

**GOVERNING BOARD POLICY MANUAL  
§ 100 – GOVERNING BOARD BYLAWS**

**NOTE: Regulations associated with specific policies are in italics**

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# GOVERNING BOARD BYLAWS

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## **Authority and Title**

The Governing Board is a corporate body, the official title of which is "The Regional Governing Board of the Appomattox Regional Governor's School." The Constitution of Virginia and the Virginia Governing Board of Education vests the authority and duty to operate and supervise the Appomattox Regional Governor's School in the Governing Board. The Governing Board consists of one member elected from each member school division of the consortium.

**Revised:** August 14, 2104  
**Approved:** January 12, 2006

Legal References: Constitution of Virginia, Art. VIII, §7.  
Code of Virginia, § 22.1-71.  
County Charter, §§ 8.1 and 8.2.

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## Duties and Powers

The Governing Board derives its power and authority from the constitution and statutes of the Commonwealth of Virginia, regulations of the State Board of Education, and the constitution of the Appomattox Regional Governor's School. The Governing Board considers the following to be its major responsibilities:

1. To establish policies and plan for the school;
2. To select and evaluate the Executive Director;
3. To determine instructional studies to be pursued;
4. To provide a safe and suitable school for effective teaching and learning;
5. To care for, manage, and control the school's property;
6. To provide for the preparation and the adoption of annual budget;
7. To act upon the recommendations of the Executive Director in all matters of policy, personnel actions, salary schedules, and other matters pertaining to the welfare of the school;
8. To review reports from the Executive Director concerning the status and needs of the school;
9. To review the effectiveness of the school, using an accountability system that includes the monitoring of key measures;
10. To maintain effective communication with the community and its elected and appointed officials, concerning progress and needs of the school;
11. To provide for continuing and professional development of staff and Governing Board members;
12. To obtain adequate funding for school programs and facilities;
13. To encourage private as well as public support for the school;
14. To approve the mission statement, goals and objectives;
15. To review and approve long-range capital improvement plans;

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16. To ensure compliance with the Standards of Quality, including the Standards for Accrediting Public Schools and the Standards of Learning referenced in the Standards of Quality, and other state and federal mandates;
17. To set policies to aid in recruitment and retention of qualified teachers; and
18. To support, promote and model for students and staff the community's core values of respect, responsibility, honesty, and accountability as the foundation for all relationships.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal References: Constitution of Virginia, Article VIII, § 7.  
Code of Virginia, § 22.1-79.

# GOVERNING BOARD BYLAWS

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## **Oath**

Each Governing Board member shall take the oath of office as prescribed for officers of the State in accordance with the Code of Virginia prior to participation in the first Governing Board meeting in the term for which elected.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 22.1-31.

## GOVERNING BOARD BYLAWS

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### **Conflict of Interests**

Each Governing Board member shall be furnished with the latest copy of the "State and Local Government Conflict of Interests Act." The Director shall see that all employees of the Governing Board are aware of the Act and are informed that the Governing Board demands compliance with both the word and intent of the law.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 52.1-639.1, et seq.

# GOVERNING BOARD BYLAWS

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## **Organizational Meeting**

The first regular meeting of the Governing Board in the month of January shall be designated as the organizational meeting. At this meeting, the Governing Board shall elect a chairman and vice-chairman, set dates and times for regular meetings, appoint clerks and agents it deems necessary, and authorize bonding of appropriate officials. The chairman shall appoint individual members of the Governing Board to represent the Governing Board on certain regional Governing Boards and any other committees.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, §§ 22.1-72 and 22.1-76.

# GOVERNING BOARD BYLAWS

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## **Regular Meetings**

The time and date for holding regular meetings shall be fixed at the annual organizational meeting in January. The time, date, and location of a regular meeting may be changed by action of the Governing Board chairman provided that every member is notified and due notice is given to the public as specified in the ARGS Constitution. A minimum of two (2) Governing Board members shall be required to request of the Governing Board Chairperson a special meeting of the Governing Board.

**Revised:** August 14, 2014  
**Approved:** March 9, 2006

**Legal Reference:** Code of Virginia, § 22.1-72.



# GOVERNING BOARD BYLAWS

106.1

## Electronic Participation In Meetings From Remote Locations

Except as provided hereafter, or as otherwise permitted by law, the ARGS Board does not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic or other electronic communication means where the members are not physically assembled. This policy is applied strictly and uniformly, without exception, to the entire membership of the ARGS Board and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

For purposes of this policy, "electronic communication" means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

### I. Quorum Physically Assembled

A. The ARGS Board may conduct any meeting wherein the public business is discussed or transacted through electronic communications means if 1) on or before the day of the meeting, a member of the ARGS Board notifies the chair that such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance or that such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter; and 2) the ARGS Board approves the member's participation by a majority vote of the members present at the primary or central meeting location.

Participation by an ARGS Board member by electronic communication means due to a personal matter is limited each calendar year to two meetings.

B. If participation by an ARGS Board member through electronic communication means is approved pursuant to subsection A above, the Board records in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved due to a temporary or permanent disability or other medical condition, the Board also includes in its minutes the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevent the member's physical attendance. If participation is approved due to a personal matter, the School Board also includes in its minutes the specific nature of the personal matter cited by the member.

If an ARGS Board member's participation from a remote location due to a personal matter is disapproved, such disapproval is recorded in the minutes with specificity.

C. An ARGS Board member may participate in a meeting by electronic means pursuant to this subsections A and B above only when:

- a quorum of the Board is physically assembled at the primary or central meeting location; and
- the Board makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

## II. Quorum Not Physically Assembled

The ARGS Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Va. Code § 44-146.17, provided

- the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location, and
- the purpose of the meeting is to address the emergency.

If it holds a meeting pursuant to this section, the School Board

- gives public notice using the best available method given the nature of the emergency contemporaneously with the notice provided members of the Board; and
- makes arrangements for public access to the meeting.

For any meeting conducted pursuant to this section, the nature of the emergency, the fact that the meeting was held by electronic communication means and the type of electronic communication means by which the meeting was held are stated in the minutes of the meeting.

**Approved:                      September 9, 2021**

## GOVERNING BOARD BYLAWS

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### **Open and Closed Meetings**

Meetings of the Governing Board shall be open to the public except those closed meetings permitted under the Virginia Freedom of Information Act to deal with issues such as student discipline, personnel, acquisition of real property, and consultation with legal counsel and staff pertaining to actual or probable litigation. Using reasonable means, the Governing Board members shall encourage public attendance and participation in meetings of the Governing Board.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 2.1-340, et seq.

## GOVERNING BOARD BYLAWS

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### Special Meetings

The only business that shall be transacted at any special meeting is that which is set forth in the call for the meeting unless all members of the Governing Board are present and all members agree to the consideration of the additional item or items.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

# GOVERNING BOARD BYLAWS

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## Governing Board Meetings/Agenda

### Conduct of Meetings

In the conduct of all meetings, the Governing Board shall follow Robert's Rules of Order, except as otherwise provided by regulations, laws or Governing Board policy. In the event of a disagreement in interpreting the rules of order, the chairman shall decide on the interpretation. No one who is not a member of the Governing Board shall be permitted to address the Governing Board without the permission of the chairman of the Governing Board. Persons wishing to address the Governing Board shall be recognized as provided by Governing Board policy.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 22.1-78

## GOVERNING BOARD BYLAWS

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### **Public Participation at Meetings**

The Governing Board encourages public participation at regular meetings. Constructive criticism of programs, operations, or decisions of the Governing Board or administration is welcomed by the Governing Board. Testimony that criticizes individual students or staff members by name will not be permitted in order to protect the confidentiality and legal rights of those involved. The order of business of any regular meeting shall include an opportunity for the public to address the Governing Board provided, however, that the Governing Board does not obligate itself to act on any request or proposal. The following is the procedure by which the public may speak before the Governing Board at any regular meeting of the Governing Board:

1. Persons wishing to be heard on action items or during the public comment period on the agenda must notify the Governing Board Clerk's office by 12:00 p.m. on the day of the meeting; they will be heard when each item is considered.
2. Persons who have requested to offer public testimony on items not on the agenda will be heard during the specified public comment period of the meeting.
3. Individuals shall limit their testimony to three minutes. The Chairman may further limit the time allotted to speakers and the number of speakers in order to ensure the orderly conduct of the meeting and the conclusion of the meeting at a reasonable time.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

## GOVERNING BOARD BYLAWS

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### **Governing Board Minutes**

The Chairman shall sign the official minutes of the Governing Board. The Clerk of the Governing Board shall keep the official minutes in a safe place, and shall make the official minutes available to any citizen desiring to examine them during the hours when the office of the Clerk is open.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, §§ 2.1-340, et seq., and 22.1-7.

## GOVERNING BOARD BYLAWS

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### **Authority of Members**

Governing Board members shall have no authority except when acting as a Governing Board regularly in session or except as may be assigned to them by the Governing Board as a whole. The Governing Board shall not be bound by any statement or action on the part of any individual Governing Board member or employee except when such statement or action is in accord with specific instructions or rules of the Governing Board.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 22.1-71.



# GOVERNING BOARD BYLAWS

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## Committees

There shall be no standing committees of the Governing Board; however, the Governing Board may establish special committees for specific purposes. Such committees shall be dissolved upon completion of the assigned tasks.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

# GOVERNING BOARD BYLAWS

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## Chairman and Vice-Chairman: Election and Duties

### A. Elections

A Chairman and Vice-Chairman of the Governing Board shall be elected annually at the organizational meeting and shall hold office until their successors are elected.

### B. Duties

The Chairman shall preside at all meetings of the Governing Board, appoint committees when authorized by the Governing Board, and perform such other duties as may be prescribed by law or by action of the Governing Board. The Vice-Chairman shall preside in the absence of the Chairman and shall perform such other duties as may be assigned by the Governing Board.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 22.1-76.

# GOVERNING BOARD BYLAWS

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## Clerk and Deputy Clerk: Election and Duties

### A. Election

A Clerk and Deputy Clerk(s) shall be elected annually by the Governing Board at the organizational meeting and shall hold office until their successors are elected.

They shall furnish the Governing Board a surety bond. The Governing Board shall fix the amount of such bonds in an amount not less than ten thousand dollars, and the premiums shall be paid out of school funds.

### B. Duties

The duties of the Clerk of the Governing Board shall be to:

1. Keep a record of proceedings of all meetings of the Governing Board.
2. Keep safely all books, papers, and reports pertaining to the Clerk's office and furnish copies of any papers or reports when required for publication or other purposes by the Governing Board.
3. Notify each member of the Governing Board in writing of all regular and special meetings of the Governing Board and of any Governing Board committees.
4. Make and keep a full and accurate description, with location, of all real estate and an inventory of all property under the management control of the Governing Board, with deeds to be maintained by the City Government consistent with the City's Charter.
5. Perform such other duties as may be required by law, the State Governing Board of Education, the Executive Director, or the Governing Board.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, §§ 22.1-76 and 22.1-77.

## GOVERNING BOARD BYLAWS

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### Agent and Deputy Agent

#### A. Election

Upon the recommendation of the Director, an Agent and Deputy Agent shall be elected annually at the organizational meeting in January and shall hold office until their successors are elected.

#### B. Bond

They shall furnish the Governing Board a corporate surety bond. The Governing Board shall fix the amount of such bonds in an amount not less than ten thousand dollars, and the premiums shall be paid out of school funds.

The Agent and Deputy Agent shall perform the duties specified by statute and such other duties as may be prescribed by the Governing Board.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 22.1-122.

## GOVERNING BOARD BYLAWS

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### Governing Board Attorney

It is the policy of the Governing Board to employ its own attorney either as a permanent employee or on retainer. The Governing Board may employ additional special counsel and use the office of a member school division's school attorney when appropriate.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 22.1-82.

# GOVERNING BOARD BYLAWS

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## **Development of Policy**

The Governing Board is charged by the Constitution of the Appomattox Regional Governor's School and elected by the citizens of their own city/county School Governing Board with governing the Appomattox Regional Governor's School. The Governing Board's leadership and governance are exercised through the promulgation of policy.

Anyone may propose to initiate or revise school Governing Board policies. Action on such proposals, whatever their source, is taken by the Governing Board in accord with Policy 120, Policy Adoption, Revision, Suspension.

Before taking action on any policy proposal, the Governing Board shall seek the recommendations of the Executive Director and the Steering Committee. The recommendations of the Executive Director may be based upon the outcomes of studies and upon the judgment of the professional staff and study committees. To ensure Governing Board consideration of policy impact, the Executive Director shall receive the recommendation of the Steering Committee to advise the Executive Director and the Governing Board of potential impact and possible policy options. Any significant change in policy shall receive legal review prior to Governing Board action.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal References: Constitution of Virginia, Article VIII, § 7.  
Code of Virginia, § 22.1-28, 22.1-78, 22.1-253.13:7.

# GOVERNING BOARD BYLAWS

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## **Policy Adoption, Revision, Suspension**

### **A. Adoption and Revision**

1. Policy proposals or revisions to existing policies shall be submitted to members of the Governing Board and to the Executive Director in writing prior to a regularly scheduled Governing Board meeting in which such proposed policies or revisions shall be read and discussed. Generally, a vote for adoption may take place after the second public reading of the proposed policy. A majority vote of the membership of the Governing Board shall be needed for the adoption of a policy. If circumstances warrant immediate action on the proposed policy or revisions, the Governing Board may suspend its rules by a favorable vote of four members and bring the policy up for immediate adoption following a first reading.
2. Copies of the current policies shall be maintained in the school's library and with the Clerk of the Governing Board, and shall be accessible on the school's website.

### **B. Suspension**

Policies of the Governing Board shall be subject to suspension only upon a majority vote of the membership at a meeting in the call for which the proposed suspension has been described in writing, or upon a favorable vote of four members of the Governing Board when no such written notice has been given.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

**Legal Reference:** Code of Virginia, §§ 22.1-28, 22.1-78, 22.1-253.13:7.

## GOVERNING BOARD BYLAWS

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### **Formulation and Adoption of Regulations**

The Governing Board shall delegate to the Executive Director the daily operations of the school and the departments.

The Executive Director is authorized to promulgate such rules as necessary to govern the operations of the school and the departments. Such rules shall constitute administrative regulations. These regulations must be consistent with the policies adopted by the Governing Board.

In the absence of applicable policy, the Executive Director is authorized to establish needed regulations subject to later confirmation in policy, should the Governing Board so wish.

The Governing Board reserves the right to review and veto administrative regulations should they be, in the Governing Board's judgment, inconsistent with the policies adopted by the Governing Board.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Reference: Code of Virginia, § 22.1-70.



## Regulation 120.1

### DEVELOPING AND PUBLISHING REGULATIONS

#### A. Purpose

To establish the responsibility and outline procedures for the initiation, preparation, review, approval, publication, and distribution of new and revised regulations for the Appomattox Regional Governor's School.

#### B. Definitions

1. Policy: Principles recommended by the Executive Director and adopted by the Governing Board to serve as the basis for the development and implementation of educational programs or management and operation of the school. State laws, State Board of Education regulations, and Federal laws and regulations are, in effect, "mandated policies" of the Appomattox Regional Governor's School.
2. Regulation: A directive issued to establish authority, to assign responsibility; and set forth approved procedures for implementation of policy.
3. Responsible Administrator: The Executive Director or members of the Executive Director's Administrative Staff.

#### C. Procedures

1. Review of Existing Regulations

Regulations will be reviewed by the Executive Director's or designee who will work with the responsible administrator to determine that the regulation is current or that a revision is required as set forth in § B below.

2. Development of a New or Revision of a Regulation

##### (a) Initiation of a Regulation

A new regulation is developed, or an existing one revised, by the responsible administrator based on actions of the Governing Board, legislative action, research findings, or changes in administrative procedures. Requests for a new regulation should be submitted in writing to the Executive Director for referral to the responsible administrator for consideration.

(b) Responsibilities for Regulation Development

The responsible administrator is responsible for initiating a new regulation, revising, or consolidating existing ones. This responsibility includes:

- (1) determining the content of a regulation;
- (2) submitting draft proposals for review and input by personnel having an interest in the regulation content, i.e., other administrators, school-based personnel, and community members as appropriate;
- (3) assuring that the regulation is complete, accurate, and consistent with established policy and legal requirements; and
- (4) submitting a draft regulation to the Executive Director for approval

(c) Review and Approval of a Regulation

The Executive Director or Designee is responsible for reviewing the draft regulation, coordinating the final review and approval process, and preparing and distributing the final copy. This responsibility includes:

- (1) determining that the regulation does not conflict, duplicate, or overlap existing regulations;
- (2) reviewing the initial draft regulation and revising it as required to conform to prescribed format; and
- (3) submitting the draft regulation, where appropriate, to:
  - Executive Director or Designee for review and recommendation;
  - Appropriate faculty/staff for review, assessment of impact, and recommendation;
  - education-related and community groups as appropriate; and
  - Executive Director for review and approval.

3. Publishing and Distributing Regulations

The Executive Director or Designee is responsible for preparing an approved regulation for publication and for the distribution of regulations.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

## GOVERNING BOARD BYLAWS

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### **Complaints Regarding Employees**

It is the responsibility of the Executive Director to direct and evaluate the performance of employees. Any complaint against any employee which arises within the membership of the Governing Board or which comes to the attention of the Governing Board, except through the Executive Director, shall be referred to the Executive Director for review and appropriate action.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-70 and 22.1-295.1(C)

## GOVERNING BOARD BYLAWS

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### Governing Board Communications

#### A. Staff

The Governing Board shall work through the Executive Director on all matters for which the Executive Director is responsible and shall set the following parameters for communication with the Executive Director and staff:

1. The Governing Board shall ensure planned, regular and recurring personal contact with the Executive Director and the administrative staff.
2. The Governing Board shall advise staff that reports or recommendations to the Governing Board are to be made through the Executive Director unless otherwise directed by the Governing Board.
3. Recommendations by any member of the Governing Board regarding any employee are to be directed to the Executive Director.

**Revised:** August 14, 2014  
**Approved:** January 12, 2006