



BISMARCK SCHOOL BOARD PROCEDURES HANDBOOK

This handbook contains Bismarck Public Schools' School Board Operational Procedures. These procedures shall serve as a complement to the Board Governing Policies.

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Bismarck Public Schools Board Procedures Handbook approved by the Board: 10/14/2019
Former Bismarck Public Schools policies pertaining to the Board rescinded: 10/14/2019,
1/13/2020

Board Member Internet and Social Media Use

While the District is not responsible for the online activity of individual board members, the Bismarck School Board adopts the following rules and procedures related to a board member commenting on school district business online, including on social media sites.

Individual board members have no authority to take action on behalf of the District unless delegated such authority by a majority vote of the Board taken at a properly noticed board meeting. However, the public may still perceive individual board members as official district spokespersons without the delegation of specific authority. Because of this potential perception, whenever commenting on school district business online, individual board members shall:

1. Avoid posting content indicating that they have formed an opinion on a matter pending before the Board;
2. Avoid posting a dissenting opinion on a matter that has been decided by a majority vote of the Board;
3. Clarify that they are commenting as individuals—not as district spokespersons—unless delegated authority to speak for the District by a majority vote of the Board.
4. Comply with district policy and applicable laws related to confidentiality including, but not limited to, items discussed during an executive session and student educational records;
5. Direct complaints to the appropriate district channels for processing in accordance with policy;
6. Not poll or otherwise ask for community input unless delegated this authority by a majority vote of the Board; and
7. Report to the Superintendent, as soon as possible, any public comments that potentially violate district policy, including, policies on discrimination and harassment, bullying, and employee speech.

Use of District Technology

Board members shall comply with the District’s acceptable use policy when using district-owned technology.

Complementary Documents

- ACDA, Responsible Use

Board Member Method of Election

The annual meeting in July shall be called to order by the most senior board member remaining on the Board. This individual shall serve as chair pro-term until a new president is elected. The chair pro-term shall acknowledge all new Board members, who shall be seated after the call to order. The chair pro-term will then follow the order of business delineated in the agenda. Election of officers shall be considered a special order and acted upon before addressing unfinished business and new business.

The School Board shall elect from its members a president to serve for one year and a vice president to serve for one year.

Should the office of the president become vacant, the vice president shall become president. The Board shall then elect a member to fill the unexpired term of the vice president.

Board Member Unexpired Term of Office

Resignations

Board members who are unable to fulfill their term of office shall present a letter of resignation to the Superintendent of Schools.

Procedure for Filling Vacancies

Vacancies occurring on the Board between one election and another shall be filled by appointment by the Board. The public will be informed of Board vacancies via one or more newspaper articles or other notice at least two weeks prior to the appointment. Any qualified elector of the school district may apply by completing the appropriate form and having it delivered to the Business and Operations Manager's Office before 4:00 p.m. of the announced closing date. All candidates, whether nominated by Board members or anyone else, must complete the board vacancy application form, before the filing deadline. The Board will determine the method of selection as it sees fit so long as a simple majority of a board quorum approves the selection process and candidate appointment. In the event the Board fails to fill the vacancy within sixty days, the county superintendent shall call an election to fill the vacancy as provided by law.

Commencement of Duties

The newly appointed/elected board member shall be seated at the next meeting of the Board following his/her appointment/election. The appointed/elected board member shall execute the Oath of Office in accordance with the deadline in law. When any such appointment is made, the Business Manager shall certify the same to the county superintendent of schools.

The appointee shall hold his/her office until the next annual election and until his/her successor is elected and qualified.

Candidate Information Sheet

Please fill out and return by _____ to the Business and Operations Manager, 806 North Washington Street, Bismarck, North Dakota, or leave it at the Business Office.

Last Name	First Name	Initial	Date
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Business Address _____

Telephone _____

Home Address _____

Telephone _____

Occupation _____

No. of Yrs. In District #1 _____

Schools Attended _____

Do you have children in the Bismarck Schools? Yes No

Ages and Schools: _____

Have you recently worked on any school committees or participated in any school activities? Yes No

List: _____

Other community or business activities: _____

Why would you want to be a school board member? _____

What do you see as the basic purpose of the public schools? _____

What is the role of the school board in the fulfillment of that purpose? _____

What could be done to help improve communications and relationships among the board members, staff, students, parents, and community? _____

What should be the relationship between the board members and the administration in the handling of school concerns? _____

What do you see as the strengths of the Bismarck Public School District? _____

What do you see as the areas most needing improvement in the Bismarck Public School District? _____

School Board Meetings

The Bismarck School Board will hold regularly scheduled meetings for the transaction of business. The schedule of meetings will also be posted at the Hughes Educational Center and on the Bismarck Public Schools web site.

Typically, the School Board will hold regular meetings on the second and fourth Mondays of each month, unless otherwise noted on the annual schedule of meetings or unless rescheduling is necessary as determined by the Board President. The meetings will normally begin at 5:15 p.m. and will be held in the Tom Baker Meeting Room of the City/County Office Building, 221 North 5th Street, Bismarck, unless otherwise noted.

The annual organizational meeting of the School Board will be held at the first regularly scheduled meeting in July, at which time any newly elected members will assume the duties of their office.

Work Sessions and Retreats

The Board may, from time to time, meet in work sessions or extended work sessions at a time and place conducive to in-depth discussion of the policies and goals of the District. All such meetings shall be open to the public and subject to the same notice requirements as any other meeting of the Board. No official action may be taken at a work session or retreat.

Board Meeting Agenda and Pre-Meeting Preparation

Agenda

The Superintendent and Board President shall jointly prepare agendas. Persons wishing items to be included in the agenda shall submit those items to the Superintendent no later than five working days prior to the regular board meeting. Inclusion shall be at the discretion of the Superintendent and Board President. Disputes shall be resolved in favor of the President.

The Superintendent shall be responsible for the physical preparation, reproduction, and distribution of the agenda.

Regular Meeting Agenda

The Board shall follow the order of business set up by the agenda unless altered by consent of the majority of members present at the regular meeting. Items may be added to the agenda at regular meetings with consent of a majority of the Board.

The order of business shall generally be as follows:

- I. Convene
 - A. Roll Call
 - B. Pledge of Allegiance
 - C. Mission and Vision Statements
- II. Adopt Agenda
- III. Focus on Success
- IV. Monitor District Operations
- V. Public Comment
- VI. Matters Reserved for Board Action
- VIII. Board Development
- IX. Board Consent Agenda
- X. Superintendent Consent Agenda
- XI. Superintendent's Report
- XII. Recess
- XIII. Board Meeting Debrief
- XIV. Adjourn

Pre-Meeting Preparation

The agenda, minutes of the previous meeting, and relevant supplementary information will be available to each board member at least two days in advance of each board meeting whenever possible.

Board members are expected to read the information provided them and to contact the Superintendent to request additional background necessary to assist them in their decision making responsibilities. Board members will, to the extent possible, be provided with data and necessary information to inform their decision making.

Minutes

The minutes shall be kept electronically on the district server and, in addition to the items required by law, shall include:

1. Whether it is a regular or special meeting;
2. Approval of the minutes of the preceding meeting or meetings;
3. The names of all persons who speak before the Board and the topic of their remarks.

Approval and Publication

A disclaimer advising the public that the minutes are unofficial and subject to final board approval should be included on any minutes until the board has approved them.

The minutes of all school board meetings not previously approved shall be reviewed and approved at the next regularly scheduled meeting of the School Board. The minutes shall be signed by the Board President and the Business and Operations Manager as approved.

The approved minutes of the meeting(s) shall be available for publication as soon as possible after Board approval.

Complementary Documents

- BCAA, Board Meeting Agenda and Pre-Meeting Preparation

Executive Sessions

The Board shall only hold executive sessions for reasons contained in law. In addition, when conducting an executive session, the Board shall comply with the following.

Attendance at an Executive Session

Only members of the governing body, those individuals deemed necessary to the functioning of a closed meeting by the Board, and those individuals listed in the law(s) pertaining to the executive session will be in attendance at the executive session unless law requires otherwise.

Location of Recordings and Documents

All recordings and documents resulting from an executive session shall be securely stored. The date of the executive session, purpose of the meeting, and word “confidential” should be written on the outside of the envelope. Envelopes will be placed in a locked area in the District office.

Retention of Recordings and Documents

The District will retain all documents and recordings resulting from an executive session for at least six years. When the executive session relates to nonrenewal or discharge, applicable executive session audio and documents will be retained for six years after the employee’s date of separation from the District.

Access to Recordings and Documents

In accordance with law, only the following individuals/ cases shall have access to view/listen to executive session document(s) and recording(s):

1. Those individuals in attendance at the executive session;
2. At the Attorney General’s request;
3. Pursuant to a court order;
4. By a majority vote of the governing body unless the executive session was required to be confidential (as opposed to a closed meeting; see definitions in NDCC 44-04-17.1).

Complementary Documents

- BCAB, Board Meeting Procedures
- BCBA, Public Participation and Board Meetings
- GAAC, Review and Complaints About Instructional and Resource Materials
- KACA, Patron Complaints
- KACB, Patron Complaints About Personnel

Public Participation At Board Meetings

Meetings of the Board are conducted for the purpose of carrying on the business of the schools, and therefore are not public meetings but meetings held in public. Although there is no legal requirement that the public be given an opportunity to speak at board meetings, it will be the policy of this Board to afford that opportunity in accordance with the following procedures:

Public Participation

The public comment will be limited to agenda items in Monitor District Operations, Matters Reserved for Board Action, the Consent Agenda, and the Superintendent Report sections of the current published board agenda. Public comment will also be allowed on agenda items added if a board member requests an addition to the agenda of a regular meeting and the board members present approve in accordance with board policy.

Members of the public who wish to make formal presentations before the Board, including at special or emergency meetings, shall make a request through of the office of the Superintendent no less than two weeks in advance of the scheduled board meeting and in accordance with the board's agenda setting policy.

The Board may allot a time for public comment on the regular meeting agenda. When the Board agrees to do this, no individual may speak more than once. Speakers may not yield their time to other individuals. When public comment has been permitted, the speaker should:

1. Stand at the podium, as able, during the appropriate period and be recognized by the President.
2. State name for the minutes and the agenda item about which they will be speaking.
3. Limit comments to no more than four minutes.

Groups will be urged to designate a spokesperson. When there are a large number of speakers to be heard or if pressure of business or other circumstances dictate, the Chairman may decide to shorten the length of time allowed each speaker and/or limit the total time to be devoted to public comment.

Complaints

The Board has adopted policies governing patron complaints. The public is required to seek redress through these policies. The public will be prevented from commenting on a topic if it is:

1. Governed by a district complaint policy and the complainant has not followed the procedure contained in policy and/or the policy prohibits the public from bringing the complaint before the Board.

2. Concerns a topic that is prohibited by law from disclosure to the public (e.g., student's educational record).
3. BPS staff have not been contacted about the complaint.

Conduct and Remarks Out of Order

Undue interruption or other interference with the orderly conduct of board business cannot be allowed. Defamatory or abusive remarks are always out of order. The presiding officer may terminate the speaker's privilege of address if, after being called to order, they persist in improper conduct or remarks.

Questions and Comments by Board and District Administrator

There will be no dialogue between board members and the public at board meetings except to thank the public for the comment and to clarify the nature of public's questions. An appropriate member of the administration will respond to concerns at a later time.

Discussion of a Motion

When a motion is before the Board, discussion will be limited to board members and the Superintendent except as the Chairman requests information.

Complementary Documents

- BCAA, Board Meeting Agenda and Pre-Meeting Preparation
- FGA, Student Education Records
- GAAC, Review and Complaints About Instructional and Resource Material
- GAAC-BR, Procedure for Reviewing Complaints About Instructional/Resource Material
- KACA, Patron Complaints
- KACB, Patron Complaints About Personnel
- KACB-E, Patron Complaint Form

End of Bismarck Public School District Board Procedure BCBA

Updated: 10/14/2019,
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4/21/2022, 6/27/2022

News Coverage of Board Meetings

In its dealings with news media, the Board will be frank and open, recognizing the privilege of the media to publish newsworthy information. In return, the news media is asked to exercise courtesy and respect when covering meetings of the Board.

In order that the Board may transact its business with dispatch, questions from the media will not be entertained while meetings are in progress.

The media will be asked to operate with courtesy and decorum when the Board is in session so as not to disrupt the business of the Board. The Board reserves the right to prohibit the media from recording board proceedings in a manner that is disruptive.

When individual board members receive requests from news media representatives for information about board issues, members are requested to refer them to the Board President who shall be the public spokesperson for the Board except as the Board specifically delegates this responsibility to others.

Complementary Documents

- KBA, Relations with the News Media

Public Hearings

In conducting all public hearings required by law, and others as it deems advisable, the Board shall:

1. Give due public notice in line with statutory requirements and in addition, seek to publicize the meeting in all local media.
2. Make printed information on the topic of the hearing, including comprehensive reports as necessary, available to the public in advance of the hearing.
3. Give all persons an equal opportunity to be heard. Groups are urged to designate a spokesperson.

The president of the Board, or other member at his/her and the board's approval, shall preside at the hearing.

The public shall be informed at the beginning of the hearing the particular procedure that will be followed in regard to questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Board, or by others for the Board; to remark, citizens must be recognized by the chair, and all remarks must be addressed to the chair and be germane to the topic. To assure that all who wish get a chance to speak, the chair will recognize persons who have not commented previously during the hearing before recognizing persons who wish to remark a second time.

Consultants to the Board

In order to pursue its educational mission and also to protect the public's financial investment in the schools, the Board will from time to time engage the services of qualified professional consultants to provide special services which present staff is unable to provide.

Before engaging any consultant, the Board may require submission of a written proposal that can be incorporated into a contract or purchase order. Proposals will detail:

1. The specific objectives to be accomplished by the consultant;
2. The specific tasks to be performed;
3. The procedures to be used in carrying out the task(s);
4. The target dates for the completion of the task(s);
5. The method to be used to report results to the Board and/or to deliver any "product" to the Board;
6. The cost to the District.

When the Board requires submission of a proposal for consulting services, board approval and the consultant's approval of the proposal is mandatory prior to its execution.

The Superintendent will establish procedures necessary to aid in ensuring an efficient working relationship between the consultant and the Board and/or staff members.

Consultants shall exercise no administrative authority over the work of employees in the district and shall act only as advisors in the field in which they are qualified to offer expert assistance.

Retaining an Attorney

As a member of the North Dakota School Boards Association, the District has access to the Legal Services program. In addition, the District may contact the Burleigh County States Attorney to seek guidance when appropriate. The Board directs the administration to utilize these services to its fullest extent, employing an attorney only as required by the unique or extensive nature of the problem.

When the Board determines legal counsel is necessary it may employ an attorney licensed to practice law in the state of North Dakota. A decision to seek legal advice or assistance on behalf of the District shall normally be made by the Superintendent or Board President, or by persons specifically authorized by the Superintendent or President, but the Board may also formally direct the Superintendent to seek such counsel. The superintendent's decision shall be consistent with approved district policy or standard practice.

Advisory Committees to the Board

The Board encourages citizen participation in the decision-making processes. Advisory committees shall be organized when appropriate and be one of the following two types:

1. Board-appointed advisory committees, at the district level, shall function within the organizational frameworks approved by the Board. A board member or members may be assigned to each group to help it carry out its functions. The composition of advisory committees shall be broadly representative and shall take into consideration the specific tasks assigned to the committee. Only the Board shall have the authority to dissolve advisory committees it has created.

The Board will instruct each committee as to:

- a. The length of time each member is being asked to serve
 - b. The service the Board wishes the committee to render.
 - c. The resources the Board will provide.
 - d. The approximate dates on which the Board wishes to receive major reports.
 - e. Board policies governing citizens committees and the relationship of these committees to the Board as a whole, individual Board members, the Superintendent, and other members of the professional staff.
 - f. Responsibilities for the release of information to the press.
2. School and district level advisory committees required under federal and state programs shall function in accordance with the requirements pertaining to each specific federal or state program; the Board shall grant to those bodies the advisory responsibilities relevant to the planning, implementation, and evaluation of such program or project.

All recommendations of an advisory committee must be submitted to the Board.

Advisory committees created by the Board are subject to the open meetings law, and committee members should be informed of these requirements and agree to comply with them prior to commencing committee duties.

Board Member Compensation and Expenses

Each member of the Board will receive \$750.00 per month as compensation for services. In addition, each member may be reimbursed for all necessary meals, lodging, and travel expense actually incurred while engaged in official business of the BPS Board at the same rate as provided for state officers and employees. Mileage claimed shall not exceed the number of miles between the points traveled as measured by the most usual route.

If a Board member prefers to use his/her car to attend a conference, he/she will only receive the regular airline coach fare for the trip or mileage, whichever is less.

School Board Memberships in Organizations

The Board will maintain membership in the North Dakota School Boards Association, any area association, and as a direct affiliate of the National School Boards Association. Such membership shall be paid by the District.

It shall be the policy of the Board to participate as fully as possible in these associations, both as a group and on an individual basis.

Board Member Development Opportunity

Board members are encouraged to participate in meetings, conferences, and workshops of state and national school boards associations and to take part in other activities which will help them become better informed and able to perform their duties.

Funds for participation at such meetings and activities will be budgeted on an annual basis. When funds are limited, the Board will designate which of its members would be the most appropriate to participate at a given meeting.

Reimbursement to Board members for their travel expenses will follow the travel expense reimbursements established by state law.

When a conference, convention, or workshop is not attended by the full Board, those who do participate will be required to share information, recommendations, and materials acquired at the meeting.

New Board Member Orientation

A new member is to be afforded the fullest measures of courtesy and cooperation by the Board and the school district staff. In the interim between election and actually assuming office, the Board President will invite the new member to attend all meetings and functions of the Board, and the Superintendent should provide the new member with all reports and communications normally sent to board members.

The Board will encourage the new board member to attend the North Dakota School Boards Association New Board Members Seminar as required by law. The Business and Operations Manager shall maintain a record of attendance and report to the Board when each new member has fulfilled this obligation.

The Board President shall provide the new member with a copy of or access to the Coherent Governance Policies, the Board Procedures Handbook, and the latest copy of the North Dakota Century School Code. The Board should identify other material pertinent to board service and particularly useful to new members. The Board president should provide this material to the new member.

School Board Evaluation

The Bismarck Public School Board recognizes the importance of regular periodic assessments of priorities, goals and objectives. Therefore, it shall be the policy of this board to conduct a self-evaluation every two years based on the stated priority objectives for the year, the goals of the Board, and the board's job description (GC-3).

Consistent with the understanding that the Board acts only as a whole and that individual board members have no authority or power, the evaluation will focus on how the Board functions, not how each individual functions. Individual board members are encouraged, however, to conduct a personal self-examination in conjunction with the board evaluation to gain insight and understanding into the quality of their own board service.

Annually the President will distribute a self-evaluation tool to all board members and to the Superintendent.

The evaluation tool shall include the following areas:

- Governance Culture
- Board/Superintendent Relations
- Operational Expectations
- Desired Results

Following the evaluation, the Board will meet to establish the priority objectives for the coming year.

Board Communication with the Public

As members of the Bismarck School Board, individual board members may be contacted by the public with questions, comments, or concerns related to school matters. When approached by the public for these reasons, it is recommended Bismarck School Board members comply with the applicable portions of the following procedure:

1. Explain that individual board members have no authority to act on behalf of the Board.
2. Explain that because board members serve as the “jury” when a licensed staff member (e.g., teacher, principal, or superintendent) is being considered for nonrenewal or discharge, board members must maintain their impartiality in the event of such a hearing.
3. Explain that the district has developed complaint procedures to handle public concerns and complaints and refer the complainant to the appropriate source under administrative policy for further investigation.

If the communication concerns a comment or concern about the Bismarck School Board or for which the district has not established a policy, the matter shall be referred to the Bismarck School Board President.

To ensure compliance under the open meetings law, it is recommended board members not forward or discuss correspondence from the public with other board members outside the context of an open meeting except as otherwise stipulated above. In addition, the Board shall comply with the protocol contained in all policies related to formal complaints, some of which may prohibit an appeal to the Board.

Complementary Documents

- BCAD, Executive Session
- BCBA, Public Participation and Board Meetings
- GAAC, Review and Complaints About Instructional and Resource Materials
- KACA, Patron Complaints
- KACB, Patron Complaints About Personnel

Superintendent Recruitment and Appointment

Recruitment

The Board will construct a set of desired qualifications and a job description for the new superintendent. The Board will establish a salary range for the position and determine the method of advertising the vacancy. The Board may actively seek qualified applicants from within and outside of the system. The Board may appoint a screening committee or hire consultants to assist in the search and selection. However, the final selection will rest with the Board.

Advertising

All advertising for a superintendent vacancy shall include a statement that applicants are not eligible for Veterans Preference and that the District is an Equal Opportunity Employer. The advertisement should include a closing date.

Screening and Selection

The Board will make available to each applicant the job description and list of qualifications. Candidates shall be required to consent to a criminal history record check and shall be subject to the same adjudication standards that the Board has established for instructional staff. The Board President or designee shall be charged with adjudicating the criminal history record of superintendent candidates in accordance with the procedure established for adjudicating the criminal history records of instructional personnel. Because the contents of criminal history records are confidential, any board discussion about a candidate's criminal history record shall be held in executive session.

The Board shall narrow the pool of candidates based on adjudication of the criminal history record and upon assessment of each candidate's qualifications. The Board shall schedule an interview with final candidates for the superintendent's position. A procedure for the interview will be established that attempts to give every candidate an equal opportunity to answer similar questions.

Interviews with the final candidates will be at an open meeting with as many board members as possible in attendance.

Selection will be based upon professional qualifications not upon race, color, religion, gender, age, physical disability, marital status, national origin, or other class protected by law.

A majority vote of the board members present at a board meeting for which due notice was given of the intent to employ the Superintendent will be required for the employment of a superintendent.