 16-1-30,
16-11-3, 16-11-5, 16-11-6**

**ADOPTED: 03/08/07
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FORMERLY: BBA, BBAA**

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BOARD MEETINGS

2.22

All School Board meetings shall be open to the public, and all informal meetings and conferences involving School Board members shall be conducted as public meetings unless specifically exempted by Alabama Statutes. The School Board may take no official action at any time other than an official meeting.

- I. Regular School Board meetings shall be established at the organizational meeting held in October. The regular meeting date may be changed by School Board action at any previous meeting or at the direction of the Superintendent and Board President, provided that each member is personally notified. When a meeting date is changed, the Superintendent shall take appropriate action to inform the public.
 - A. Special meetings shall be held at the time designated by the Superintendent, School Board President, or when called by a majority of the School board members as specified in a written notice to the Superintendent.
 - B. Emergency meetings may be held at any time by the Superintendent, either upon his/her initiative or upon the School Board President's request. An emergency meeting may be called and the public shall be notified. School Board members shall be given a tentative agenda during the notification.
 - 1) The Superintendent shall prepare and distribute an agenda prior to the emergency
 - 2) The agenda, the need for the emergency meeting, and the results of the emergency meeting shall be available to the public.
 - 3) Emergency meetings shall be conducted in the same manner as prescribed for regular and special meetings.
- II. Regular, special, and emergency meetings of the School Board shall be held in the regular Board meeting room, unless changed in the manner prescribed herein. Any regular or special meeting may be held at any other appropriate public place within the system by giving prior public notice.
- III. All school Board meetings shall be conducted in accordance with the latest edition of *Robert's Rules of Order*. A majority of the Board shall constitute a quorum for the transaction of business. An official act of the Board shall require a majority vote of the total membership.

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- IV. Any item to be placed on the agenda of a regular School Board meeting shall be submitted in writing to the Superintendent's office no later than four o'clock (4:00 p.m.), five (5) working days prior to the meeting at which consideration is desired. This rule shall not preclude the right of any citizen to address the School Board; however, except for good cause as provided herein, the School Board shall not take action on any substantive proposal until such matter has been formally placed on the School Board agenda. Copies of the agenda for regular meetings shall be made available prior to the scheduled meeting date to the public or other parties who have expressed a desire for such copy of the agenda. Copies of the agenda for a special meeting shall be prepared, as prescribed by law.

Any person or group desiring to be placed on the agenda shall file with the Superintendent, by twelve o'clock (12:00) noon at least five (5) working days prior to a meeting, a request to be placed thereon. Such request shall contain the following information.

- A. The name and address of the person making the request;
- B. The organization or group, if any, represented;
- C. Content of the information to be presented – if written material is to be passed out, a copy of such material shall accompany the request;
- D. An estimate of the time necessary for such a discussion;
- E. Specific action desired of the Board

The Board may, by a majority vote, have an item placed on the agenda which did not meet the time deadlines.

Any charges to be made against an individual shall be in affidavit form. If any information is to be presented in form of a statement that might be considered derogatory or of a serious nature, such shall be presented in writing.

- V. A majority shall constitute a quorum for any School Board meeting. Unless a majority is present, no meeting can be convened

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- VI. The official minutes of the School Board shall be kept as prescribed by Alabama statutes. The minutes shall be kept in a safe place by the Superintendent and shall be made available by the Superintendent during the time the office is open to any citizen desiring to examine the minutes. Only motions, resolutions, and the necessary information related thereto; the name of the person making the motion or submitting the resolution; the name of the person who seconds the motion; and the vote or action thereon shall be reached.
- VII. The Board may vote in a legally called meeting and, upon approval of the majority of the whole Board, may hold executive sessions for specific purposes. Such purposes shall be limited to those involving the character or good name of a woman or man or pending litigation in which the Board is a party. Executive sessions shall be attended only by members of the Board, the Superintendent, counsel if necessary, and persons necessary to ensure due process for the individual discussion. All matters discussed by the Board in executive session shall be regarded as confidential by all persons in attendance and shall not be divulged to the public. No minutes shall be kept of executive session discussions. Nothing having the effects of regulation, policy or official action of any kind shall be decided in executive session.
- VIII. There shall be no representation by proxy of any Board member.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

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HISTORY:

CODE OF ALABAMA 16-1-30

16-8-8, 16-11-5, 16-12-3, 16-13-140

13A-14-2, 36-12-2, 41-13-1

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FORMERLY: BC, BCAA, BCAB, BCAC, BCB, BCBA

BCBB, BCBC, BCBD, BCBE, BCBF, BCBFA

BCBG, BCBH, BCBI, BCBJA, BCBK

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SCHOOL BOARD POLICY ADOPTION

2.23

- I. The Board shall formulate policies by which its schools shall be managed.
- II. No Board policy shall be constructed to create or confer any contractual right, property right, entitlement of, expectancy of, or other legal cognizable interest in employment or continuing employment. Nothing in any policy shall be construed to create or grant employment rights greater than or in addition to those expressed in law or written contract.
- III. Before adopting written policies, the Board shall directly or indirectly through the Superintendent, consult with the local employees' professional organization whose parent organization represents the majority of school employees statewide. Input by the applicable professional organization shall be made in writing to the Superintendent. The Superintendent may also consult professional assistants, principals, employees and interested citizens. All policies shall be made available to all persons affected and employed by the Board.
- IV. Policy Dissemination
 - A. Board policies and administrative rules and regulations shall also be made accessible to all members of the Board, students and members of the community serve by the school system.
 - B. Any amendment to the policies, rules and regulations of the board shall be furnished to the affected persons employed by the Board within twenty (20) days after adoption.
- V. The Board is aware that no policy manual can possibly cover every situation relative to either employees or students and that such a universal coverage is unnecessary (Griffin v. Tatum).

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16-1-30, 16-8-8, 16-11-9
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BDG

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BOARD MEMBER COMPENSATION

2.24

- I. School Board members are authorized to receive reasonable compensation for their services, not to exceed \$600.00 per month, unless set a higher limit by local act or by action of the board not to be compensated.
- II. The Board shall set the level of compensation to be received by Board members upon a majority vote of the Board at its organizational meeting. Any increase in compensation approved by the Board shall take effect following the expiration of the next member's term of office.
- III. The compensation identified herein shall be in addition to actual travel expenses and other necessary, sensible expenses incurred in attending meetings and transacting business of the Board.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

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16-1-26

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FORMERLY: BBBE

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SCHOOL IMPROVEMENT AND EDUCATION ACCOUNTABILITY

2.25

The School Board shall be responsible for school and student performance and for developing, approving, implementing, and maintaining a system of school improvement and education accountability pursuant to Alabama statutes and State Board of Education rules. The system shall establish the individual school as the unit for education accountability and shall conform to the provisions of planning and budgeting as required by Alabama statutes. Schools as used herein shall include each school-within-a-school, magnet school, self-contained educational alternative center, and satellite center.

The system shall include, but not be limited to, the following components:

- I. School improvement plans which are adopted for each system school. Each system school shall develop and present to the Superintendent, by the date set by the Superintendent, an individual school improvement plan for consideration by the School Board. The approved plan shall be implemented the next school year.
 - A. The plan shall be designed to achieve the state education goals and student performance standards and shall be based on a need assessment conducted pursuant to data collection requirements in Alabama statutes.
 - B. The plan shall address school progress, goals, and indicators of student progress, strategies, and evaluation procedures, including adequate measures of individual student performance. Also included shall be specific school safety school safety and discipline strategies.
 - C. The plan for each school shall be approved annually and shall be implemented as a new, amended, or continued school improvement plan.
 - D. The plan shall be developed by School Board employees in each school in conjunction with an advisory council
- II. The system process for initial approval and subsequent annual approval of school improvement plans shall provide for each school improvement plan to be reviewed and approved or disapproved by the School Board.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

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**CODE OF ALABAMA 16-1-30
16-6B-3, 16-6B-7, 16-8-8, 16-11-9**

290-4-1-01

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FORMERLY: NEW

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SPECIAL COMMITTEES OF THE SCHOOL BOARD

2.26

- I. Special committees may be appointed by the School Board President when deemed necessary. The duties of any such committee shall be outlined at the time of appointment; the committee shall be automatically dissolved when the School Board accepts the committee's final report. Each School Board member shall be notified of all committee meetings, but shall have no vote unless the member is serving as a committee member. All meetings of School Board committees shall be open to the public.
- II. Special committees or individuals who serve on special committees shall take no action which is binding upon the school Board.
- III. The Board shall have no standing committees.

STATUTORY AUTHORITY:

LAW(S) IMPLEMENTED:

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HISTORY:

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16-8-8, 16-11-9

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FORMERLY: BBC

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LEGAL COUNSEL - BOARD

2.30

The School Board attorney, obtained from outside the Board's membership, shall act as legal advisor to the Board and the Superintendent. When approved by the Board, special counsel may be retained to assist in any litigation or other matter.

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BOARDMANSHIP DEVELOPMENT

2.50

Each member of the Board is encouraged to participate in the activities and programs conducted by state, regional and national associations of the School Board. The Superintendent shall include an amount in each proposed annual budget to cover expenses to support the participation of the Board in activities and programs conducted by the State and other organizations as the Board chooses. Any reimbursement for Board member travel outside of the state of Alabama or overnight must be approved in advance by the School Board.

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16-1-6

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