

## **SECTION B: SCHOOL BOARD GOVERNANCE AND OPERATIONS**

Section B of the NEPN/NSBA classification system contains policies, regulations, and exhibits on the school Board - how it is appointed or elected, how it is organized, how it conducts meetings, and how the Board operates. This section includes by-laws and policies establishing the Board's internal operating procedures.

- BA** School Board Operational Goals
- BAA** Evaluation of School Board/Board Self-Evaluation
  
- BB** School Board Legal Status
- BBA** Board Powers and Responsibilities
- BBAA** Board Member Authority and Responsibilities
- BBB** Board Membership - Elections/Appointment
- BBBA** Board Member Qualifications
- BBBB** Board Member Oath of Office
- BBBC** Board Member Resignation
- BBBD** Board Member Removal from Office
- BBBE** Unexpired Term Fulfillment/Vacancies
- BBBF** Board Candidates
- BBBG** Board Election Campaigns
- BBC** School Board Liability
  
- BC** School Board Member Conduct
- BCA** Board Member Code of Ethics
- BCB** Board Member Conflict of Interest
  
- BD** Organization of the School Board
- BDA** Board Organizational Meeting
- BDB** Board Officers
- BDC** Appointed Board Officials
- BDD** Board-Superintendent Relationship
- BDE** Board Committees
- BDEA** Committee of the Whole
- BDF** Advisory Committees to the Board
- BDG** School Attorney
- BDH** Board Consultants/Staff Assistants

- BE** School Board Meetings
- BEA** Regular Board Meetings
- BEB** Special Board Meetings (and Emergency Meetings)
- BEC** Executive Sessions/Open Meetings (also KDB)
- BED** Meeting Procedures/Bylaws
- BEDA** Notification of Board Meetings
- BEDB** Agenda
- BEDC** Quorum
- BEDD** Rules of Order
- BEDDA** Parliamentary
- BEDDB** Suspension of Rules of Order
- BEDE** Second Language Procedures for Board Meetings
- BEDF** Voting Method
- BEDG** Minutes
- BEDH** Public Participation at Board Meetings
- BEDI** News Media Services at Board Meetings
- BEDJ** Broadcasting/Taping of Board Meetings
- BEDK** Reporting Board Meeting Business
- BEE** Board Hearings/Appeal Proceedings

•**BF** School Board Work Sessions and Retreats

- BG** School Board Policy Process
- BGA** Policy Development System
- BGB** Policy Adoption
- **BGC** Policy Review and Revision
- BGD** Board Review of Regulations (Also CHB)
- BGE** Policy Communication/Feedback
- BGF** Suspension/Repeal of Policy

•**BH** School Board Communications

- BHA** School District Logo and/or Motto
- BHB** Use of School District/Board Member Name
- BHC** Board Communications with Staff (Also GBD)
- BHD** Board Communications with Public

- BI** School Board Member Services
  - BIA** New Board Member Orientation/Handbook
  - BIB** Board Member Development Opportunities
  - BIBA** Board Member Conferences, Conventions, and Workshops
  - BIC** Board Facilities and Services
  - BID** Board Member Compensation and Expenses
  - BIE** Board Member Insurance/Liability
  
- BJ** School Board Legislative Program
  - BJA** State Legislative Program
  - BJB** Federal Legislative Program
  
- BK** School Board Memberships
  - BKA** Liaison with School Boards Associations

## SCHOOL BOARD OPERATIONAL GOALS

The Caesar Rodney School District Board of Education is responsible to the people, all of the people, for whose benefit the District has been established. The Board's action will influence the course of education in the district's schools for years to come. By virtue of this responsibility, the Board and each of its members must look to the future and to the needs of all people more than the average citizen finds necessary. This requires a comprehensive perspective and long-range planning in addition to attention to immediate problems.

The Board's primary responsibility is to establish those purposes, programs, and procedures which will best produce the educational achievement needed by district students. It is charged with accomplishing this while also being responsible for wise management of resources available to the district. The Board must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy, and evaluating the results. Further, it must carry out its functions openly, while seeking the involvement and contributions of the public, students, and staff in its decision-making processes.

In accordance with these principles, the Board through its mode of operating, will seek to achieve the following goals:

- To concentrate the Board's collective effort on its policymaking and planning responsibilities.
- To formulate Board policies which best serve the educational interests of each student.
- To provide the Superintendent with sufficient and adequate guidelines for implementing Board policies.
- To maintain effective communication with the public, staff, and students, in order to maintain awareness of attitudes, opinions, desires, and ideas.
- To conduct Board business openly, soliciting and encouraging broad-based involvement in the Board's decision making processes by public, students, and staff.

Adopted: 1994

Caesar Rodney School District, Wyoming, Delaware

## EVALUATION OF SCHOOL BOARD/BOARD SELF-EVALUATION

The Caesar Rodney School District Board of Education believes the efficiency of Board operations directly affects the efficiency of District operations. Therefore, the Board plans to conduct an annual evaluation in February that will be made up of:

- a self-evaluation instrument for each Board member;
- a self-evaluation of the Board as a whole to be completed by each Board member with the results tabulated and discussed.

The results of these evaluations will be discussed yearly, and revised standards and priorities will be set for the next year's evaluation.

Adopted: 1/20/93

## SCHOOL BOARD LEGAL STATUS

The Board of Education of the Caesar Rodney School District derives its legal status from the Constitution of the State of Delaware and from the statutes enacted by the General Assembly. The Board of Education acts as an agent of the state in developing an educational program in accordance with the Constitution and the laws of Delaware.

The Board of Education consists of five members; each member is elected for a term of four years, or for the length of time it takes to complete the unexpired term of a regularly elected member who has left the Board.

Established by statute

LEGAL REFS.:           14 Del. C 1041  
                                  1042  
                                  1043

CROSS REFS.:           AA, School District Legal Status  
                                  BBB, School Board Elections, and subcodes

*Note: The Wing Commander of Dover Air Force Base has been invited to appoint a non-voting representative to the Board. This ex-official member of the board is granted all privileges of a board member except that of the right to vote on issues before the Board.*

Adopted: 1994  
Reviewed: February, 2025

## BOARD POWERS AND RESPONSIBILITIES

The Board may transact business only with a quorum present during a regular or special meeting. The Board has the authority to:

- determine policies pertaining to major goals and the mission of the district (14 Del. C. 1049)
- approve courses of study (14 Del. C. 1049)
- approve the selection, purchase, and distribution of textbooks and instructional materials (14 Del. C. 1049)
- adopt rules and regulations for the general administration and supervision of the schools (14 Del. C. 1043)
- prescribe rules and regulations for conduct and management of the schools (14 Del. C. 1049)
- enforce the laws pertaining to school attendance (14 Del. C. 1049)
- approve the employment and termination of personnel (14 Del. C. 1094)
- appoint the superintendent of schools (14 Del. C. 1091)
- elect a president and vice-president of the Board annually (14 Del. C. 1045)
- designate the superintendent as executive secretary of the Board (14 Del. C. 1045, 1091)
- establish time and place for regular and special Board meetings (14 Del. C. 1048)
- appoint members to temporarily fill vacancies on the Board (14 Del. C. 1054)
- determine the date and locations for Board member elections, and serve as election officers (14 Del. C. 1072)
- approve an annual report about current conditions, accomplishments, need for improvement and advancement of the schools, as well as an accounting of business and financial transactions of the Board (14 Del. C. 1050)
- provide for the maintenance and care of buildings, grounds, and equipment (14 Del. C. 1055)

- initiate the sale or lease of school property per state statute (14 Del. C. 1057)
- consider requests for use of buildings and grounds by community organizations (14 Del. C. 1056)
- decide on all controversies involving rules and regulations of the Board as well as those not covered by policy (14 Del. C. 1058)
- conduct staff termination hearings when such are recommended by the superintendent (14 Del. C. 1059, 1413)
- conduct appeal hearings in accordance with state statute (14 Del. C. 1059)
- protect district employees from civil action when employees have acted within the scope of their duties (14 Del. C. 1095)
- levy taxes when authorized by the voters of the school district for purposes provided by state statutes (19 Del. C. 1902, 1912, 1922) (21 Del. C. 2102, 2116)

This list of Board powers and responsibilities is not intended to be complete; however, it illustrates the authority vested in local Boards of Education

Issued: November 1994

## BOARD POWERS AND RESPONSIBILITIES

Public education is the responsibility of the state. Under the states' constitutions and by legislative act, the structure for the operation and control of the public schools within each state has been established.

A large measure of the responsibility for the public schools is vested in local school districts, established under the laws of the state for that purpose.

The school board in the local district is the agency designated by the state to represent the people of the local district and the state. The board is charged with responsibility to interpret the educational needs and desires of the people and to translate them into policies and programs. It is emphasized that no single board member or group of board members is charged with the aforementioned responsibility. The charge is with the board acting as a single unit and the execution of the charge is by official board action.

The Board of Education has four major kinds of duties:

1. Legislative: The Board represents the people of the district, and will function as a policymaking body. The Board has complete jurisdiction over the school district and its employees.
2. Executive: The Board selects a chief school officer, the Superintendent of Schools, and delegates to the Superintendent the authority for formulating and overseeing all regulations, plans, and administrative details necessary to ensure that the policies of the Board are carried out in the daily operation of the schools.
3. Evaluative: It is the Board's duty to determine, through careful study and examination of facts and conditions, whether the schools are being operated efficiently--not only in terms of dollars and cents, but in terms of the effectiveness of the schools' instructional program, based on the philosophy of education as formulated by the Board.
4. Judicial: It is the Board's duty to conduct hearings regarding student or staff disciplinary action when such is recommended by the Superintendent or to conduct a hearing on appeals from students, parents, staff or others with an interest in questioning an administrative action of the Superintendent of Schools.

Adopted prior to 1989: Codified 1994  
Revised: date of manual adoption  
Revised: September 2011

LEGAL REFS.: 14 Del. C. ' 1043  
' 1049

CROSS REF.: AD, Educational Philosophy

## BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

Because all powers of the Caesar Rodney School District Board of Education derived from the State statutes are granted in terms of action as a group, individual Board members exercise authority over District affairs only as they vote to take action at a legal meeting of the Board.

In other instances, an individual Board member, including the president, will have power only when the Board, by vote, has delegated authority to him or her.

It is contrary to the Code of Delaware for any Board member to seek individually to influence the official functions of the District. The Board of Education and its members will deal with administrative services through the Superintendent and will not give orders to any subordinates of the Superintendent either publicly or privately, but may make suggestions and recommendations.

The Board of Education will make its members, the District staff, and the public aware that only the Board acting as a whole has authority to take official action.

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1048

CROSS REFS.: DSBA, Board Member Handbook

## BOARD MEMBERSHIP - ELECTIONS/APPOINTMENT

The Caesar Rodney School District Board of Education consists of five elected members. All members are elected at large to five year terms. Newly elected members take office at the annual reorganization meeting in July.

Board of Education elections are held annually on the second Tuesday in May. The election is conducted by the Kent County Board of Elections. In the event only one candidate files for a vacant seat on the Board, the Board of Elections will cancel the election and declare the nominee elected to the term of office. All elections are held in accordance with Chapter 14, Delaware Code.

Vacancies on the Board are filled by appointment for the remainder of the fiscal year by the remainder of the Board. At the next regular election, a person is elected to fill the remaining term of office of the vacated seat. Appointed members take office at the meeting of the Board following appointment.

LEGAL REFS.:       14 Del. C. §1045  
                              §1051  
                              §1054  
                              §1072  
                              §1074

CROSS REFS.:       BB, School Board Legal Statute

Revised :       2000

Adopted:       May 16, 2000

Caesar Rodney School District, Wyoming, Delaware

APPLICATION  
BOARD OF EDUCATION VACANCY  
CAESAR RODNEY SCHOOL DISTRICT

Position: Member of Board of Education

Term: From date of appointment until \_\_\_\_\_. This seat on the Board was vacated by \_\_\_\_\_. The Board of Education will fill the vacancy by selecting an appointee from those who apply for appointment. The balance of this term (\_\_\_\_\_) will be filled by a candidate selected by voters at the regularly scheduled election in \_\_\_\_\_.

Procedure for Filing Application: Letters of interest and completed applications must be submitted to the office of the Board of Education's Executive Secretary no later than 4:00 p.m. on \_\_\_\_\_.

Name \_\_\_\_\_  
First Middle Initial Last

Address of Residence \_\_\_\_\_  
\_\_\_\_\_

Resident of Caesar Rodney School District since \_\_\_\_\_

Are you a citizen of the USA? Yes \_\_\_\_\_ No \_\_\_\_\_

Will you be 18 years or older at the time of appointment? Yes \_\_\_\_\_ No \_\_\_\_\_

Is this place of residence located within the boundary of Caesar Rodney School District? Yes \_\_\_\_\_ No \_\_\_\_\_

Spouse's Name (if married) \_\_\_\_\_

Do you have children? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide names, ages and school attending:

<u>Name</u>	<u>Age</u>	<u>School Enrolled In</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Please list civic, community, and/or church activities you are or have been associated with:

Please list leadership positions for which you have been selected, and/or honors presented to you for participation in civic, community, or church activities.

In the space provided, please comment on why you are interested in being appointed to the Board of Education.

Signature \_\_\_\_\_

Revised: July 1999

Caesar Rodney School District, Wyoming, Delaware

## BOARD MEMBER QUALIFICATIONS

Any qualified resident of the Caesar Rodney School District may be elected or appointed to serve on the Board of Education at a regular election or appointed to fill a vacancy on the Board.

A qualified resident possesses all the following characteristics:

1. Citizen of the United States
2. Citizen of the State of Delaware
3. Resident of the District at the time of election or appointment and during term of office
4. Eighteen years old or older at time of election or appointment

Nomination petitions must be filed in the manner prescribed by law.

Established by statute

LEGAL REFS.: 14 Del. C. §1052

*Note: Nomination petitions and procedures for filing for the position of school board member are available from the Kent County Clerk of the Peace.*

Adopted: 1994

## BOARD MEMBER OATH OF OFFICE

Each person elected in a regular election or appointed will qualify by taking the oath of office at the organization meeting of the Caesar Rodney School District Board of Education in July or at the first meeting following appointment. The oath may be administered by the President or Vice-President of the Board and may be taken in the following form:

"I do solemnly swear (or affirm) that I will support the Constitution of the United States of America and the Constitution of the State of Delaware, and that I will faithfully discharge the duties of the office of school board member according to the best of my ability; and I do further solemnly swear (or affirm) that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered to or promised to contribute, any money or other valuable thing as consideration or reward for the giving or withholding a vote at the election at which I was elected to said office, so help me God (or I so affirm)."

The oath will be properly verified by the administering officer and filed with the Board executive secretary.

Established by statute

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1053

## BOARD MEMBER RESIGNATION

The Caesar Rodney School District Board of Education believes that any citizen who files for and seeks election to the Board should do so with full knowledge of and appreciation for the investment in time, effort, and dedication expected of all Board members and that the citizen's intent to serve reflects his or her intention to serve a full term of office.

However, if for reasons of health, change in domicile, or any other compelling reason a member does decide to terminate service, the Board requests earliest possible notification of intent to resign so that the Board may plan appropriately for this exigency.

Adopted: 1994

## BOARD CANDIDATES

The Caesar Rodney School District Board of Education considers it important that a new member be knowledgeable about school governance and operations and prepared to discuss and cast informed votes on matters before the Board from the time the member is sworn into office.

All candidates will be urged to attend, and will be welcomed at, public meetings of the Board during the period of candidacy. All public information about the District will be made easily available to them.

The Superintendent will cooperate impartially with candidates in providing information about school governance, Board operations, and school programs. This cooperation may include:

- notification of public meetings of the Board, with the agenda provided;
- meetings with candidates to provide information on the school system and school Board services;
- providing candidates with published information on the duties and responsibilities of school Boards and Board members; and
- making arrangements for the candidate to review the current policies of the Board, district regulations, and publications of the school system.

The Board expects its staff will seek to be impartial as it offers orientation for Board candidates. It expects candidates to recognize that until the oath of office is administered, their official status is that of other members of the public and that they are not entitled to privileged information which is properly discussed in executive sessions.

Adopted: 1994

Caesar Rodney School District, Wyoming, Delaware

## BOARD ELECTION CAMPAIGNS

The Caesar Rodney School District Board of Education prohibits campaigning in the public schools by individual candidates or supporters of individual candidates for Board of Education, except that organizations may sponsor all-candidate forums for educational purposes.

The Board prohibits the posting or distribution of campaign materials associated with school elections on lands, or within buildings owned by the District except that campaign materials may be:

- posted and distributed in a school rented for a campaign meeting or being used for an all-candidate forum; however, any such political materials may not be erected until the student day is over and must be removed from the school premises at the end of the meeting;
- used as classroom teaching aids on the condition that support for an individual is not solicited;
- allowed per the terms of a negotiated agreement with an employee bargaining group.

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1022

CROSS REFS.: IHAC Teaching about Social Studies  
KHE Political Solicitations in Schools

Caesar Rodney School District, Wyoming, Delaware

## SCHOOL BOARD LIABILITY

Delaware Code mandates that the Caesar Rodney School District Board of Education defray all costs of defending itself, its administration and teachers for any act or omissions arising out of and in the performance of duty as Board member, administrator or teacher.

The Director of Business and Finance shall review the insurance coverage purchased to defray costs associated with civil actions and claims against the Board, its members, the administrative staff and teachers at the regular July meeting and at other times as needed.

The Director of Business and Finance shall purchase insurance coverage in the form of an Error and Omission policy to cover the Board, its members, the administrative staff and teachers. Such insurance shall provide coverage for all civil action allowable by the Delaware Code.

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1095

## BOARD MEMBER CODE OF ETHICS

Members of the Caesar Rodney Board of Education will strive to improve public education, and to this end we believe it important to:

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

Current practice codified 1994

Adopted: date of manual adoption

Caesar Rodney School District, Wyoming, Delaware

BOARD MEMBER CONFLICT OF INTEREST

No Board member, officer or employee of the Caesar Rodney School District or their families shall accept gratuities, financial or otherwise, from any supplier of materials or services to the District. No member of the Caesar Rodney Board of Education shall be employed, in any capacity, by the Board of Education of Caesar Rodney School District.

Revision: 1994

LEGAL REFS.: 14 Del. C. §1051  
29 Del. C. §5805

## ORGANIZATION OF THE SCHOOL BOARD

The Caesar Rodney School District Board of Education will meet and organize before the 15th of July of each calendar year. The officers of the Board will be a president and a vice-president. The Superintendent of Schools, by statute, serves as the executive secretary of the Board.

Board officers will serve for a term of one year or until a successor is elected. Officers may succeed themselves in office. Each officer will perform any legal duties of the office and other duties, as required by the Board.

In the absence of the president from a regular or special meeting of the Board, the vice-president will preside. If both the president and vice-president are absent, then the senior member, in time of service, who is present will preside.

If for any reason the office of the president becomes permanently vacant, then the vice-president will act as president until a new president is elected. A new president will be elected before the second regular meeting following the vacancy.

If for any reason the office of vice president becomes vacant, the Board will elect a vice president at the first regular meeting after vacant board position(s) is filled by appointment or election.

Adopted: 1994  
LEGAL REFS.: 14 Del. C. §1045  
§1091

## ORGANIZATIONAL MEETING

At a special meeting of the Caesar Rodney School District Board of Education scheduled annually in July before the 15th of the month, the continuing member(s) and member(s)-elect will meet to elect officers for the fiscal year.

The meeting will be scheduled by the executive secretary with notice being forwarded to all members and member(s)-elect at least five days prior to the scheduled meeting. Notice of said meeting shall also be posted and usual media notified of regular meeting will be informed.

The meeting will be called to order by the incumbent president who will preside at the meeting until the new president is elected.

Nominations for the position of president and vice-president do not require a second. Members may self-nominate themselves. Members who nominate a candidate shall be entitled to comment on the reason they have submitted the nomination.

Balloting shall be by roll call vote. However, a unanimous roll call vote will be recorded if a motion for a unanimous vote is presented, seconded and adopted without objection.

### Order of Business

1. Call to order
2. Verification of election results
3. New member(s) oath of office
4. Election of President
5. Election of Vice-President
6. Appointment of Superintendent of Schools as Executive Secretary
7. Resolution of appreciation recognizing the public service rendered by retiring member(s)
8. Determination of date, time and place for regular monthly meetings of the Board.
9. Committee appointment

10. Resolution to continue the policies, regulations and practices of the former Board of Education
11. Communication
12. Public comments
13. Adjournment

Established by statute and practice

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1044  
§1045  
§1048

CROSS REFS.: BD, Organization of the School Board  
BDB, Board Officers

## BOARD OFFICERS

### **President:**

The president of the Board of Education will:

1. preside at all meetings;
2. sign contracts made by the Board when and if the signature of the executive secretary is not sufficient;
3. shall appoint members to committee assignments;
4. consult with the Superintendent regarding items to be placed on meeting agenda;
5. have the option to appoint or select a member to represent the district at official functions;
6. administer the oath of office to new members; and
7. perform all other duties as presented by statute.

### **Vice-President:**

The vice-president of the Board of Education will:

1. act as president in the absence of the president.

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1045

Caesar Rodney School District, Wyoming, Delaware

## BOARD-SUPERINTENDENT RELATIONSHIP

The Caesar Rodney School District Board of Education believes that the legislation of policies is the most important function of a school board and that the execution of the policies should be the function of the Superintendent and staff.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policymaking and appraisal functions.

The Board holds the Superintendent responsible for the administration of its policies, the execution of Board decisions, the operation of the internal machinery designed to serve the school program, and for keeping the Board informed about school operations and problems.

The Board will strive to procure, when a vacancy exists, the best professional leader available for the head administrative post. Then, the Board as a whole, and individual members, will:

- Give the Superintendent full administrative authority for properly discharging his or her professional duties, holding him or her responsible for acceptable results.
- Act in matters of employment or dismissal of school personnel only after receiving the recommendations of the Superintendent.
- Hold all meetings of the Board in the presence of the Superintendent, except when his or her contract and salary are under consideration.
- Refer all complaints to the Superintendent for appropriate investigation and action.
- Strive to provide adequate safeguards around the Superintendent and other staff members so that they can discharge their educational functions on a thoroughly professional basis.
- Present personal criticisms of any employee directly to the Superintendent.

Adopted: 1994

CROSS REFS.: CBC, Superintendent Powers and Responsibilities  
CHD, Administration in the Absence of Policy

## BOARD COMMITTEES

There shall be no standing committees of the Caesar Rodney School District Board of Education. Whenever it seems advisable, a special committee will be appointed by the president or elected by the Board to investigate a specific situation or problem, and to report to the Board. All Board members are privileged to attend meetings of such committees.

Reports of special committees will be circulated in advance through the Superintendent's office like other agenda items, except in cases of emergency or when otherwise ordered by the Board or president.

Adopted: 1994

CROSS REFS.: BDF, Advisory Committees to the Board

## ADVISORY COMMITTEES TO THE BOARD

The Caesar Rodney School District Board of Education will rely on various advisory committees to counsel it as one way to learn about the needs and desires of the District and its residents. The central purpose of all advisory committees is to contribute to the educational program by conducting studies, identifying problems, and developing recommendations that will help the Board in the decision-making process. The ultimate authority to make decisions will continue to rest with the Board.

Citizens' advisory committees. Committees may be formed by the Board at such times and for such specific purposes as the Board deems necessary. They will function until their assigned goal has been accomplished, and then will be dissolved. Generally, citizens' advisory committees will be assigned to investigate areas of the educational program that need development, change, or reorganization, and areas of community involvement in District affairs.

Members will be broadly representative of the community's population, and will be chosen from among residents who have shown an interest in the topic to be studied, or who have a particular expertise relating to the topic.

Once activated, the committee will report periodically to the Board, keeping it informed of progress and problems. The Board may designate the intervals at which it will hear from the committee, but any significant developments will be reported as they occur.

No announcement may be made by any committee or its members to the public or press until such release has been cleared with the Board president or designee.

The Board will provide citizens' advisory committees with a suitable meeting place and other required facilities. All meetings of Board-appointed committees are public meetings and shall be conducted per statute commonly referred to as the "Sunshine Law."

Adopted: 1994

CROSS REFS.: ABA, Community Involvement in Decision-making  
ABB, Staff Involvement in Decision-making  
ABC, Student Involvement in Decision-making  
BCE, Board Committees  
CE, Administrative Councils, Cabinets, and Committees

## SCHOOL ATTORNEY

The Caesar Rodney School District Board of Education will appoint legal counsel to represent the District and to advise the Board on legal matters. Counsel will attend regular and special meetings of the Board when requested to do so, and will be available for consultation as needed.

Because it is often necessary to consult legal counsel and receive its expert opinion as part of background information to be used by the Board in making decisions, and because at times the District may be involved in litigation or other legal matters, the Superintendent is authorized to seek counsel's services as needed. However, the Board expects to be kept informed of legal matters that are other than routine, and of legal services that may involve extraordinary expense to the district.

Individual Board members are expected to consult school legal counsel only when the full Board has given permission for such consultation. Otherwise, the Board member will be expected to pay any legal fees that may result.

Adopted: 1994

*Note: It is the practice of the Board to appoint more than one attorney or law firm to represent the district, if specific expertise is required. For example, the Board may appoint one attorney or firm to act as general legal counsel, and another to represent the Board in personnel matters or for advice at hearings.*

## SCHOOL BOARD MEETINGS

### Definition of "Meeting"

As used by the Board of Education of the Caesar Rodney School District, a "meeting" shall be defined as "a gathering in person formal or informal, of a majority of the members of the Board, where there is deliberation or action upon a matter within the scope of the Board's policymaking duties."

A gathering of members of the Board of Education for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of the Delaware Code shall not be considered a "meeting" as defined in this policy.

### Accessibility

The meetings of the Board shall be held at a time and place reasonably accessible to the citizens of the District.

### Business of the Board

The meetings and actions of the Board of Education shall be open to the public, except when the provisions of the Delaware Code allow for, or call for, an executive session. The reasons for which an executive session may, or must, be called are set forth in the Delaware Code.

Adopted: 1994

LEGAL REFS.: 29 Del. C. §10001  
                  §10002  
                  §10004

CROSS REFS.: All subcodes in the BE series pertain to Board meetings and meetings procedures

## REGULAR BOARD MEETINGS

Regular meetings of the Caesar Rodney School District Board of Education shall be held each month during the year. At the July Reorganization Meeting, the Board will determine the time, date, and place for regular monthly Board meetings.

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1048

SPECIAL BOARD MEETINGS  
(And Emergency Meetings)

Special meetings may be called for either of the following purposes:

1. To enable the Board to concentrate and take action on a single problem or a set of problems;  
or
2. To enable the Board to take emergency action between regular meetings.

Special meetings may be held as determined by the Board of Education as called by the president of the Board, or as called by the executive secretary of the Board upon receipt of a written request of a majority of the members of the Board. Notice for the call of a special meeting will be posted, and the media notified, at least 24 hours in advance of the meeting.

If an emergency exists and it is not possible to give 24 hours notice of the meeting, the executive secretary will notify the media by telephone and post the meeting notice. The minutes of such a meeting should clearly state the good cause justifying the emergency meeting.

Special meetings will be held at the time and place designated for regular meetings, unless otherwise determined by the Board in a previous Board action.

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1048

CROSS REFS.: BEDA, Notification of Board Meetings

EXECUTIVE SESSIONS  
(Open Meetings)

All meetings of the Board of Education of the Caesar Rodney School District shall be open to the public, unless the Delaware Code requires or permits that the matter under consideration be conducted in executive session. However, final action on any matter considered in executive session must be taken in open, public session.

The Board will consider adjourning to executive session only for reasons and exceptions cited in 29 Del. C. §10004. Those reasons and exceptions are as follows:

1. Discussion of an individual citizen's qualifications to hold a job or pursue training unless the citizen requests that such a meeting be open.
2. Preliminary discussions on site acquisitions for any publicly funded capital improvements.
3. Activities of any law-enforcement agency in its efforts to collect information leading to criminal apprehension.
4. Strategy sessions, including those involving legal advice or opinion from an attorney-at-law, with respect to collective bargaining or pending or potential litigation, but only when an open meeting would have an adverse effect on the bargaining or litigation position of the public body.
5. Discussions which would disclose the identity of the contributor of a bona fide and lawful charitable contribution to the public body whenever public anonymity has been requested by the contributor.
6. Discussion of the content of documents, excluded from the definition of "public record" in §10002 of this title where such discussion may disclose the contents of such documents.
7. The hearing of student disciplinary cases unless the student requests a public hearing.
8. The hearing of employee disciplinary or dismissal cases unless the employee requests a public hearing.
9. Personnel matters in which the names, competency and abilities of individual employees or students are discussed, unless the employee or student requests that such a meeting be open.

The Board will move to an executive session only upon the affirmative vote of at least three-fifths of the entire membership of the Board. Prior to entering into an executive session, an announcement will be made identifying if the Board will consider action at the end of the session when the Board returns to open session.

Established by statute  
Current practice codified 1994

LEGAL REFS.: 14 Del. C. §1048  
29 Del. C. §10004

CROSS REFS.: BEE, Board Hearings/Appeal Proceedings  
GCQ, and subcodes, Professional Staff Termination of Employment  
GDQ, and subcodes, Support Staff Termination of Employment

CAESAR RODNEY SCHOOL DISTRICT

CAMDEN, DELAWARE

WAIVER OF CLOSED MEETING FORM

Date \_\_\_\_\_

Student \_\_\_\_\_

I certify that I am the parent/guardian of \_\_\_\_\_ .  
I do hereby request the Board of Education of Caesar Rodney School District conduct the hearing  
scheduled for \_\_\_\_\_ be held in open session. (Note #1)

\_\_\_\_\_  
Signature of Parent or Guardian  
(See Note #2)

Note #1: 29 Del. C. §10004 allows the Board of Education to hold student disciplinary hearing  
in closed session unless the party involved request an open session.

Note #2: If student is 18 years or older, he shall sign above in lieu of parent or guardian.

Issued: 1994

Caesar Rodney School District, Wyoming, Delaware

## NOTIFICATION OF BOARD MEETINGS

It is the policy of the Caesar Rodney School District to provide public notice of the time, date, and place of each meeting of the Board of Education or any multi-member committee formally created by the Board, along with a tentative agenda. Notice will be provided to the media and others who have filed a request for notice with the executive secretary of the Board. Except for requests from the media, all requests for notice must be renewed annually.

Notice will also be posted on the bulletin board in the administrative offices of the District. The designated places for posting notices are:

1. At the entrance to the District Office

Except for notice of emergency meetings, notice will be posted at least 24 hours in advance of all meetings. If an emergency meeting is called, the Board's executive secretary will notify the media by telephone, and post the meeting at the usual places.

Established by statute

Adopted: 1994

LEGAL REFS.: 29 Del. C. §10004

CROSS REFS.: BD, School Board Meetings, and all subcodes

## AGENDA

The Superintendent of Schools will submit to the Caesar Rodney School District Board of Education for its consideration, at least four days before a regular meeting, a tentative agenda which will set forth the recommended order of business for that meeting. Except for matters requiring immediate action, items will not be added to the agenda. Items presented at meetings of the Board, either by members of the Board or by others in attendance, will be referred to the administration for review and recommendation at a subsequent meeting of the Board.

With the submission of the tentative agenda, the Superintendent should provide the members of the Board with supporting data for the suggested items of business, together with a recommendation of the Superintendent, or a recommendation from a designated staff member. Except for confidential documents, informational data provided to the members of the Board will be available to the media and the public attending the meeting.

Adopted: 1994

LEGAL REFS.: 29 Del. C. §10002  
§10004

CROSS REFS.: BEDA, Notification of Board Meetings

## AGENDA PREPARATION AND DISSEMINATION

### Requests

The agenda for Caesar Rodney School District Board of Education meetings is prepared by the Superintendent in accordance with Board policy BEDB. In addition to members of the Board and the Superintendent, a resident or nonresident of the District, a member of the staff, or an organization operating in the District may request the placement of a matter on the agenda, provided the applicant notifies the Superintendent of Schools. To be acceptable, the request should be written and should include the name, address, and telephone number of the person or persons making the request; the name of the organization or group representative, if any; a statement of action to be requested of the Board; and pertinent background information leading to the request.

### Placement on the Agenda

The Superintendent, upon receipt of a properly executed request, will set a date for inclusion of the requested item on the agenda as soon as practical, bearing in mind such considerations as allowing sufficient time to gather pertinent information, to assemble members of the staff who have sufficient knowledge of the subject, and to place the matter on the agenda of a regular meeting. The Superintendent will notify the individual or group of the time and place of the meeting at which the item will be considered. (Exceptions to this procedure are covered in the section Charges, Complaints, or Challenges, below.)

### Items of Discussion

Only items on the written Board agenda will be discussed at any meeting of the Board unless the Board, by majority action, agrees to place additional items on the agenda at the request of the Superintendent or a Board member.

### Circulation of Materials

Any written or printed material to be circulated at a Board meeting must be submitted to the Superintendent of Schools by the Wednesday preceding the meeting. Written materials will be transmitted to the members of the Board for their disposition with the agenda.

### Charges, Complaints, or Challenges

At a public meeting of the Board of Education, no person shall orally initiate charges or complaints against individual employees of the District or challenge instructional material used in the District. All such charges, complaints, or challenges must be presented to the immediate supervisor and then through the Superintendent to the Board, in writing, signed by the complainant. All such charges, if presented to the Board directly, will be referred to the Superintendent for investigation and report. Charges, complaints, or challenges are subject to the procedures outline in district policy BEE.

Adopted: 1994

*Note: See BEDH for extensive regulations pertaining to public participation at Board meetings.*

## QUORUM

The Delaware Code specifies that no business shall be transacted at any meeting of the Caesar Rodney School District Board of Education without a quorum. Such quorum will consist of at least three school Board members.

The Board of Education of the Caesar Rodney School District consists of five members. Three must be present for business to be transacted. Without a quorum present, a meeting may continue for informational purposes only.

A vacancy on the Board does not alter the requirement for the quorum.

Established by statute

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1048

*Note: The Wing Commander representative to the Board is an ex-official position and the person attending does not count in the quorum.*

RULES OF ORDER

Meetings of the Caesar Rodney School District Board of Education are conducted in accordance with Roberts Rules of Order, Revised, except as otherwise provided by law, by regulation of the Department of Education or by the Board.

Adopted: 1994

## VOTING METHOD

Final action on any matter before the Caesar Rodney School District Board of Education may be taken only in open session, unless some other provision of the Delaware Code permits action to be taken in closed session.

Votes on all motions and resolutions will be by "yes" and "no" and will be recorded by individual member. No secret ballots will be used, unless each member identifies his/her ballot so that the vote can be attributed as the vote is tallied.

When the Board votes on the question of holding a closed session, the vote of each member--and the reason for holding the closed session by reference to a specific exemption--must be announced publicly at the open session and entered into the minutes.

All motions will be carried by a majority of the members present, or as otherwise required by law. No motion is considered adopted unless it receives at least three yes votes regardless of the number of Board members present.

Established by statute

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1048  
§10004

CROSS REFS.: BEC, Executive Sessions  
BEDG, Minutes

## MINUTES

The Caesar Rodney School District Board of Education will keep minutes of all its meetings, showing the type of meeting (regular, special), the time and place the meeting was held, the members present, and the actions taken at each meeting. The minutes will be public record open to public inspection, unless the law requires.

### Minutes of Open Meetings

Records of all Board transactions will be set forth in full in the official minutes of the Board. The minutes, at a minimum, should contain the motion, the second, and the vote by individual members on each issue. The minutes of open meetings will be kept on file as the permanent official records of school legislation. The executive secretary will act as custodian of the minutes and will make them available to any citizen to examine during the District's office hours.

### Minutes of Closed Meetings

Minutes will be made of all meetings of the Board. The minutes will include a synopsis of the discussion, the persons present, and any action occurring during the executive session. The executive secretary will be custodian of the detailed minutes maintained in a secure depository, separate from the regular Board minutes. Only the Board will have access to these documents, during a meeting of the Board or a judicial review or until such time as the matter considered in executive session no longer warrants confidentiality.

The executive secretary will prepare only one copy of the minutes of closed meetings. At the next regular meeting, prior to the approval of the minutes, each member present will review the minutes and initial the copy attesting to the fact that the minutes accurately reflect the matters discussed in the executive meeting. Upon approval of the minutes, the executive secretary will seal the minutes, and they will remain sealed unless opened for a reason authorized by the policy.

Established by statute

Adopted: 1994

LEGAL REFS.: 29 Del. C. §10004  
14 Del. C. §1048

CROSS REFS.: BEC, Executive Sessions/Open Meetings  
BEDF, Voting Method  
KDB, Public's Right to Know/Freedom of Information  
EH, Data Management

Caesar Rodney School District, Wyoming, Delaware

## PUBLIC PARTICIPATION AT BOARD MEETINGS

The Caesar Rodney School District Board of Education encourages and welcomes guests to attend meetings of the Board; however, all spectators are reminded that they are guests of the Board.

Community members wishing to address the BoE may sign up to speak during the public comment portion of the meeting. However, those addressing the BOE are reminded that Boe will not hear any items directly related to personnel matters.

Adopted: July 1993

Revised: July 1994

Revised: September 2011

CROSS REFS.: KFA, Public Conduct on School Property

## NEWS MEDIA SERVICES AT BOARD MEETINGS

The Caesar Rodney School District Board of Education encourages and welcomes members of the media to attend meetings of the Board; however, all spectators are reminded that they are guests of the Board.

Members of the press will be extended every courtesy available by the Board, so that they can provide the public the most accurate coverage of the business before the Board. However, members of the press are expected to perform their duty in such a manner that they will not create an interruption or interference for the Board, the parties addressing the Board, or the spectators at a meeting of the Board.

Members of the media working at a meeting of the Board are to be guided by the following rules of conduct for the media:

1. No interviews are to be conducted in the meeting room while the meeting is in progress.
2. If testimony is to be recorded, the microphones are to be in place before the presentation commences, and not to be removed until the presentation is concluded.
3. No photo flash pictures are to be taken during a meeting of the Board without the prior authorization of the Board president.
4. TV or still-camera operators are not to place themselves between any presenter and the members of the Board.
5. No special lighting for TV cameras may be used without the prior authorization of the Board president.
6. Still-camera operators or TV camera operators are expected to remain at least 10 feet from the Board table or the presenter during deliberations of Board business.
7. Members of the press are expected to keep their movements to a minimum so as to not create distractions to the Board, those giving testimony to the Board, or spectators at the meeting.

Copies of this policy are to be distributed to all media requesting notice of the meetings of the Board.

Adopted prior to 1993

CROSS REFS.: KFA, Public conduct on School Property

Caesar Rodney School District, Wyoming, Delaware

## REPORTING BOARD MEETING BUSINESS

Following each meeting of the Caesar Rodney School District Board of Education, a communication titled Board Highlights will be posted on the District's website. Board Highlights is a summary of the actions taken by the Board at the meeting held the previous day. This summary report follows the sequence of the meeting agenda, which is posted in all administrative offices prior to all meetings of the Board.

Adopted: 1994

## BOARD HEARINGS/APPEAL PROCEEDINGS

The Caesar Rodney School District Board of Education has established specific procedures for the hearing of grievances before the Board in order to ensure that employees and citizens receive a fair and impartial hearing of their concerns and complaints. Hearings will be conducted as follows:

### I. Personnel Grievances

Employee grievances will be handled in one of two ways. The determining factor will be the nature of the grievance. Matters that are:

1. Related to matters provided for in a negotiated agreement or working agreement will be processed in the manner prescribed in the appropriate agreement.
2. Related to complaints from employees about matters outside the negotiated agreement or by employees not included in a certificated bargaining group shall be resolved through a process similar to the process for resolving formal grievances.

The Superintendent shall establish appropriate procedures to implement this policy and publish them in the District Employee Handbooks.

Employees desiring to address the Board on any matter will direct their communication to the Superintendent of Schools. Copies of communications to the Superintendent may be sent to all Board members.

Complaints against any employee that arise within the membership of the Board, or that come to the attention of the Board other than through the Superintendent, will be referred to the Superintendent of Schools. In case the employee is not satisfied with the decision of the Superintendent, appeal may be directed to the Board.

No complaint shall be considered by the Board in any other manner.

### II. Citizen Grievances

Whenever a citizen is aggrieved at the action of any employee of the District, such citizen may give information to the employee's immediate supervisor. In the event that the matter is not satisfactorily resolved, the appeal process will follow this order:

1. Other supervisory or administrative personnel in the line of responsibility.
2. The Superintendent of Schools.
3. The Board of Education.

No appeal will be heard by the Board of Education, and no charges against the employees will be investigated or acted upon by the Board, unless they are reduced to writing, signed by the party bringing them, and presented to the Board through the Superintendent of Schools.

Adopted: August 1990

CROSS REFS.: GBK, Staff Concerns/Complaints/Grievances  
JII, Student Concerns, Complaints, and Grievances  
KE, Public Concerns, Complaints, and subcodes (subcodes pertain to complaints about policies, personnel, instructional resources, facilities, and services).

## STAFF COMPLAINTS AND GRIEVANCES: PROCEDURES

In order that employees of the Caesar Rodney School District may feel free to express their concerns, a complaint procedure is provided as the proper and official procedure for the resolution of complaints originating from the employees of the district.

**Definition:** A "complaint" shall be an allegation by an employee (or group of employees that there has been a:

1. personal loss, and/or
2. injury, and/or
3. inconvenience

because of a:

1. violation, and/or
2. misinterpretation, and/or
3. in equitable application of Board of Education policies, administrative regulations, common practice, state or federal law, or DPI regulation that adversely affects the employee(s).

**Note 1:** A "complaint" is not to be confused with a "grievance". A "grievance" is an allegation that the terms of the Negotiated Agreement between the Board of Education and the Caesar Rodney Education Association have been violated. All "grievances" shall be processed exclusively per the terms of the Negotiated Agreement.

**Note 2:** It should be understood that the complaint procedure is open to all employees of the district. The decision to file a complaint is an individual one and all employees are assured that the use of this procedure is viewed as an employee "right" and employees are to be free of "pressure" if they use this procedure.

### **Steps for the Resolution of Complaints**

**Step One:** Employees shall first discuss the issue with their immediate supervisor and inform the supervisor they believe they have a complaint. The immediate supervisor is the person who is responsible for supervising the employee's job performance and who is responsible for the evaluation of job performance.

Should the complaint be beyond the authority of the supervisor to resolve, the supervisor shall refer the employee to the appropriate administrative supervisor and arrange for a meeting of the employee and the administrative supervisor.

At the first meeting, the employee will be expected to identify the nature of the complaint and the desired remedy for resolution of the complaint.

The employee can expect to receive a written response from the supervisor within five (5) working days of the discussion of the complaint wherein the employee identified the complaint and proposed a resolution. The response from the supervisor will identify the administrator to whom the employee may appeal the supervisor's action if the employee feels the supervisor's action was not fair and/or appropriate.

**Step Two:** If the employee does not feel the resolution proposed by the supervisor at Step One is fair and appropriate, the employee may appeal for further review. To do so, the employee should contact the administrator identified by the supervisor in the proposed resolution at Step One.

The notice to the administrator shall be presented in writing and shall include the following data:

1. The supervisor contacted at Step One; and
2. The policy, regulation, law or common practice the employee feels has been violated, misinterpreted or inequitably applied and
3. A suggested remedy for the complaint.

Forward a copy of the complaint to the Superintendent of Schools and the supervisor involved at Step One.

The administrator will contact the employee and arrange for a review of the matter within five (5) working days of receipt of the complaint.

The employee can expect to receive a written response from the administrator within five (5) working days of the review unless the employee and administrator agree to an extended time. A copy of the administrator's response shall be forwarded to the supervisor and the Superintendent of Schools.

**Step Three:** The issue will be considered resolved unless the employee forwards a written request to the Superintendent for further review within five (5) working days of receipt of the administrator's Step Two response.

If the Superintendent of Schools cannot resolve the complaint to the employee's satisfaction within ten (10) working days of receipt of the request for Superintendent's review, the Superintendent shall refer the matter to the Board of Education at its next regularly scheduled meeting.

**Step Four:** The Board of Education shall determine the manner in which it will consider the complaint.

When the Board has determined how the complaint will be considered, the Executive Secretary of the Board will notify the employee of the process and inform the employee of the date that the Board will consider the complaint and process the Board will follow in reaching a decision on the complaint.

Within five (5) days of the Board's reaching a decision, the Board Executive Secretary shall forward to the employee the Board's decision in written form.

The consideration of a complaint at Step Four is the appropriate and final step in the district procedure to resolve employee complaints, except that the employee has the right to seek judicial review should the employee be of the opinion the district's denial has violated the employee's legal rights.

#### **Understandings and Stipulations**

1. It is desirable that complaints be resolved at the earliest possible time and at the most immediate level of supervision. The complainant may have someone of their choice attend any of the meetings after complainant has filed the complaint at Step Two.
2. An employee who wishes to lodge a complaint must do so within ten (10) days from the time when the employee knew, or reasonable should have known, of its occurrence.
3. The employee who has lodged a complaint shall, during and notwithstanding the pending complaint, continue to observe all assignments and applicable rules and regulations until the complaint has been resolved.
4. Meetings at which the employee's presence is required shall be arranged at a time and place so as not to interfere with the employee's regular duties.
5. Failure by the District, at any step of this procedure, to communicate automatically move the complaint to the next step. Failure by the employee to appeal a complaint to the next step within the specified time limits shall be deemed to be acceptance of the resolution proposed at that step.
6. Any matter for which a method of review is prescribed by law or by any rule or regulation of the State Board of Education or any matter which according to law is beyond the scope of the School Board authority, shall be excluded from this complaint procedure.

Issued: August 1990

Caesar Rodney School District, Wyoming, Delaware

## SCHOOL BOARD WORK SESSIONS AND RETREATS

The Caesar Rodney School District Board of Education, as a decision-making body, is confronted with a continuing flow of problems, issues and needs which require action. While the Board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming and thoughtful discussion without action. Therefore, the Board may schedule work sessions and retreats from time to time in order to provide its members and the administrative staff with just such opportunities. Topics for discussion and study will be announced publicly, and work sessions and retreats will be conducted in accordance with the state open meetings law.

Adopted: 1994

LEGAL REFS.: 29 Del. C. §10004

CROSS REFS.: All subcodes in the BE series; all pertain to Board meetings and meeting procedures.

## SCHOOL BOARD POLICY PROCESS

The Caesar Rodney School District Board of Education, representing the people of the District, is the legislative body that determines all questions of policy to be employed in the conduct of the public schools.

The primary responsibility for proposing Board policies rests with the Superintendent of Schools; however, policies may be proposed by any member of the Board of Education, by members of the staff with the approval of the Superintendent, by a lay group or organization, or by any citizen of the District.

Policy proposals will be submitted to all members of the Board in writing, through the Superintendent, as an agenda item. The proposed policy will be read at the regular meeting, with final action on new policies or amended policies taken in accordance with the policy development process referenced in Policy BGA.

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1049

CROSS REFS.: BGA, Policy Development System

*Note: Policy CHA, Development of Regulations, describes the procedure whereby policies are to be implemented, and outlines the Board's involvement in the development, review, and approval of regulations.*

## POLICY DEVELOPMENT SYSTEM

### Policy Codification System

The Caesar Rodney School District Board of Education will follow the policy coding system developed by the Educational Policies Service of the National School Boards Association and the process to be followed in organizing and maintaining a District Policy Manual. The District's Board Policy Manual is on the District's website for both staff and public access.

### Policy Manual

The Policy Manual is a collection of the Board's current operational directives. The statements in the Policy Manual are the guides the staff uses in creating the educational program that the Board has authorized.

It should be understood that the directives contained in the Policy Manual are equal to the directives of the state statutes in the formulation of the District's programs. Just as the people of the state speak through the statutes, the residents of the District speak through the Policy Manual of the Board.

Adoption or change in District policy follows a three-step process (1<sup>st</sup> Reading, 2<sup>nd</sup> Reading, Adoption) for policy development except for unusual circumstances or emergencies which do not provide time for extended study and public review before the Board needs to act upon the matter.

Policy deliberations are communicated to the staff through Board Highlights. All employees should become at least aware of the Policy Manual, and are urged to take time to review the scope and content of the Manual.

Administrative regulations have been prepared for many policies. These procedures are usually found in the Policy Manual on the pages following the appropriate policy, or in the handbooks prepared by the administrators (see code CHA, Development of Regulations).

Portions adopted prior to 1990

LEGAL REFS.:       14 Del. C. §1049  
                          29 Del. C. §10001

CROSS REFS.:       CHD, Administration in the Absence of Policy

*Note: The Introduction to this Manual explains the significance of the various colors, symbols, and codes used; and should be consulted by all users of the Manual.*

Caesar Rodney School District, Wyoming, Delaware

## POLICY REVIEW AND REVISION

The Caesar Rodney School District Board of Education understands the need for periodic review and revision of established Board policies to assure they are up to date and reflect current practices and intent of the District. The Board entrusts the responsibility for conducting such systematic reviews to the Superintendent or his/her designee. The Superintendent or his/her designee is responsible for the development of an established schedule of policy review and revision. The Board or the Superintendent may initiate a review of any individual policy/policies at any time such a review is warranted.

The Board recognizes that, in some cases, it is necessary to make minor revisions to policies, such as updating names, dates, titles, verbiage, and/or formatting, that do not result in substantive changes to the intent of the original policy. In such cases, the Board entrusts the Superintendent or his/her designee to make such non-substantive updates to current policies without submitting them to the Board for formal review or approval.

The Board also recognizes the necessity to update some policies in substantive ways in order to reflect current practice or to serve the best interests of the District. In such cases, the Board expects such policy revisions to be presented to the Board two readings (reviews) prior to being adopted as revised Board policies. The Board of Education will determine the process and extent of Board member involvement in the review and revision process.

The Superintendent is authorized to determine whether a revision is substantive or is not substantive. The Board retains the right to override the Superintendent's decision on whether a revision is substantive or not. Copies of all non-substantive policy changes are to be forwarded to Board members for their information. The dates of adoption and revisions of all substantive and non-substantive revisions will be noted on the respective policies.

Adopted: April 2005

Revised: January, 2024

Caesar Rodney School District, Wyoming, Delaware

## POLICY REVIEW AND REVISION

The Caesar Rodney School District Board of Education has authorized the Superintendent or his/her designee to develop a schedule of policy review and revision. According to the established schedule, each section of the Board Policy Manual will be reviewed on a five-year cycle as indicated below. The sequence of annual review may be modified as determined by the administration.

Year 1           Section A: Foundations and Basic Commitment  
                  Section B: Board Governance and Operations  
                  Section C: General School Administration  
                  Section K: School-Community Relations  
                  Section L: Education Agency Relations

Year 2           Section D: Fiscal Management  
                  Section E: Support Services  
                  Section F: Facilities Development

Year 3           Section G: Personnel  
                  Section H: Negotiations

Year 4           Section I: Instruction

Year 5           Section J: Students

Adopted:       February, 2005

Caesar Rodney School District, Wyoming, Delaware

## BOARD REVIEW OF REGULATIONS

The Caesar Rodney School District Board of Education shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated.

Such rules and detailed arrangements shall constitute the administrative regulations governing the schools. They must be in every respect consistent with the policies adopted by the Board.

The Board does not adopt administrative regulations unless specifically required to do so by law, or unless requested to do so by the Superintendent.

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

Adopted: 1994

## SCHOOL BOARD COMMUNICATIONS

It is the belief of the Caesar Rodney School District Board of Education that keeping open communication with the public is critical to its proper functioning.

Through the procedures below, the Board will ensure that its members have knowledge of the communications directed to it from the public, and the public will know that Board members have received the communication.

All communications received by the District which are addressed to the Board will be copied and distributed to all Board members, either in the agenda materials for the next meeting, at the beginning of the meeting, or by distribution by the Superintendent.

Adopted: 1994

## BOARD COMMUNICATIONS WITH STAFF

The Caesar Rodney School District Board of Education desires to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent.

### Staff Communication to the Board

All communications or reports to the Board or any Board committee from principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent. This necessary procedure will not be construed as denying the right of any employee to appeal to the Board from administrative decisions on important matters, provided that the Superintendent will have been notified of the forthcoming appeal and that it is processed in accordance with the Board's policy on complaints and grievances. Staff members are also reminded that Board meetings are public meetings. As such, they provide an excellent opportunity to observe first hand the Board's deliberations on problems of staff concern.

### Board Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent, and the Superintendent will keep the staff informed of the Board's problems, concerns, and actions.

### Visits to Schools

Individual Board members interested in visiting schools or classrooms will make arrangements for visitations through the principals of the various schools. Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of staff, including the Superintendent, principals, and other supervisors.

### Social Interaction

Staff and Board members share a keen interest in the schools and in education generally, and it is expected that when they meet at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations and general School District problems. However, staff members are reminded that individual Board members have no authority excepting when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore, discussions of personalities or personnel issues by either party will be considered unethical conduct.

Adopted: 1994

Caesar Rodney School District, Wyoming, Delaware

BOARD COMMUNICATIONS WITH PUBLIC

The Caesar Rodney School District Board of Education president or executive secretary of the Board will acknowledge expeditiously any letter other than letters of acknowledgement, circular letters, or letters terminating a correspondence.

All communications received by the District which are addressed to the Board will be copied and distributed to all Board members, either in the agenda materials for the next meeting, at the beginning of the next meeting, or be distribution by the Superintendent.

Adopted: 1994

## NEW BOARD MEMBER ORIENTATION/HANDBOOK

The Caesar Rodney School District Board of Education and its staff will assist each new member-elect to understand the Board's functions, policies, and procedures before he/she takes office. The following methods will be used:

1. The member-elect will be given material on the job of being a part of the Board, and presented with a copy of the Delaware School Boards Association, Board Member Handbook.
2. The member-elect will be invited to attend Board meetings.
3. The incoming member will be invited to meet with the Superintendent and other administrative personnel to discuss services they perform for the Board.
4. A copy of the Board's Policy Manual will be provided by the executive secretary.
5. The Superintendent should offer to escort the member-elect or new member on an introductory tour of the schools.

Adopted: 1994

## BOARD MEMBER DEVELOPMENT OPPORTUNITIES

Caesar Rodney School District Board of Education members will be encouraged to participate in meetings and activities of area, state, and national school boards associations, and of other educational groups, and to study and examine the materials received from these organizations.

Upon Board approval, travel and convention expenses will be provided individual members within budgetary limitations to advance their development as school board members.

To help members develop understanding of the educational program, the Superintendent will request members of the professional staff to appear before the Board from time to time to present and discuss new developments in various areas of curriculum and instruction.

Adopted: 1994

## BOARD MEMBER COMPENSATION AND EXPENSES

Members of the Caesar Rodney School District Board of Education serve without pay. Members of the Board will be reimbursed for expenses incurred in attending any meetings, or in making trips on official business for the District when so authorized by the Board.

The Board of Education will authorize payment of the cost of replacing or repairing property of a member of the Board such as eye glasses, hearing aids, dentures, watches, or articles of clothing necessarily worn or carried by the Board members, or vehicles when such items are damaged or stolen in the line of duty as a result of malicious acts and without fault of the board member. The maximum payment of any one claim is \$1,500 or actual cost whichever is less. Loss or damage will be reported to the Director of Business and Finance and, if appropriate to the police as soon as the Board member becomes aware of such loss or damage. Claims are available from the Director or Business and Finance.

Board members will not be compensated for losses or damages for which compensation, wholly or partially, was paid under the Board members' private insurance policy.

Revised: July 1999

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1046

CROSS REFS.: DKC, Expense Authorization/Reimbursement

## BOARD MEMBER INSURANCE/LIABILITY

Because the Caesar Rodney School District Board of Education members are members of an agency of government whose powers and duties can only be exercised by a decision of the majority of Board membership when the Board is officially in session, the members of the Board and its employees act as agents of the Board. None of these individuals should be placed in a position of personal liability for the performance of the responsibilities vested in them by the voters of the District or assigned by this agency.

Therefore, in order to protect the individual members of the Board, its agents, and the educational interests of the District, the Board will purchase, in the absence of governmental immunity, or in addition to governmental immunity, from public school funds, adequate insurance to indemnify Board members and agents of the Board for their official actions in the service of the schools.

Adopted: 1994

LEGAL REFS.: 14 Del. C. §1095

## SCHOOL BOARD LEGISLATIVE PROGRAM

The Caesar Rodney School District Board of Education will be active in attempting to influence the individual members and the General Assembly as a whole regarding legislative support to public education.

The Board will appoint a representative to the Delaware School Boards Association Legislative Committee. Said representative is to inform DSBA of the Board legislative position and help the Board inform DSBA legislative positions and actions.

The Board will work cooperatively with other school boards for concerns of mutual interest.

The Board will annually attempt to meet with the members of the General Assembly who represent territories which are within the school district.

Adopted: 1994

## SCHOOL BOARD MEMBERSHIPS

It shall be the policy of the Caesar Rodney School District Board of Education to maintain active membership in the Delaware School Boards Association.

The Superintendent keeps the Board informed of the activities of state and national school boards associations, and, in turn, relays to these associations the Board's concerns and official positions on matters of common interest and concern.

The Board may also appoint some of its members to serve as liaisons or official representatives of the Board, or to serve as delegates or observers to the governing assemblies of these organizations.

Current practice codified 1994

Adopted: 1994