

## BYLAWS OF THE BOARD

### ARTICLE 9

### SERIES 9000

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## **BYLAWS OF THE BOARD**

### **General Statement: Role of the Board**

**9000**

The Board of Education of the school district of the City of Chadron, Dawes County #2, is a legally elected representative body as provided in Nebraska Statutes, Chapter 79.

As a legally elected body, the Board of Education shall perform all governance of the school system according to the guidelines set forth in the several Nebraska Statutes addressed to the operation of a class III public school system in the State of Nebraska.

Bylaws are rules or procedures adopted by the board or govern its internal operations. The use of such guidelines or bylaws helps the board to comply with the responsibility and duties delegated to it by law and by the local electorate, in an efficient and effective manner.

The purpose of the Board of Education shall be to provide education of the highest feasible character for the residents of the district, taking into account the wishes of the people of the district and their ability and willingness to support such a program of education.

The powers and duties of the Board of Education shall be those conferred and prescribed by law. Complete and final control as regards all matters pertaining to the educational system of the school district shall be vested in the board.

In the interpretation of the powers and duties of the board, it is understood that the board shall act as a legislative body in the determination of general policies for the control, operation, maintenance and expansion of the public schools. The details of the administration of these policies shall be the responsibility of the superintendent of schools and his administrative staff.

### **Functions and Duties of the Board**

The board of education shall demonstrate leadership. Board members shall:

1. know the kinds of schools this community needs.
2. analyze the traits necessary in the person who is to organize and operate the school.
3. secure the services of a superintendent who has these traits.
4. know that the person is professionally qualified.

### **General Statement: Role of the Board**

The Board of Education shall provide the funds necessary to carry out the educational program set up to meet the needs of the community. This implies knowledge of the financial assets of the district and policies adopted by the board that will insure sufficient money and careful spending.

The board is the legislative rather than the executive head of the school and the duly elected superintendent of schools shall be given reasonable freedom in carrying out the board policies and should be held responsible for results.

Each member should have an understanding of the legal provisions for public education.

## **BYLAWS OF THE BOARD**

### **Methods of Operation: Authority Limits**

**9010**

All actions of the board shall be taken only in official board meetings called, scheduled and conducted according to these bylaws and the statutes of the state.

Individual members of the board should avoid making decisions as an individual or group outside legal board meetings that will commit the board or district to a particular course of action. Requests for board action presented outside regular board meetings should be accepted without comment and presented at the regular meeting for official board action.

### **No Commitments on Issues Prior to Board Meetings**

It shall be the policy of all board members to refrain from making any commitment for or against any issue or problem that might be brought individually to board members while the board of education is not in official session. Only after an issue or problem has been presented to the entire board of education and all sides to such issue or problem have been presented and the logic involved has been considered by all members, will individual commitments be made by board members.

### **Board Members Refrain from Instruction or Directing Employees**

It shall be the policy of all board members to inform employees to consult with their immediate superior for instructions. No board member will give instructions or indicate what he or she thinks the superintendent's instructions should be on any specific issue or problem. Employees who approach board members with grievances will be instructed to consult with their immediate superior, and, if necessary, arrangements will be made for employees concerned to meet with the entire board for a complete hearing of issues involved on any problems. Further clarification is found in the negotiation agreement.

### **Execution of Policies**

Instructions to employees of the district as to how the policies, as outlined herein, are to be executed will be supplied by the superintendent of schools. Instructions from the board of education as to specific execution of policies will be given to the superintendent or designated staff member in the absence of the superintendent by official action of a majority of the members of the board.

### **Methods of Operation: Authority Limits**

An exception to this policy is in order whenever the board in an official meeting has expressly appointed a particular board member, or committee of board members, with specific authority to act on behalf of the board. The primary responsibility of the board of education is a legislative one under which it provides a framework for the operation and maintenance of the school system and delegates the administrative authority to carry out these policies to the superintendent and staff.

## **BYLAWS OF THE BOARD**

### **Board Related Responsibilities**

**9040**

The board, by committee, or committee as a whole, will keep informed concerning assessed valuation, percentage of tax collections, back taxes and such other matters which will concern the proper financing of the school program.

## **BYLAWS OF THE BOARD**

### **Board Responsibilities Delegated to the Superintendent**

**9050**

The board shall delegate to the superintendent of schools the following duties and responsibilities:

1. Attend all meetings of the board and all committee meetings.
2. Nominate all supervisors, principals, teachers, and other employees, presenting evidence that the person recommended is qualified for the position.
3. Upon approval of the board, assign school employees to their several tasks.
4. Recommend for discharge or retirement any employee whose influence or service warrants such action, subject to the approval of the board.
5. Recommend textbooks, instructional supplies, apparatus, and equipment and have general charge of their purchase, storage, and distribution.
6. Prepare, with supervisors, principals and teachers, the content of the course of study.
7. Recommend the boundaries of school attendance districts for approval of the board of education.
8. Direct the supervision of the school program.
9. Prepare the annual budget showing in detail the appropriations necessary to meet the estimated needs for the ensuing school year and submit the same to the board for consideration and action.
10. Direct purchases and expenditures within the limits of the detailed budget.
11. Have general charge of the operation and maintenance of the building and grounds and equipment.
12. Report to the board from time to time concerning the achievement and progress of the students enrolled in the school system. Prepare an annual report setting forth the condition of the school.
13. Keep an efficiency record of all principals, teachers, and other employees.
14. Keep informed concerning the important educational movements and report the same to the board.
15. Establish and maintain a close relationship with the community, its problems and programs, and interpret the school and its program in terms of the community needs.

The board of education shall work with the superintendent of schools in maintaining a long-range plan of school improvements and maintenance.

### **Reports to Board**

The superintendent shall report regularly the condition of the school, school finances and other matters of interest to the board of education.

**Board Responsibilities Delegated to the Superintendent (con't)**

**9050**

The board shall determine the extent and responsibility of public education that is to be assumed by the community. The superintendent shall be given the responsibility of carrying out the wishes of the board.

## **BYLAWS OF THE BOARD**

### **Organization**

**9100**

The Board of Education will be organized in accordance with that part of the school law that deals with class III schools.

The Board of Education shall reorganize each year at the regularly scheduled January meeting with the naming of the following officers: (1) president; (2) vice-president; (3) treasurer, and (4) secretary.

According to the Statutes of the State of Nebraska, the president and vice-president shall be elected members of the board of education. The treasurer and secretary may be, or may not be, elected members of the board. Should the treasurer and/or secretary be non-elected members of the board, they shall not have a vote. This vote may be taken by secret ballot but the total number of votes cast for each candidate shall be recorded in the minutes.

Committees as required by the Statutes and by Board of Education policies shall be appointed for one-year terms at the January meeting of the board. The board president and the superintendent of schools are ex-officio members of all standing committees.

The Board of Education shall elect a superintendent of schools who will act as the chief executive of the school system. The superintendent shall answer directly to the Board of Education in all matters related to the operation of the school system.

Duly elected members of the board of education exercise their authority only when the board of education is in session. Only those actions taken by the board of education as a whole can direct the superintendent or any of the employees of the school district in the performance of their duties.

Legal Reference: 79-801 through 79-810.01      Provisions... Class III districts only

## **BYLAWS OF THE BOARD**

### **Number of Members: Elections**

**9110**

The board shall consist of six members serving overlapping terms of four years, as required by law. Elections will take place for one-half of the board members at the statewide primary elections in each even-numbered year.

The term of office of members of school boards for Class III districts shall begin on the first Thursday after the first Tuesday in January succeeding their election. At the regular meeting, the board shall elect a president and vice-president and a treasurer. Officers are elected for terms of one year and must receive a majority of the votes from the entire board.

Legal Reference: 79-803.07      Class III district school elections; held in conjunction with statewide primary; how conducted

## **BYLAWS OF THE BOARD**

### **President**

**9121**

The president of the board shall preside at all meetings of the board and shall have a vote on motions placed before the board for action. He or she shall sign such documents on behalf of the board as may require his or her signature. The president shall represent the board in deliberations with other boards, districts, or agencies unless another member of the board is so designated. He or she shall appoint all committees unless otherwise specified by the board, shall call special meetings, and shall perform all other duties as prescribed by law.

The vice-president shall exercise the powers to perform the duties of the president in his or her absence.

|                         |  |
|-------------------------|--|
| Legal Reference: 79-452 | President; duties; right to vote                       |
| 79-453                  | President; meetings; maintenance of order              |
| 79-454                  | President; actions for or against district; appearance |

## **BYLAWS OF THE BOARD**

### **Secretary**

**9122**

The secretary shall keep an accurate record of all board business in the school minutes.

Legal Reference: 79-451

Secretary; file reports with county superintendent; contents

## **BYLAWS OF THE BOARD**

### **Attorney**

**9124**

The board may, at its discretion, appoint an attorney to perform desired legal services. The attorney shall serve at the board's pleasure and be compensated at a mutually agreeable rate.

## **BYLAWS OF THE BOARD**

### **Treasurer**

**9125**

A treasurer of the board shall be elected annually at the organization meeting.

His or her duties shall be to:

1. deposit all money for the general fund and sinking fund.
2. pay for warrants.
3. reconcile monthly bank statements; give monthly report to board; and invest extra funds.

All treasurer's books, bills, warrants and funds will be audited annually after August 31 by a certified public accountant. The cost of this audit will be paid from the general fund. Copies of the audit will be given to each member of the Board of Education.

## **BYLAWS OF THE BOARD**

### **Annual Committees**

**9132**

The board may appoint such standing committees, as it deems desirable to facilitate the work of the board. Such committees will have study and reviewing functions as assigned by the board and will report their findings and recommendations to the board that will take action as a whole on such reports.

It shall be the responsibility of the elected president of the board of education to appoint committees as follows:

1. Americanism – Textbook and Curriculum
2. Buildings and Grounds
3. Personnel
4. Board Policies

The superintendent of schools and the president of the board are members of all such committees.

Legal Reference: 79-452  
79-213

President; duties; right to vote  
Instruction; American citizenship; duties of officers

## **BYLAWS OF THE BOARD**

### **Temporary Committees**

**9133**

The board may from time to time appoint temporary (ad hoc) committees from its own membership for study and fact-finding.

### **Citizen Advisory Committees**

The board may from time to time appoint citizen advisory committees to investigate and make recommendations on particular problems designated by the board.

Board members shall be considered ex officio members of such committees. One board member will normally be designated as board representative to each such citizen committee established by the board.

## **BYLAWS OF THE BOARD**

### **Individual Members**

**9200**

It is understood that the members of the board have authority only when acting as a board legally in session. The board shall not be bound in any way by an action or statement on the part of any individual board member, except when such statement or action is in pursuance of specific, formal instructions from the board.

## **BYLAWS OF THE BOARD**

### **Member Election**

**9220**

Members are elected at large from the school district of the City of Chadron to four-year terms on the board of education. Three members shall be elected on even-numbered years according to the election Statutes of the State of Nebraska. Newly elected members to the Board of Education shall be seated in January of the odd number years according to Nebraska Statutes.

It is not the policy of the board to take an active part in school board elections. The board as members will, however, encourage qualified people of the community to permit their names to be presented for board positions, when vacancies occur.

Legal Reference: 79-803.07      Class III district school elections; held in conjunction with statewide primary; how conducted

## **BYLAWS OF THE BOARD**

### **Filling Vacancies**

**9221**

A vacancy on the board resulting from causes other than expiration of the term shall be filled temporarily by appointment of the remaining members of the board of a legally qualified person. The remainder of the unexpired term shall be filled by a person nominated at the next primary election and elected by the following general election.

To enhance fairness and objectivity in appointing a person to fill a board vacancy, the Chadron Board of Education, at a public meeting and through the media, will invite for consideration the applications of interested candidates or nominations by sitting board members of any legally qualified member of the district who might have an interest in serving on the board. All those named as possible candidates will receive a letter from the Board President with a confidential candidate information sheet to be completed and returned by the Candidate, if interested, to the board by a specified date. Candidates will be evaluated on the basis of how well they represent the entire community and their commitment to student welfare. The board may request personal interviews with candidates. All candidate information sheets will be screened by each board member, with final selection made by the majority vote of the board members at a public meeting.

Legal References: 79-464      Board; Vacancy; Appointment of Election; Term

## **BYLAWS OF THE BOARD**

### **Orientation of Board Members**

**9230**

The Board of Education and the administrative staff shall assist each new member-elect to understand the board of education's functions, policies and procedures and operation of the school system before the member takes office. The following methods shall be employed:

1. The incoming member shall be given selected material on the function of the board of education and the school system.
2. The incoming member shall be invited to attend board meetings and to participate in its discussions.
3. The incoming member shall be invited to meet with the superintendent and other administrative personnel to discuss services he or she performs for the board.
4. The incoming member shall be provided with a copy of the board's policies and bylaws, administrative regulations and copies of pertinent materials developed by the state school board association.
5. The incoming member may attend, at district expense, workshops for newly elected members as approved by the board of education.

## **BYLAWS OF THE BOARD**

### **Development in Service**

**9240**

Attendance at meetings directly or indirectly related to education or school matters shall be encouraged for the values they have to the school system and the professional growth of board members.

The superintendent shall notify board members of all relevant scheduled meetings.

## **BYLAWS OF THE BOARD**

### **Remuneration and Reimbursement**

**9250**

#### School Board Conferences, Conventions, and Workshops

The Board encourages the participation of its members at appropriate conferences, workshops, conventions, seminars, and similar meetings.

Funds for participation at such meetings will be budgeted for on an annual basis. Reimbursement to Board members for their travel expenses will accord with the travel expense policy for staff members requiring travel voucher and expense receipts.

When an approved meeting is not attended by the full Board, those who do participate will be requested to share information, recommendations, and materials acquired at the meeting.

Designation of members to attend at major meetings will be made by the Board of Education. In instances when meetings require immediate selection of attendance, the determination to be made by the president of the Board of Education and superintendent.

## **BYLAWS OF THE BOARD**

### **Conflict of Interest**

**9270**

No officer of the Chadron School District may be directly or indirectly interested in any contract in which the district is a party (except for banking transactions) unless the board member complies with the disclosure and abstention provisions of the law.

Those provisions are that the interested officer:

1. reveal the nature and extent of his or her interest to the school board prior to official consideration of the contract.
2. not participate in the consideration or discussion of the contract.
3. not attempt to influence employees or other officers in any way relating to the contract.
4. not vote on the matter of granting the contract.
5. remove himself or herself during consideration of and vote on the contract.
6. not act, directly or indirectly, for the school district as to the inspection, operation, administration or performance under the contract.

Legal Reference: LB 370            Relating to conflict of interest (1982)

## **BYLAWS OF THE BOARD**

### **Code of Ethics**

**9271**

The board endorses the Code of Ethics of the National School Boards Association.

"I. As a member of my local Board of Education, representing all the citizens of my school system, I recognize

"1. that my fellow citizens have entrusted me with the educational development of the children and youth of this community.

"2. that the public expects my first and greatest concern to be in the best interest of each and every one of these young people without distinction as to who they are or what their background may be.

"3. that the future welfare of this community, of this state, and of the nation depends in the largest measure upon the quality of education we provide in the public schools to fit the needs of every learner.

"4. that my fellow board members and I must take the initiative in helping all the people of this community to have all the facts all the time about their schools, to the end that they will readily provide the finest possible school program, school staff, and school facilities.

"5. that legally the authority of the board is derived from the state which ultimately controls the organization and operation of the school system and which determines the degree of discretionary power left with the board and the people of this community for the exercise of local autonomy.

"6. that I must never neglect my personal obligation to the community and my legal obligation to the state, nor surrender these responsibilities to any other person, group, or organization; but that, beyond these, I have a moral and civic obligation to the nation which can remain strong and free only so long as public schools in the United States of America are kept free and strong.

"II. In view of the foregoing consideration, it shall be my constant endeavor

"1. to devote time, thought, and study to the duties and responsibilities of a school board member so that I may render effective and creditable service.

"2. To work with my fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points at issue.

"3. To base my personal decision upon all available facts in each situation; to vote my honest conviction in every case, unswayed by partisan bias of any kind; thereafter, to abide by and uphold the final majority decision of the board.

"4. To remember at all times that as an individual I have no legal authority outside the meetings of the board, and to conduct my relationships with the school staff, the local citizenry, and all media of communication on the basis of this fact.

"5. To resist every temptation and outside pressure to use my position as a school board member to benefit either myself or any other individual or agency apart from the total interest of the school system.

“6. To recognize that it is as important for the board to understand and evaluate the educational program of the schools as it is to plan for the business of school operation.

“7. To bear in mind under all circumstances that the primary function of the board is to establish the policies by which the schools are to be administered, but that the administration of the educational program and the conduct of school business shall be left to the employed superintendent of schools and his professional and nonprofessional staff.

“8. To welcome and encourage active cooperation by citizens, organizations, and the media of communication in the system with respect to establishing policy on current school operation and proposed future developments.

“9. To support my state and national school boards associations.

“10. Finally, to strive step by step toward ideal conditions for most effective school board service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.”

## **BYLAWS OF THE BOARD**

### **Retirement: Members of the Board**

**9280**

Retiring members of the board shall be appropriately recognized and thanked for their service to the schools and community.

Continuing privileges as may be legally provided them are to be encouraged and may include, but not be limited to, the following:

1. Regular issues of news bulletins of the school system
2. Annual reports
3. Selected special reports
4. Complimentary passes to athletic and other school activities
5. Personal invitations to special public functions of the board

## **BYLAWS OF THE BOARD**

### **Formulation, Adoption, Amendment of Policies**

**9311**

Policies may be adopted after consideration at two meetings of the board. The agenda and minutes shall be marked to indicate policy matters.

The formal adoption of policies shall be recorded in the minutes of the board. Only those written statements so adopted and so recorded shall be regarded as official board policy.

The board policies shall be subject to amendment only by majority vote of all members of the board. Amendments may be made only after consideration at two meetings of the board.

If at least a quorum votes to do so, a policy may be waived by the board at any meeting to permit a specific action.

Legal Reference:

79-443

Roberts Rules of Order, newly revised

District boards; schools; supervision and control

Adopted: 10-10-83

Amended:

Chadron Public Schools  
Chadron, Nebraska





## **BYLAWS OF THE BOARD**

### **Suspension of Policies, Bylaws, and Regulations**

**9314**

Policies, bylaws and board-approved regulations, except for those resulting from negotiations with employee organizations, shall be subject to suspension for a specified purpose and limited time by a majority vote of all members of the board at a meeting in the call for which the proposed suspension has been described in writing, or upon a two-thirds vote of all members of the board when no such written notice has been given.

Reference: Roberts Rules of Order, newly revised

## **BYLAWS OF THE BOARD**

### **Meetings**

9320

Regular monthly meetings of the Board of Education will be scheduled on or before the second Monday of each month. The second Monday of the month shall be the standard date for these regular meetings unless a majority of the board of education agrees to move the meeting to an earlier date in the month.

In conducting the business to come before the board at each meeting the bylaws shall be carefully and fully observed.

All Board of Education business shall be conducted according to Nebraska Statutes.

All regular and special meetings of the board of education shall be properly publicized through news releases and legal notice to include news releases to the local radio and newspaper unless the lead time is insufficient in which case a legal radio announcement shall be utilized.

Special meetings shall be called by action of the president of the Board of Education at his or her discretion, or by any two members of the Board of Education.

When special meetings of the Board of Education are called, the agenda and supporting information must be in the hands of each member of the board of education at least 72 hours prior to the time of the meeting; provided that an emergency situation shall receive the attention of the board on shorter call and that the 72 hour agenda requirement shall be waived.

Emergency meetings, when necessary, may be held without reasonable advance public notice, but the nature of the emergency shall be stated in the minutes and any formal action taken at such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment.

Legal Reference:       79-439               Meetings open to the public  
                              79-1408 through  
                              79-1414            Public meetings, etc.

### **Regular Meetings**

Regular meetings will be held according to a regular schedule as required by law and other such times as the board determines. All will have proper and legal public notice.

### **Special Meetings**

A special meeting may be called by the president of the board, or by three members collectively in the event that the president fails to act, upon due notice as specified in the bylaws. Ordinarily, no business shall be transacted except that for which the meeting is called.

### **Adjourned Meetings**

Such meetings shall serve as a continuation of a regular meeting, and not as a special or called meeting.

### **Closed Meetings**

The board may hold closed sessions only according to law and by affirmative vote of a majority of the board if a closed session is clearly necessary for the protection of public interest or for the

**Meetings (con't)**

**9320**

prevention of needless injury to the reputation of an individual. Closed sessions will be held for but shall not be limited to such reasons as specified in 9322 of these bylaws.

The vote to hold a closed session shall be taken in open session.

**Emergency Meetings**

The board may call meetings to discuss matters which are of an emergency nature and that precludes being dealt with in regular special sessions.

The public shall be allowed to attend all except legally called closed sessions. Those who attend shall have the right to record the proceedings by a variety of types of equipment. However, those wishing to record proceedings are subject to reasonable rules determined by the board. Such rules may include:

1. requirements to set up large equipment in advance of the meeting.
2. the prohibition of supplementary lighting.
3. requirements which insure avoidance of disruption or to preserve the rights of others in attendance.

|                  |         |                             |
|------------------|---------|-----------------------------|
| Legal Reference: | 79-439  | Meetings open to the public |
|                  | 84-1410 | Public meeting law          |
|                  | 84-1411 | Public meetings             |

## **BYLAWS OF THE BOARD**

### **Meetings/Types/Time and Place**

**9321**

Regular meeting. The Board of Education will hold its regular meeting on or before the third Monday of each month.

Second monthly meeting. A second monthly meeting may be held if deemed necessary by the president.

Special meetings. Special meetings may be called by the president of the board, or at the request of two board members.

Annual meeting. The Board of Education shall hold an annual meeting each year for the purpose of presenting the annual budget to the district voters.

Meeting time and place. All board meetings shall be conducted in designated buildings. Meeting time will normally be 5:30 p.m. unless set otherwise by the board.

Meetings advertised. All board meetings shall be duly advertised as prescribed by law.

#### **Notification to Members**

Notice of special meetings must be given in writing as required by statute to each member of the board. In case of emergency, the president shall have power to call a special meeting on less than three days' notice, but all members of the board must be notified. Notices of special meetings must distinctly state the business to be transacted, and not business other than that specified in the call shall be considered at a special meeting.

#### **Emergency Decisions**

The board president or superintendent may call all members in an emergency for a decision and have such decision and have such decision ratified at the next regular board meeting.

## **BYLAWS OF THE BOARD**

### **Meetings – Closed Sessions**

**9322**

The Board of Education may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) strategy sessions with respect to collective bargaining, real estate purchases, or litigation; (b) discussion regarding deployment of security personnel or devices; (c) investigative proceedings regarding allegations or misconduct; or (d) evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; provided, however a closed meeting shall never be held for the purpose of discussing the appointment or election of a new member to the Board of Education.

The vote to hold a closed session shall be taken in open session. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The Board shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken.

Any member of the Board shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reasons stated in the original motion to hold a closed session. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

The term "closed session" as used in the policies, regulations and Bylaws of the District shall include within its meaning any "executive session" or "executive meeting" authorized or prescribed by said policies, regulations and Bylaws, all of said terms being interchangeable.

Legal Reference:        §§84-1407 to 84-1414

Adopted: 10-10-83  
Amended: 7-27-06

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Meetings - Board/School District Records**

**9322.1**

#### Exceptions and Locations

The Board of Education and the Superintendent may withhold from the public those records in their custody enumerated by law. Records which are open to inspection shall be available in the office of the Superintendent.

#### Open Meetings Act Posting and Public Access to Board Records

The Board of Education accepts its responsibility to conduct its meetings in public and in compliance with law. The Superintendent shall post at least one current copy of the Open Meetings Act in the meeting room at a location accessible to members of the public. At the beginning of each meeting the public shall be informed about the location of the posted information by announcement of the Board President or Chairperson or via notice given in the Agenda. The Superintendent and the Board secretary shall make available for examination and copying by members of the public at least one copy of all reproducible written material to be discussed at an open meeting except where the law specifically states that a matter is exempted either temporarily or permanently from such disclosure.

Therefore, the Board of Education directs the Superintendent and the Board secretary, acting jointly and cooperatively, to make easily available copies of the Board of Education policy manual and the minutes of meetings of the Board of Education and its committees (except as exempt by law). Minutes shall be made available within ten (10) days of the meeting reported; policies shall be incorporated into the manual within thirty (30) days of adoption.

Legal Reference:        §§84-1408 to 84-1414  
                                 §84-712

Adopted: July 27, 2006  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Advance Delivery of Meeting Materials**

**9324**

The board shall require the superintendent to prepare an agenda which, with the minutes, shall be distributed to the board members on the Friday prior to each regular monthly board meeting.

Legal Reference: 79-807 Board of education; selection of officers; rules and regulations  
79-439 Meetings; open to public  
79-1408/ 1414 Public meetings, etc.

## **BYLAWS OF THE BOARD**

### **Meeting Conduct**

**9325**

In the absence of the president and vice-president at any meeting, the treasurer shall conduct the meeting.

When a question is submitted to vote, every member present shall vote upon it, unless excused by the board, or unless he or she is financially interested in it, in which latter case he or she shall not vote.

Upon any question, the roll of board members shall be called and their yeas and nays recorded.

Legal Reference: 79-454

District meeting; disorderly conduct; penalties

## **BYLAWS OF THE BOARD**

### **Quorum**

**9325.1**

The quorum of the Board of Education shall be a minimum of four members present.

When a quorum has been reached, a majority vote of those present may transact business, except as otherwise provided by the Statutes.

## **BYLAWS OF THE BOARD**

### **Order of Business**

**9325.2**

The Board's business will be transacted in the order outlined below:

1. ROUTINE MATTERS
  - a. Meeting Called to Order
  - b. Motion to Declare the Meeting Properly Publicized and Open to the Public
  - c. Welcome to Visitors
  - d. Approval of Agenda
  - e. Approval of Minutes of Past Meeting(s)
  - f. Awards and Honors
  - g. Public Comment
2. BUSINESS TRANSACTIONS
  - a. Approval of Bills and Claims – General Fund
  - b. Treasurer's Report
  - c. Approval of Bills and Claims – Special Building Fund
  - d. Approval of Bills and Claims – Depreciation Fund
3. STUDENT PERFORMANCE AND PROGRAMS REPORT
4. SUPERINTENDENT'S REPORT AND BOARD-SUPERINTENDENT DISCUSSIONS
5. UNFINISHED BUSINESS
6. NEW BUSINESS
7. PERSONNEL ACTION
8. ADVANCE PLANNING
9. ADJOURNMENT

The order of business may be altered or suspended at any meeting by a majority vote of those present.

## **BYLAWS OF THE BOARD**

### **Parliamentary Procedure**

**9325.3**

Conduct of the board will be in accord with these bylaws and policies of the board. In absence of applicable bylaws or policies, Roberts Rules of Order, newly revised, will govern board action unless Statutes of Nebraska take precedence.

Legal Reference: 79-807

Board of Education; selection of officers; rules and regulations

## **BYLAWS OF THE BOARD**

### **Voting Method**

**9325.4**

Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the board in open session, and the record shall state how each member voted, or if the member was absent or not voting.

## **BYLAWS OF THE BOARD**

### **Public Participation at Board Meetings**

**9325.5**

The function of meetings of the Chadron Board of Education is to conduct the business of the Chadron Public School District, as distinguished from providing an open citizen's forum. In accord with its policy confirming the right and desirability of the public to express its point of view to the board, delegations or individuals are welcome at regular meetings, subject to the following regulations designed to expedite deliberations and provide for full consideration of problems and questions:

1. Visitors to board meetings shall conduct themselves in a dignified manner. Displays of emotion, applause, or other verbal or physical demonstrations of support or opposition to a topic or a person who is speaking are unacceptable.
2. Persons addressing the Board on an item on the agenda will be called on during the public comment section of the agenda or when that respective item is discussed. Persons addressing the Board on an item not on the agenda will be given the opportunity to do so under the public comment section only. No more than a total of ten minutes will be allowed for public discussion of an item not on the agenda. Pursuant to the Open Meetings Act, the board will not take any action on matters that are not on the agenda.
3. To speak to an item on the agenda:
  - a. Stand during the visitors recognition;
  - b. State your name;
  - c. State the agenda item to which you wish to speak - your name will be placed under that subject on the agenda and you will be called upon when that subject comes up for discussion, or you may speak on that item during the public comment section;
  - d. Should a person arrive late and wish to speak to an agenda item yet to be considered, the person's name, and agenda item must be made available to the chairperson through a principal or the superintendent.
4. A time limit of five minutes per speaker will be allowed. Not more than a total of twenty minutes will be allowed for public discussion of an agenda item. These time limits may be extended by a consensus of the members present.
5. At a public meeting of the board, no person shall orally initiate charges or complaints against individual employees of the district or challenge instructional materials used in the district. All such charges, complaints, or challenges shall be presented through the appropriate district complaint process. Complaints involving the reputation of any person connected with the district will not be heard by the Board while sitting in public session.
6. Any written or printed materials to be circulated for a meeting of the board of education must be submitted to the superintendent three working days prior to the board meeting. This material will be transmitted to the members of the board for their consideration.

Legal Reference: 84-1408 to 84-1414 -- Open Meetings Act

Adopted: 10-10-83  
Amended: 1-11-10

Chadron Public Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Minutes**

**9326**

The Board of Education shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. The resignation of a Board member or any other circumstance that results in a vacancy in office shall be made a part of the minutes.

The minutes shall be prepared by the secretary immediately following the meeting, shall be written, shall be available for inspection by the public and for distribution to the members of the Board within ten (10) working days, or prior to the next convened meeting, whichever occurs earlier, and shall be a part of the agenda for the next regular meeting at which time they shall be corrected, if necessary, and approved.

The minutes shall be kept in the office of the superintendent and shall be public records and open to public inspection during normal business hours.

## **BYLAWS OF THE BOARD**

### **Board Records**

**9330**

The approved budget, statistical compilations, reports, notices, bulletins, memoranda, minutes of meetings and official communications between governmental branches are public records, and access thereto during normal hours of business may be granted to any citizen. When access to school records is granted, examination thereof will be made in the presence of the superintendent regularly responsible for maintenance of the files.

Not included in the category of records to which the privilege or access is given are the following:

1. Personnel records
2. Pupil records
3. Personal correspondence

Legal Reference: 84-1408 to

84-1414

Public meeting law

84-712

Public records; free examinations; memorandum; abstracts

## **BYLAWS OF THE BOARD**

### **Membership in School Board Associations**

**9340**

The board shall ordinarily hold membership in such local, state, regional, and national school board associations as may exist, and shall look upon such memberships as an opportunity for growth in board service.

Legal Reference: 79-4, 149

Association of school boards; membership dues; payment authorized

## **BYLAWS OF THE BOARD**

### **Nebraska Political Accountability and Disclosure Act; Conflicts of Interest; Applicability to School District, Board Members and District Employees**

**9370**

Chadron Public School District Policies 9370 to 9370.10 address, in part, the requirements and prohibitions of the Nebraska Political Accountability and Disclosure Act, Neb. Rev. Stat. Sec. 49-1401 et seq. (The Act); particularly those sections of The Act related to "Conflicts of Interest". However, District Policies do not address all aspects of The Act, and School Board Members and Employees of the District are charged with the responsibility of knowing and understanding The Act as well as Policies 9370 to 9370.10. If questions arise concerning the purview of The Act, its requirements, prohibitions, and/or penalties, then legal counsel should be consulted.

The definitions found in Neb. Rev. Stat. §§49-1403 to 49-1444, and any modifications and amendments thereto, are incorporated into and made a part of Policies 9370 to 9370.10 as if set forth fully herein. For purposes of Policies 9370 to 9370.10, a School Board Member is considered to be a "Public Official" and any employee of the school district is considered to be a "Public Employee" as these terms are defined and used in The Act.

**Legal Reference: The Nebraska Political Accountability and Disclosure Act; Neb. Rev. Stat. §49-1401 et. seq.**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **School Board; Discharge of Official Duties; Potential Conflict; Actions Required.**

**9370.01**

1. Any School Board Member who would be required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to him or her, a member of his/her immediate family, or a business with which he or she is associated, which is distinguishable from the effects of such action on the public generally or a broad segment of the public, shall take the following actions as soon as he or she is aware of such potential conflict or should reasonably be aware of such potential conflict, whichever is sooner:

- a. Prepare a written statement describing the matter requiring action or decision and the nature of the potential conflict;
- b. Deliver a copy of the statement to the Nebraska Political Accountability and Disclosure Commission (Commission) and the Secretary of the Board who shall enter the statement onto the public records of the school district; and
- c. Abstain from participating or voting on the matter in which the School Board Member has a conflict of interest.

2. Any School Board Member may apply to the Commission for an advisory opinion as to whether the member has a conflict of interest.

3. Matters involving the hiring of an immediate family member are governed by Policies 9370.02 and 9370.03 and matters involving an interest in a contract are governed by Policies 9370.04 or 9370.05.

**Legal Reference: Neb. Rev. Stat. Sec. 49-1499.03**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Employment of Immediate Family Member; When; Exception**

**9370.02**

1. Any School Board Member or employee of the School District may employ or recommend or supervise the employment of an immediate family member in the District if:

- a. he or she does not abuse his or her official position as described in Policy 9370.03;
- b. he or she makes a full disclosure on the record to the School Board and a written disclosure to the Secretary for the Board; and
- c. the School Board approves the employment or supervisory position.

2. No School Board Member or employee of the School District shall employ an immediate family member:

- a. without first having made a reasonable solicitation and consideration of applications for such employment;
- b. who is not qualified for and able to perform the duties of the position;
- c. for any unreasonably high salary; or
- d. who is not required to perform the duties of the position.

3. No School Board Member or employee of the School District shall terminate the employment of another employee so as to make funds or a position available for the purpose of hiring an immediate family member.

4. This policy does not apply to an immediate family member of a School Board Member or employee who;

- a. was previously employed in a position subject to this section prior to the election or appointment of the School Board Member or employee; or,
- b. was employed in a position subject to provisions similar to this policy prior to September 1, 2001.

5. Prior to, upon, or as soon as reasonably possible after the official date of taking office, a newly elected or appointed School Board Member or employee shall make a full disclosure of any immediate family member employed in a position subject to subsection 4.a. or 4.b. of this policy.

**Legal Reference: Neb. Rev. Stat. Sec. 49-1499.04**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Official or Employee; Abuse of Official Position.**

**9370.03**

A School Board Member or employee of the School District shall not abuse his or her official position. Abuse of an official position includes, but is not limited to, employing an immediate family member:

1. who is not qualified for and able to perform the duties of the position;
2. for any unreasonably high salary; or,
3. who is not required to perform the duties of the position.

**Legal Reference: Neb. Rev. Stat. Sec. 49-1499.05**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Board Member and District Employee Contracts with other Government Bodies; Procedure; Purpose **9370.04****

This Policy applies to contracts with government bodies other than the Chadron Public School District.

1. Except as otherwise provided by law, no School Board Member or employee of the District, or member of his or her immediate family or business with which the individual is associated shall enter into a contract valued at two thousand dollars or more, in any one year, with a government body unless the contract is awarded through an open and public process.
  
2. For purposes of this Policy, an open and public process includes prior public notice and subsequent availability for public inspection during the regular office hours of the contracting government body of the proposals considered and the contract awarded.
  
3. No contract may be divided for the purpose of evading the requirements of this section.
  
4. This Policy shall not apply to a contract when the School Board Member or employee of the District does not, in any way, represent either party in the transaction.
  
5. This Policy shall not apply to a contract for labor which is negotiated or is being negotiated pursuant to the laws of Nebraska.
  
6. This Policy prohibits School Board Members or employees of the District from engaging in certain activities under circumstances creating a substantial conflict of interest. This section is not intended to penalize innocent persons, and a contract shall not be absolutely void by reason of this policy.
  
7. Policy 9370.04 does not apply to contracts covered by policies 9370.05 and 9370.06.

**Legal Reference: Neb. Rev. Stat. Sec. 49-14, 102**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **School Board Members:**

#### **Interest in Contract with School District Prohibited; When.**

**9370.05**

This Policy specifically applies to Contracts with the Chadron Public School District.

1. Except as provided in Policies No.9370.01 to 9370.05, no School Board Member may have an interest in any contract of more than \$100, to which the Chadron School District is a party.
2. The prohibition in this section shall apply only when the School Board Member or his or her parent, spouse, or child:
  - a. has a business association as defined in Neb. Rev. Stat. § 49-1408 with the business involved in the contract; or
  - b. will receive a direct pecuniary fee or commission as a result of the contract.
3. The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of the School District by a financial institution shall not be considered a contract for purposes of this policy.
4. The ownership of less than five percent of the outstanding shares of a corporation shall not constitute an interest within the meaning of this Policy.
5. Purchases made from petty cash or the petty cash fund of the School District shall not be subject to this Policy.
6. An open account established for the benefit of any governing body with a business in which a School Board Member has an interest shall be a contract subject to Policies 9370.04 and 9370.05.
7. If a School Board Member's parent, spouse, or child is an employee of the School District, the Board Member may vote on all issues of the contract which are generally applicable to (a) all employees or (b) all employees within a classification and do not single out his or her parent, spouse, or child for special action. Situations in which a School Board Member may have a conflict of interest that requires action under this policy include, but are not limited to the following:
  - a. Reduction in force matters that directly impact a Board Member's parent, spouse or child. However, a Board Member who has a parent, spouse, or child employed by the school district may participate in the discussion and may vote on any general decision to reduce force (e.g. to reduce the faculty, or the number of paraprofessionals by a specified number of full-time equivalent positions).

**School Board Members:**

**Interest in Contract with School District Prohibited; When (cont)**

**9370.05**

- b.** An employment hearing that directly impacts a Board Member's parent, spouse or child. However, a Board Member who has a parent, spouse or child employed by the school district may participate in any other employment hearing that does not affect the Board Member's parent, spouse or child.
  - c.** A Board Member is prohibited from entering into or executing, on behalf of the District, any contract with any teacher or administrator who is related to him or her or to the majority of the board, by blood or marriage.
- 8.** The prohibition in this policy does not apply if the contract is an agenda item approved at a board meeting and the School Board Member:
- a.** Makes a declaration on the record to the School Board responsible for approving the contract regarding the nature and extent of his or her interest prior to official consideration of the contract;
  - b.** Does not vote on the matters of granting the contract, making payments pursuant to the contract, or accepting performance of work under the contract, or similar matters relating to the contract, except that if the number of members of the School Board declaring an interest in the contract would prevent the body with all members present from securing a quorum on the issue, then all members may vote on the matters; and
  - c.** Does not act for the School Board as to inspection or performance under the contract in which he or she has an interest.

**Legal References: Neb. Rev. Stat. Sec. 49-14103.01; Neb. Rev. Stat. Sec. 79-818**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Contract with School Board Member; Information Required;**

#### **Ledger Maintained.**

**9370.06**

1. The Superintendent or the Secretary for the School Board shall maintain, separately, from other records, a ledger containing the information listed in subdivisions 1.a. through e. of this Policy about every contract entered into by the School District in which a School Board Member has an interest and for which disclosure is made pursuant to Policy 9370.05. Such information shall be kept in the ledger for five years from the date of the Board Member's last day in office and shall include the:

- a. Names of the contracting parties;
- b. Nature of the interest of the Board Member in question;
- c. Date that the contract was approved by the School Board;
- d. Amount of the contract; and
- e. Basic terms of the contract.

2. The information supplied relative to the contract shall be provided no later than ten days after the contract has been signed by both parties. The ledger kept pursuant to this Policy shall be available for public inspection during the normal working hours of the Superintendent's office where it shall be kept.

**Neb. Rev. Stat. Sec. 49-14,103.02**

Adopted: January 15, 2007  
Amended: February 12, 2007

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **School Board Members, District Employees, and Candidates:**

#### **Prohibited Acts**

**9370.07**

No School Board Member, or employee of the School District, or Candidate for a position on the School Board shall solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment based on an agreement that the vote, official action, or judgment of the Board Member or employee or candidate would be influenced thereby.

**Legal Reference: Neb. Rev. Stat. Sec. 49-14, 101**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Board Members and Employees Prohibited from Receiving Financial Gain and Gifts of Travel or Lodging.**

**9370.08**

- 1.** A School Board Member or employee of the District shall not use or authorize the use of his or her public office or position or any confidential information received through the holding of a public office or position to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his immediate family , or a business with which the individual is associated.
- 2.** A School Board Member or employee of the District shall not use or authorize the use of personnel, resources, property, or funds under his or her official care and control other than in accordance with prescribed constitutional, statutory, and regulatory procedures, or use such items, other than compensation provided by law, for personal financial gain.
- 3.** A School Board Member of the District shall not accept a gift of travel or lodging or a gift of reimbursement for travel or lodging if the gift is made so that the immediate family of the School Board Member can accompany the Board Member in the performance of his or her official duties.
- 4.** School Board Members are advised that a member of the immediate family of a public official shall not accept a gift of travel or lodging or a gift of reimbursement for travel or lodging if the gift is made so that a member of the public official's immediate family can accompany the public official in the performance of his or her official duties.

**Legal Reference: Neb. Rev. Stat. Sec. 49-14, 101.01**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **School Board Members and School Employees; Use of Public Resources or Funds; Prohibited Acts; Exceptions.**

**9370.09**

1. For purposes of this policy, public resources means personnel, property, resources, or funds under the official care and control of a School Board Member or employee of the District.
2. Except as otherwise provided in this Policy, a School Board Member or employee of the District shall not use or authorize the use of public resources for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question. For example:
  - a. The School District shall not, and is not authorized by this Policy to, utilize mass mailings or other mass communications at public expense for the purpose of campaigning for or against the nomination or election of a candidate, or for the purpose of qualifying, supporting, or opposing a ballot question.
  - b. Except as otherwise provided in this Policy an employee of the School District shall not engage in campaign activity for or against the qualification, passage, or defeat of a ballot question or the nomination or election of a candidate while on School District work time or when otherwise engaged in his or her official duties.
3. This Policy does not prohibit a School Board Member or employee of the District from campaigning for or against the qualification, passage, or defeat of a ballot question or the nomination or election of a candidate when no public resources are used.
4. This Policy does not prohibit a School Board Member or Superintendent of the District from making School District facilities available to a person for campaign purposes if the identity of the candidate or the support for or opposition to the ballot question is not a factor in making the government facility available or a factor in determining the cost or conditions of use. No employees except the Superintendent shall be permitted to authorize the use of District facilities for campaign purposes.
5. This Policy does not prohibit the School Board from discussing and voting upon a resolution supporting or opposing a ballot question.
6. This Policy does not prohibit a School Board Member from responding to specific inquiries by the press or the public as to his or her opinion regarding a ballot question or from providing information in response to a request for information.

**Legal Reference: Neb. Rev. Stat. Sec. 49-14, 101.02**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Advisory Opinions; Application; Effect.**

**9370.10**

Any School Board Member or District Employee who is in doubt as to the propriety of action proposed to be taken by him or her may apply to the Nebraska Political Accountability and Disclosure Commission for an advisory opinion relating thereto as provided by Nebraska law. When an advisory opinion is issued pursuant to a complete and accurate request, such opinion shall be a complete defense to any charge of violation of the District's Conflict of Interest Policies or Neb. Rev. Stat. §49-1493 to 49-14,104 as to any action taken strictly subject to the terms of such opinion.

**Legal Reference: Neb Rev. Stat. Sec. 49-14.100**

Adopted: January 15, 2007  
Amended:

Chadron City Schools  
Chadron, Nebraska

## **BYLAWS OF THE BOARD**

### **Public Announcement of Accomplishments: Annual Report**

**9410**

#### Rationale:

It is the view of the Board of Education that the public of the school district, those who are consumers of education, should be provided information pertaining to the management, operations, and performance of the school system. Reporting detailed information to the public provides assurance concerning system and student performance, and helps enhance efforts to provide accountability to those on whom adequate district financing depends.

#### Policy:

The Superintendent of Schools shall in August of each year prepare and report to the board and general public a written report which describes the district's success in meeting annual goals which have been established by the district. The report will include a summary of results of the following assessments or studies required by Rule 10, Regulations and Procedures for the Legal Operation of Schools:

1. Standardized norm-referenced assessment conducted at the elementary, middle, and high school levels and reported to the Board of Education in January of each year
2. Criterion referenced assessment in reading, writing, and mathematics
3. Follow-up of high school graduates conducted every three years
4. Learning climate assessment conducted at least once each seven years in accordance with state and regional accreditation review requirements
5. Financial information
6. School system demographics

Individual student test scores will remain confidential and individual students will not be identified. A grade level report will not be provided if and when there are fewer than five students in any given grade level being reported.