Appendix 1

BOE Policy Review Item
Wichita Public Schools
BOE Workshop Date: August 3, 2022

1. Policy Review

   Purpose: As part of an ongoing effort to review BOE policies, the Board will discuss and analyze these Board policies.

   Summary: This item provides for the Board's review of the policies below.

Policy	Title
0200	Board of Education Agendas and Meetings
0275	Requests for Information – Board of Education
0450	Legal Services

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P0200 BOARD OF EDUCATION AGENDAS & MEETINGS

BOARD POLICY:

The Board shall meet in regular session at least once each month and shall schedule other official meetings and committee meetings as are necessary. The procedures for BOE Agendas and general information about Board meetings are set forth in this policy. The Clerk of the Board shall establish a 12-month calendar of Board of Education meetings each July. Once adopted, this calendar will be changed only by a majority vote of the Board, except in case of an emergency when the Board President shall be permitted to make a change, or special meetings as noted in AIP 1b of this policy.

Administrative Implemental Procedures:

1. Location, Time, and Types of Board Meetings

   a. Regular meetings

      Each year in July, the Board shall adopt a resolution specifying a regular location, regular hour, dates, and weeks of the month for Board meetings. This resolution shall also provide that if the regular meeting day occurs on any day when administrative offices are closed, the regular meeting shall be scheduled by the Board on an alternate date in the annual resolution, commencing at the same hour. This resolution may specify that any regular meeting may be adjourned to another time and place. In case it is necessary to hold a meeting at a different place, the Clerk shall notify in writing each Board member, the Superintendent of Schools, and take appropriate steps to notify the public (K.S.A.72-1138 of the Kansas Open Meetings Act).

   b. Special meetings

      Special meetings may be called at any time by the Board President or by joint action of any three Board members. Written notice, stating the time and place of any special meeting and the purpose for which it is called, shall, unless waived, be given each member of the Board at least two days in advance of such meeting. No business other than that stated in the notice of such meeting shall be transacted at such meeting. Public comment will be allowed only during Public Communications on topics that pertain to agenda items on the special agenda, excluding Executive Session (See AIP 11b of this BOE Policy 0200).

   c. Committee of the Whole meetings

      The Board of Education may meet as a Committee of the Whole in order to consider issues informally and with greater freedom of debate. No binding action may be taken by the Board in a Committee of the Whole meeting, and discussions are not entered into the official record. Committee of the Whole meetings will be scheduled by the Board of Education as needed on alternating Mondays to regular meeting dates. The Board may also meet from time to time in special committee meetings as called by the President of the Board or by joint action of any three members of the Board. All reports prepared by the administration for the Committee of the Whole meeting are to be submitted to the Board at least three days prior to the Committee of the Whole meeting, unless the majority of the Board waives this requirement. When scheduling Committee of the Whole meetings, efforts will be made to coordinate the meetings with schedules of Board members.

d. All regular meetings, special meetings, and Committee of the Whole meetings shall be open to the public and comply with the Kansas Open Meetings Act.

e. Interactive Communications between Board members ("serial meetings"), including serial meetings that occur with the Superintendent and/or other staff members present, must be open to the public if the serial meetings include the three criteria listed below:
   1) Involve a majority of the membership of the Board of Education;
   2) Share a common topic of discussion concerning the business or affairs of Wichita Public Schools; and
   3) Are intended by any or all of the participants to reach agreement on a matter that would require binding action to be taken by the Board of Education.

   Interactive Communications will be used for informational purposes only.

2. Notice of Board Meetings

   a. The Clerk shall notify each Board member of the date and time of all regular and special Board meetings, four days prior to a regular meeting and two days prior to a special meeting whenever possible. Meeting notices will be provided when a meeting date or time has been changed or a special meeting is scheduled.

   b. Notice of the date, time, and place of any meeting of the Board shall be provided to news media and other persons requesting such information. The Clerk of the Board may be contacted for meeting information, and this information is also available on the Board of Education's Web site.

3. BOE Agenda and Appendices

   a. The Superintendent and designated administrative staff shall approve all agenda items before they are sent to the Clerk of the Board to be placed on the agenda. Items for the agenda shall be submitted to the Clerk at least ten days before a regular meeting is scheduled.
   b. BOE agenda items shall state clearly the topic to be considered, contact person(s), funding source/budget year (if applicable), strategies, purpose, and as applicable, the Superintendent's recommendation and the action requested of the Board.
   c. Appendices. If appropriate, supporting material in the form of an Executive Summary will be included in the Appendices. An Executive Summary may include an explanation of the background (history), current status, program evaluation, and/or the basis for the recommendation, as appropriate.
   d. Agenda Planning. The Superintendent, the President, the Vice-President, and one other member of the Board to serve on a rotational basis, if available, other designated administration staff, and the Clerk of the Board shall meet to review the agenda of a regular meeting prior to publication. In setting the agenda, the President of the Board shall determine items that should be discussed at least at one Board meeting before action is taken. Items that involve a large expenditure of funds, which have a high level of public interest, or which constitute a major change in school programs, should appear on the agenda one meeting prior to Board action. Major revisions to Board policies and/or new policies shall be presented at one Board meeting prior to Board action, unless waived by a vote of the majority of the Board. In reviewing the agenda, the President and Vice President

shall estimate the amount of time which should be allocated for discussion and/or action on agenda item(s). Certain agenda items may be designated time-specific in order to facilitate participation by the community.

e. The BOE Agenda file for a regular meeting shall be provided electronically to Board of Education members on the Wednesday prior to the meeting. The full BOE Agenda with Appendices shall be published on the district Web site on the Thursday prior to the meeting.
f. Board members should be prepared for every meeting, i.e., reading the agenda and participating in agenda review. Prior to each meeting, the Superintendent shall offer all Board members an opportunity for agenda review.
g. Addendum items to the BOE Agenda shall be added to the agenda only if these items are of an emergency nature and are authorized by the Superintendent prior to the Board meeting that these addendum items are requested.
h. All Board meetings shall be conducted in accordance with the order of the agenda published on the district Web site unless amended or changed by consensus or a vote of the Board.

4. Order of Board Meeting Business

The order of business of all regular meetings should normally be as follows:

a. Preliminary items: Roll Call, Moment of Silence, Pledge of Allegiance, Reports, Public Communications, and Consent.
b. Consent agenda: Routine items of business will be placed on the agenda under Consent.
   1) If a Board member has a question about any item on the consent agenda, that item can be pulled from the consent agenda and considered as a separate agenda item, unless otherwise directed by the Board of Education. The purpose of the consent agenda is to expedite routine business. At the discretion of the presiding officer, items pulled from the consent agenda may be moved to the end of the business meeting.
c. Agenda items requiring Board action or discussion.
d. Miscellaneous.
   1) Superintendent's Report. The Superintendent's Report may include updates on items relevant to the Board of Education.
   2) BOE Reports, Requests for Information, and Requests for Agenda Items. Board members may give reports regarding district education-related items. Board members may also make requests by submitting a Board Request Form to the Clerk or to the President of the Board during the Board meeting. These reports and requests will be recorded in the BOE Minutes. For more information, please see BOE Policy P0275 – Requests for Information – Board of Education.
   3) New Business. Agenda items may be introduced by any Board member under New Business.
      a) No action shall be taken on these items except on rare occasions when the matter is time-sensitive and when the majority of the Board votes to take up the item.
      b) Upon the majority vote to do so, the Board may take action on such item.
   4) Executive Session.
   5) Adjournment.

5. Changing the Order of Business
   a. The order of business may be changed temporarily by the presiding officer, unless there is an objection by the majority of the Board.

6. General Meeting Procedures
   a. The President (or Vice-President in the absence of the President) will preside at all meetings. In the absence of both the President and the Vice-President, the members present shall elect a President pro tempore who will serve only for that meeting or for that part of the meeting in which the President and Vice-President are absent.
   b. Any member of the Board who wishes to make a motion, second a motion, or discuss pending business will first secure recognition of the Board President.
   c. All formal actions of the Board will be taken by ordinary motions unless a formal resolution is required by law or preferred by the Board.
7. Discussion of an Agenda Item. It is not necessary for a motion to be before the Board in order to discuss an agenda item. In the ordinary course of events:
   a. The Board President will request the item.
   b. The Clerk of the Board will read the item and the recommendation.
   c. Members of the public who have registered with the Clerk may speak to the item on the table. For more information, please see AIP 11.
   d. The party who submitted the item (Board member, Superintendent, or Superintendent's designee) will be available to make a brief explanation regarding the item or to respond to questions from the Board if requested to do so. Only the President or Superintendent shall request administration or staff to address the Board on an agenda item.
   e. Board members will discuss the item, if so desired.
   f. A Board member will present the motion and receive a second. A Board member making a motion may subsequently speak for or against that motion.
   g. Board members will further discuss the item, if so desired.
   h. The President or a Board member will call for the vote.
8. Full and Open Discussion.
   a. It is the Board's intent to conduct its business in a way that encourages full and open discussion. Debate by Board members shall not be unreasonably restricted.
   b. The presiding officer is responsible for conducting the meeting in a time-efficient and purposefully effective fashion.
   c. The presiding officer has the authority to use processes that encourage full Board participation in an equitable manner, i.e., calling on Board members to ask if they have comments or questions, round robin questioning, or setting time limits on Board members' comments. The procedures and guidelines described in this policy are to ensure equitable participation by Board members.

9. Motions. The following motions will be in order:
   a. To recess;
   b. To take action;
   c. To amend a motion to take action, but this amending motion will be disposed of before any other motion to amend the main motion will be in order;
      1) If the Board member who made the main motion accepts the amended motion, the amended motion will take precedence over the main motion.
      2) If the Board member who made the main motion does not accept the amended motion, the Board President will call the question of the Board as to whether the amended motion should be accepted or not accepted.
      3) If the amended motion is accepted, it will take precedence over the main motion. If the amended motion is not accepted, the main motion will take precedence.
      4) A Board member's vote on the acceptance/non-acceptance of amendment does not obligate the Board member to vote in a particular way on the amendment to which the motion applies.
   d. To defer action, either indefinitely or to a specific time, date, and place;
   e. To go into Executive Session; and
   f. To adjourn, either indefinitely or to a specific time, date, and place.

10. Board Voting
   a. Voting shall be conducted by an electronic voting system, provided it is operable.
   b. The vote or the failure to vote of each member shall be recorded in the minutes.
   c. Any member who abstains from voting, except as otherwise provided for herein, shall be counted as having voted against the motion or resolution. If a member announces a conflict of interest with regard to the issue, the member may leave the meeting until voting on the issue is concluded and the member who abstains from voting thereby shall not be counted as having voted.
   d. A majority of the full membership of the Board shall constitute a quorum for conducting any business of the school district, and the vote of a majority of the full membership of the Board shall be required for the passage of any motion or resolution.
   e. Members must be physically present at Board of Education meetings to vote on agenda items but may participate in discussions via teleconference. During an emergency, such as a time when schools are closed by an Executive Order of the Governor of Kansas, Board members may participate in voting by teleconference.
   f. In the event a Board member is unable to be present to vote on a specific item, that Board member may request to the Board President that the item be deferred. This request may be granted unless by delaying the vote, it would result in a loss of funding, conflict with Board policy, or result in other unfavorable consequences to the issue or project.

11. Public Comment: Speaking Privilege of Non-members
    a. The Kansas Open Meetings Act (KOMA) requires all meetings of the Board to be held in public but does not require the Board to take public comment. The Board recognizes the importance of public comment. The Board President has the authority to limit public comment to 20 non-members at any meeting. Public comments should be relevant to items of the Board meeting agenda or to items generally within the jurisdiction of the Board. Speakers will address the Board at the podium or other place in the meeting room designated by the Board President or officiating Board member.
    b. Speaker during Public Communications. A non-member who desires to address the Board under Public Communications must register with the Clerk of the Board's office by noon the day of the meeting, giving their name, address, phone (if available) and topic to be addressed. A non-member may also register at the meeting site until 10 minutes prior to the beginning of the meeting. At the time of registration, speakers will be notified that their comments should be limited to the registered topic and should not include personnel matters and/or issues that would violate the privacy of students (See AIP 11d). Speakers will be asked to provide 12 copies of any handouts to the Clerk of the Board's table for distribution at the Board table. A non-member may not be registered to speak by proxy, except as an ADA/504 accommodation. If an elementary or middle school student wishes to speak before the Board, both the student and the parent/guardian must register, and the parent/guardian must accompany the student to the Board meeting. When public comment is allowed, up to 10 non-members may address the Board during the Public Communications section of the agenda. Speakers are limited to three (3) minutes. Speakers will be taken on a first come, first serve basis until the maximum is reached. Persons who register with the Clerk's office prior to noon on the day of the Board meeting will have their names, addresses, and topics listed on the agenda published on the district Web site. When several members of one group or organization wish to speak to the Board concerning a specific topic, the group shall be asked to appoint a spokesperson to conserve time. A person who attempts to sign up to speak but who is unable to speak because the Public Communications time period has been filled, shall be given first priority to be a speaker at the next Board meeting. At the discretion of the President, a non-member may be granted up to an additional 30 seconds of speaking time.
    c. Speaker during Agenda Item. A non-member may address the Board at the time a specific agenda item is discussed, provided they register using the above procedure. Individual speakers may address the Board on any agenda item during a meeting and may speak only once during a meeting on the same topic. Speakers during agenda items are limited to three (3) minutes. At the discretion of the President, a non-member may be granted up to an additional 30 seconds of speaking time.
    d. The Board of Education will not permit the use of its open meetings for attacks by public speakers on the personal integrity, character, or competency of any employee and/or student of USD 259. If any member of the public feels compelled to share viewpoints of this nature, the member of the public may request the Board to receive such comments in Executive Session.
    e. The President may interrupt or terminate an individual's speaking privilege if the speaker's comments are unduly repetitious, disruptive, or obscene. The President may

interrupt to caution an individual that a personally directed statement may be slanderous or defaming and that the individual will be personally liable for the individual's statements. The Board will have the final decision if the President's ruling is challenged.

f. The President may deny any individual speaking privileges if previous conduct of the individual has indicated that the orderly conduct of a meeting may be threatened by that person's appearance.

g. Other communication to the Board. Members of the public may contact Board members using contact information available on the district Web site, phone directories, or from the Clerk of the Board's office. Anonymous oral and/or written communication submitted to the district will not be forwarded to Board members.

12. Sergeant at Arms
    a. A security employee shall serve as Sergeant at Arms for the Board and shall be present at meetings upon request.

13. Interference with the Conduct of Public Business at Board of Education Meetings
    a. Persons attending Board meetings shall not interfere with the conducting of public business at Board meetings. For purposes of this rule, interference with the conducting of public business shall be defined to be willfully impeding, disrupting, or hindering the normal proceedings of any meeting of the Board, and shall include unauthorized remarks from the audience, stamping of feet, whistles, clapping, yells, and similar demonstrations that impede, disrupt, or hinder the normal proceedings of any meeting of the Board. The presiding officer shall have authority to direct the Sergeant at Arms to remove persons from the room who engage in conduct that interferes with the conducting of public business. In case the presiding officer shall fail to act, any member of the Board may move to require the presiding officer to act to enforce the rules. An affirmative vote of the majority of the Board members shall require the presiding officer to act.

14. Executive Session
    a. The Board may recess (not adjourn) to Executive Session, upon formal motion made, seconded, and passed. The motion for the Executive Session shall include a statement of (1) the justification for closing the meeting, (2) the subjects to be discussed during the Executive Session, and (3) the time and place at which the open meeting shall resume. Executive Session shall be closed to the public. No binding action shall be taken during Executive Sessions, and these sessions shall not be used as a subterfuge to defeat the purposes of the Kansas Open Meetings Act. Discussion during the closed or Executive Session shall be limited to those subjects stated in the motion. No subjects shall be discussed at any closed or Executive Session except as set forth in Kansas statutes.

15. Subjects for an Executive Session.
    Motions and discussion are limited to the following subjects:
    a. Personnel matters for non-elected personnel;
    b. Consultation with an attorney which would be deemed privileged in attorney-client relationship;
    c. Matters relating to employer-employee negotiations;
    d. Matters relating to actions adversely or favorably affecting a person as a student;
    e. Preliminary discussion relating to the acquisition of real property;
    f. Matters relating to the security of the Board, the school(s), school buildings or facilities, or the information system of the school(s).

16. BOE Meeting Minutes and Approval of Minutes
    a. The Clerk of the Board will provide Board members, Superintendent, and designated administration staff a draft of the unapproved minutes within two (2) business days following the meeting for which those minutes pertain. Minutes of a Board meeting will be placed on the consent agenda for the next consecutive regular or special Board meeting. Unapproved minutes will also be published in the Appendices of the next BOE Agenda. The BOE Minutes become the official record of a Board meeting only after the Board approves those minutes. Board members may vote on the minutes of a meeting they did not attend.

17. Authority of Board Members

    a. Board members have authority only when acting as a Board of Education legally in session. The Board shall not be bound in any way by any statement or action by any individual Board member or employee except when this statement or action is in pursuance of specific instructions by the Board or in administering the policy of the Board.

18. Change of Organizational or Operational Procedures

    a. Any amendment to organizational or operational procedures of the Board of Education described in this policy shall be presented in writing at a regular meeting of the Board and shall be tabled to the next meeting of the Board from the time of presentation. The amendment shall require the favorable vote of a majority of the full membership of the Board.

The Board attorney has approved this policy in form and content.

Latest Revision Date: March 2020
Previous Revision Date: December 2017 P0200

Updated administratively for alignment purposes: November 2020

P0275 REQUESTS FOR INFORMATION - BOARD OF EDUCATION

BOARD POLICY

The Superintendent, administration, and Board must maintain open lines of communication. The Board and Superintendent agree that the Board has a responsibility and a right to be informed. The Board must decide how much information it expects the Superintendent and/or administration to provide, how the information will be provided, the way it will be provided, and the time frame in which it should be provided.

Implemental Procedures:

1. All individual Board request for reports, analysis, or research generally should be made in writing during a regular or special-called Board meeting, or a committee of the whole.
   a. Unless a Board Request Form is completed by an individual Board member, no request for reports, analysis, or research shall be provided by staff.
2. Following each Board meeting, the Superintendent will assign each new request with the administrator responsible for fulfilling the request and will list a tentative completion date on the BOE Requests file. The Superintendent will confirm with the Board member who made the request how many staff hours it will take to fulfill the request and the tentative completion date. All Board members and Executive Council members will receive an updated BOE Requests file and BOE Agenda Planner file. The BOE Agenda Planner lists agenda items.
   a. If the Superintendent reviews a request with staff and estimates it will take more than two hours to complete, the Superintendent will communicate with the Board member who made the request about the amount of time estimated to complete the request. This will allow the Board member the opportunity to revise the request so it will take less than two hours to complete, or to withdraw the request.
   b. If a Board member agrees to withdraw a request, this will be noted in the next BOE Requests file that is sent to the Board. The request will then be deleted from the BOE Requests file.
   c. If the request is not revised or withdrawn, the Superintendent will bring the request back to the Board at its next business meeting for the Board's consensus or a vote.
   d. If a request is not fulfilled in a timely manner for the Board member who made the request, the Board member can consult with Board President and the Superintendent about the completion date. If necessary, the Board member, Board President, and/or Superintendent can bring a request back to the Board for further discussion.
3. Once a response has been prepared to any Board request, all Board members shall be offered a copy of the information at the same time.
4. Board members shall not bypass the Superintendent to request reports, analysis or research from staff. While a Board member may on occasion discuss issues with other staff members, it is important each member understand these discussions are brief and shall be limited only to information gathering. In order to achieve equitable access to information, any staff prepared documents will be offered to all Board members.

Board counsel has approved this policy as to legal form and content.

Administrative Responsibility: Board of Education
Latest Revision Date: December 2017
Previous Revision Date: July 2008 P0275

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P0450 LEGAL SERVICES

BOARD POLICY:

An attorney*(s)* shall be retained to provide legal services to the Board of Education and to provide legal counsel to the Superintendent and the Superintendent's staff. The Board may select other special legal counsel as deemed appropriate.

Implemental Procedures:

1. The attorney(s) shall attend Board meetings as requested, give advice and counsel when called upon, and shall attend to all legal matters pertaining to the Board and the school district.

2. The attorney(s) shall be familiar with the agenda so as to give legal advice regarding action to be taken by the Board.

4. A Board member may ask legal counsel for an opinion on a legal issue affecting the Board or the school district, which will not require legal research or significant expenditure of funds. The Board member requesting any such opinion realizes that the opinion may be given to all Board members, since the Board attorney represents the total Board. A Board member desiring a more in-depth opinion or a written legal opinion shall submit the request to the President of the Board or the President's designee who shall submit the request to legal counsel or disapprove the request. A member whose request is disapproved may resubmit the request for discussion by the Board in open Board meeting or executive session, whichever is appropriate.

5. Decisions regarding the filing of a case, appealing a decision and other decisions of similar importance shall be made by the Board. Legal counsel shall obtain decisions of lesser importance from the Superintendent or designee.

6. Legal counsel shall be regarded as attorney for both the Board and administration unless a specific decision has been made to the contrary in cases where a conflict or potential conflict exists between the Board's interest and the administration's interest. In such cases, the decision to have legal counsel act on behalf of only one of the parties shall be clearly communicated to both parties.

Latest Revision Date: November 2017
Previous Revision Date: August 2012 P0450

Updated administratively for alignment purposes: November 2020

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