

New School Board Member Orientation

November 19th, 2022



Agenda

1. The Organizational Meeting - (15 min)
2. Setting the Agenda (30 min)
3. Policies, Statutes and Regulations (45 mins)
 - a. Policy - KI-R (Visitors)
 - i. 2.32 Policy - Regulations
4. Guidance to Superintendents
5. Open Meeting Law (30 mins)

The Organizational Meeting

The Organizational Meeting

A new Board President and #2 (Vice President, Pro Tem, etc.) will be elected during this meeting.

Once you take the Oath of Office, consider yourself subject to Open Meeting Law.

Whether you are planning to run for President/#2 or not, ask for a written explanation of the process ahead of time.

How do Nominations work? Are the offices addressed one at a time? Are statements accepted?

Will the newly elected President take over immediately for the election of #2 or will the existing “President” do both?

Paradise Valley BDA

BOARD ORGANIZATIONAL MEETING

For the purpose of organization of the Governing Board, the Board shall meet at the most convenient public facility in the District. (If a public facility is not available within the District, the Board may meet at any available public facility convenient to all Board members, regardless of the county or school district in which the facility is located.) Such meeting shall be held between January 1 and January 15 of each calendar year.

The meeting shall be called to order by the President of the Board for the preceding year. If that person is not a member of the Board, a temporary president shall be elected and the meeting shall be called to order by the temporary president. The person calling the meeting to order shall preside until a successor is chosen.

A President and President Pro Tem shall be elected.

The new President of the Board shall take office upon election.

Whenever there is a vacancy in the office of President, the Board shall elect a new officer to fill the vacancy during the unexpired term of office.

In addition to the organizational meeting described in this policy, the Board may elect a Board President at any time, for any reason, providing that the matter has been properly placed and noticed on the Board agenda consistent with the open meeting law and adopted by the Board.

LEGAL REF.: A.R.S. 15-321, 38-431 *et seq.* (Definitions)

CROSS REF.: BDB - Board Officers, BE - School Board Meetings, BEC - Executive Sessions/Open Meetings,

BEDA - Notification of Board Meetings



15-321. Organization; election of officers of the board; meetings; execution of warrants; exemption

A. For the purpose of organization of the governing board, the board shall meet at the most convenient public facility in the school district. If a public facility is not available within the district, the governing board may meet at any available public facility that is convenient to all governing board members, regardless of the county or school district in which the facility is located. The governing board shall meet between January 1 and January 15 next following the election.

B. At the organization meeting the governing board shall elect from among the membership of the board a president.

D. The board shall prescribe rules for its own government.

Setting The Board Meeting Agenda

Setting the Board Meeting Agenda

Important to know how your district's agenda is set.

Look for timeline requirements and communication requirements (to Board President or to the Superintendent?)

Request agenda items on the dais, followed up with an email or just in email to substantiate the request.

Plan ahead. Many agenda items are placed first with “Discussion” and then a subsequent meeting will be “Action”.

Strongly advise against Discussion and Action in the same meeting. You will always have follow-up questions that should be answered before you vote.

SCOTTSDALE BEDBA © AGENDA PREPARATION AND DISSEMINATION

Regular Meetings

The Superintendent will prepare Board meeting agendas in consultation with the Board President.

The Superintendent or Board members may place items on the agenda. Any Board member desiring to place an item on the agenda will notify the Superintendent of the item of business in writing at least five (5) working days before the meeting. The requested item must be placed on the agenda unless the Superintendent and Board President determine that the requested item requires additional information that cannot be reasonably gathered prior to the scheduled meeting. If the item is not placed on the meeting's agenda, the item may be placed on an agenda no later than forty-five (45) working days from the date of the request. The Board member may withdraw the request at any time.

The agenda and supporting materials shall be distributed to the Board members not less than twenty-four (24) hours prior to the meeting.

The agenda shall be available to the public and the press at least twenty four (24) hours prior to any meeting.

Special Meetings

Whenever possible, the procedures for agenda preparation and dissemination used for regular meetings will be used for special meetings.

These procedures may be altered by the Superintendent during an emergency or when compliance would be impractical.

However, the Superintendent shall comply with all legal requirements in scheduling special meetings.



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AGENDA PREPARATION AND DISSEMINATION

Regular Meetings

The Superintendent will prepare Board meeting agendas in consultation with the Board President.

The Superintendent, with the approval of the Board President, on behalf of the Governing Board as a whole, may place items on the agenda. Any Board member proposing an item for consideration of placement on the agenda will notify the Superintendent of the particular item of business at least five (5) working days before the meeting.

The agenda and supporting materials shall be distributed to the Board members not less than twenty-four (24) hours prior to the meeting.

Upon request, copies of the agenda shall be available to the public and the press.

Special Meetings

Whenever possible, the procedures for agenda preparation and dissemination used for regular meetings will be used for special meetings.

Mesa - BDDC

Regular Meetings

The Superintendent shall prepare Governing Board meeting agendas in consultation with the Board President.

Only the Superintendent and Board members may place an item on the agenda. A Board member desiring to place an item on the agenda shall notify the Superintendent of the particular item of business at least three days before the meeting.

Items of business suggested by citizens and employees of the District shall be submitted in writing to the office of the Superintendent at least five working days before the Board meeting. The inclusion of these items may be at the discretion of the Superintendent and/or Board President. If inclusion of an item is denied, the citizen shall be informed that any Board member may place an item on the Board agenda.

The agenda and supporting materials shall be distributed to Board members and made available to the public not less than 24 hours prior to the meeting.

Copies of the agenda shall be available to the public and the press at least 24 hours prior to the meeting, upon request.

Special Meetings

Whenever possible, the procedures for agenda preparation and dissemination used for regular meetings shall be used for special meetings.

Statutes, Policies, and Regulations

Statutes, Policies, and Regulations

Statute (passed by the AZ Legislature) drives Policies.

Policies (passed by School Boards) drive Regulations

Board doesn't have to approve Regulations as Regs are supposed to describe the process to support the approved Policy. However, recommended that Board approve Regulations.

Ideally, Policies and related Regulations are approved together.

Pro Tip: Never, ever write Policy from the dais. It never ends well.

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VISITORS TO SCHOOLS

The Superintendent shall establish school-visit procedures for the control of persons other than school personnel or students who enter District premises. Such procedures shall permit full use of all legal means to ensure that students, employees, and District property are properly safeguarded. No person, other than one who is a peace officer or one who has obtained specific authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

13-1302

13-2905

13-2911

15-341

15-507



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REGULATION

VISITORS TO SCHOOLS

Parents are encouraged to visit the schools.

All visitors to any school must report to the school office upon arrival.

For those who wish to visit a classroom during the school day, it is preferred that the teacher and the principal be contacted in advance to arrange a day and time for such visit so as to avoid any conflicts with the school schedule.

In visiting a classroom, parents must realize that the teacher's first responsibility is to the class as a whole, and the teacher will be unable to converse at any length with the visitor. If a conference is desired, arrangements will be made by the teacher for an appointment with the parent either before or after school hours.

No person may enter onto school premises, including visits or audits to a classroom or other school activity, without approval by the principal. Neither will any person be allowed to conduct or attempt to conduct any activity on school premises that has not had prior approval by the principal.

Anyone who is not a student or staff member of the District schools, and is in violation of this policy, may be asked to leave the property of the District. Failure to comply with the lawful directions of District officials or of District security officers or any other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so, will be against District regulations. Failure to obey such instructions may subject the person to criminal proceedings applicable under law.

VISITORS TO SCHOOLS

The Superintendent shall establish school-visit procedures for the control of persons other than school personnel or students who enter District premises. Such procedures shall permit full use of all legal means to ensure that students, employees, and District property are properly safeguarded. No person, other than one who is a peace officer or one who has obtained specific authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds.

No visit, tour or observation shall be permitted if it threatens the health and safety of the pupils and staff.

Parent and Prospective Parent Visitors

The Superintendent shall develop procedures to allow for visits, tours and observations of all classrooms by parents of enrolled pupils and parents who wish to enroll their children in the school district. See Regulation KI-R.

Parent and prospective parent visit, tour and observation policies shall be easily accessible from the home page of each school's website.

Mask or Face Coverings not Required

The District does not require masks or face coverings anywhere on the District's premises except where long-standing workplace safety and infection control measures that are unrelated to COVID-19 may be required.

Adopted: November 09, 2022

4.16 Community Relations - Visitors

Policy Objectives: It is the intent of the Board to properly safeguard students and staff and minimize disruption to the academic learning environment.

- A. The Superintendent shall establish procedures for persons other than District staff or students to enter District property.
 - a. Each school will add easily accessible information regarding these procedures on the home page of their website.
 - b. Any person, present on District property, after a reasonable request to leave shall be removed from District property unless:
 - i. The person has a reason or relationship involving custody of or responsibility for a student.
 - ii. The person has any other specific legitimate reason for being there.
 - iii. The person has written permission to be there from a District representative.
 - c. A person who enters District property may be required to display the person's driver's license or another form of identification containing the person's photograph issued by a governmental entity.
 - d. The District may establish an electronic database for the purpose of storing information concerning visitors to district campuses. Information stored in the electronic database may be used only for the purpose of school district security and may not be sold or otherwise disseminated to a third party for any purpose.
 - e. The District may verify whether a visitor to District property is a sex offender.
 - f. The Superintendent will develop procedures regarding action to be taken when a visitor is identified as a sex offender.
- B. No person shall engage in conduct that may cause interference with or disruption of district business or the education of children. A person commits interference with or disruption by:
 - a. Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of the District by either:
 - i. Threatening the health and safety of any employee or student or any person on District property.
 - ii. Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.
 - b. Intentionally or knowingly entering or remaining on District property for the purpose of interfering with or denying lawful use of the property to others.
 - c. Intentionally or knowingly refusing to obey a lawful order given by the Superintendent or a person designated to maintain order.
- C. A person may also interfere with or disrupt the District function by committing any of the following:
 - a. Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by this Board.
 - b. Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.
 - c. Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
 - d. Illicit use, possession, distribution, or sale of tobacco, alcohol, or drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
 - e. Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
 - f. Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
 - g. Knowingly violating a District rule and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.
 - h. Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.
 - i. Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.
- D. Any member of the general public considered by the Superintendent, or a person authorized by the Superintendent, to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey the instruction may subject the person to criminal proceedings pursuant to A.R.S. § 13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.

Guidance to Superintendents

Open Meeting Law (OML)

Meetings Shall Be Open to the Public

- A.R.S. § 38-431.01(A)
- All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.
- All **legal action** of public bodies shall occur during a public meeting.
 - “Legal action” is a collective decision, commitment, or promise made by a public body.
- All discussions, deliberations, considerations, or consultations among a majority of members of a public body regarding matters that may **foreseeably** require final action or a final decision by the governing body, constitute “legal action” and, therefore, must be conducted in a public meeting or executive session in accordance with OML.

Executive Sessions

- Employee Matters
 - Purpose is to discuss an employee, not a “position”.
 - Deliver written notice to employee 24 hours before a meeting.
 - Employee may require discussion in public.
- Legal Advice
 - Attorney must be present.
- Contract negotiations, pending or contemplated litigation, and settlement discussions conducted to avoid or resolve litigation.
- Records exempt from public inspection and information that must be maintained confidential by state or federal law.
- Purchase, sale, or lease of real property.

Violations & Consequences

1. Serial conversations (in-person, voice, and e-communications)
2. Legal action taken is null and void, unless subsequently ratified.
3. Civil penalty not to exceed \$500 per violation, per board member.
4. Prosecution by Attorney General
5. If the court determines a board member violated OML with intent to deprive the public of information, the court may remove the board member from office.

Questions?