



# Sargent School District

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## SPECIAL MEETING AGENDA BOARD OF EDUCATION

December 12, 2023, 1:30 p.m.

High School Library

Sargent School District

7090 N. CR 2 E.

Monte Vista, Colorado

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1. **1:30 p.m. Special Meeting - Preliminary**
  - 1.01 Call to Order
  - 1.02 Roll Call
  - 1.03 Pledge of Allegiance
  - 1.04 Approval of Agenda
2. **Consent Agenda**
  - 2.01 Approval of Minutes
  - 2.02 Financial Reports
  - 2.03 Requisitions
3. **Community Input-to sign up for Community Input please email [srklecker@sargent.k12.co.us](mailto:srklecker@sargent.k12.co.us) prior to meeting.**
  - 3.01 Items from the Community
4. **Action Item- Consideration of:**
  - 4.01 Resolution Declaring Board Vacancy
  - 4.02 Board Vacancy Appointment
  - 4.03 Board Appointment- Treasurer
  - 4.04 Board Appointment to Committees
  - 4.05 CASB Policy Overhaul Board Policy Section B- 2<sup>nd</sup> Reading
  - 4.06 Employment List
5. **Discussion Items**
  - 5.01 Budget Work Session Date
  - 5.02 Strategic Plan Work Session Date
  - 5.03 January Meeting/Mill Levy Certification
  - 5.04 January Agenda Items
  - 5.05 Board Self-assessment and Debrief
6. **Adjournment**

SCHOOL-School BOARD-Board POWERS-Powers and AND DUTIES-Duties

Powers and mandatory duties of the Board are defined in state statutes.

This Board considers that its most important functions fall into the following categories:

1. **Legislative or policymaking.** The Board is responsible for the development of policy and for the employment of a superintendent who will carry out its policy through the development and implementation of regulations.
2. **Educational planning and appraisal.** The Board is responsible for acquiring reliable information from responsible sources which will enable it to make the best possible decisions about the scope and nature of the educational program. The Board is responsible for requiring appraisal of the results of the educational program.
3. **Staffing and appraisal.** The Board is responsible for employing the staff necessary for carrying out the instructional program and establishing salaries and salary schedules and other terms and conditions of employment, as well as for personnel policies district-wide in application. The Board is responsible for appraising the effectiveness of its staff by providing for regular evaluation.
4. **Financial resources.** The Board is responsible for adopting a budget that will provide the financial basis for buildings, staff, materials and equipment which will enable the district to carry out the educational program. The Board is responsible for exercising control over the finances of the district to ensure proper use of, and accounting for, all district funds.
5. **School facilities.** The Board is responsible for determining school housing needs, for communicating these needs to the community, for purchasing sites, and for approving building plans that will support and enhance the educational program.
6. **Communication with the public.** The Board is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself informed about the wishes of the public.
7. **Judicial.** The Board is responsible for acting as a court of appeal for school staff members, students and the public when issues involve Board policies and their fair implementation.

The Board may exercise the above powers and duties only when convened in a legally constituted meeting.

All powers of the Board lie in its action as a group. Individual Board members exercise authority only as they vote at a legal meeting of the Board and when the Board has lawfully delegated authority to them.

The Board shall retain full legislative and judicial authority over the schools in accordance with the school code and the expressed will of the electorate but shall designate all executive, supervisory and instructional authority to its employees. Legislative service under the law implies the power and obligation to contract for service and materials, the power to inspect, the power to pass judgment upon employees and their work and the power to veto acts of any or all employees when such acts are deemed contrary to the legal rights or obligations of the district or are inconsistent with established Board policies.

The Board shall possess all duties and powers delegated to it or the district by law and shall perform all duties and exercise such powers as required by law including, but not necessarily limited to the following:

1. Legislative or Policymaking. The Board shall adopt written policies and regulations that relate to study, discipline, conduct, safety and the welfare of all students enrolled in the public schools of the district as well as to the efficiency, in-service training, professional growth, safety, official conduct and the welfare of all employees of the district.

2. Educational Planning and Appraisal. The Board shall determine and provide for the educational program to be carried on in the district and prescribe the textbooks for any course of instruction or study. The Board shall provide materials, land and equipment to carry on the educational program. The Board shall also establish a school calendar for the next year before the end of the ensuing school year.

3. Staffing and Appraisal. The Board shall employ all personnel required to maintain and carry out the educational program of the district without respect to religious belief, marital status or racial or ethnic background. The Board shall fix and pay employee compensation and shall have the power to discharge or otherwise terminate the employment of all personnel. The Board is responsible for appraising the effectiveness of its staff by providing for their regular evaluation.

4. Financial Resources. The Board shall account for all moneys or financial transactions of the district and cause such records to be kept for six years. The Board shall also provide the necessary insurance to cover the assets of the district.

5. Judicial. The Board shall arrange for the election of its officers and cause written notices and minutes of Board meetings to be kept as determined necessary. The Board shall cause to be prepared and filed any report required by law or regulation.

Adopted: February 25, 1985

Revised: date of manual revision

LEGAL REFS.: C.R.S. 22- 9-101 et seq. *(licensed personnel evaluations)*  
~~1973~~ C.R.S. 22-~~32~~-109 *(specific duties of boards)*  
~~1973~~ C.R.S. 22-~~32~~-110 *(specific powers of boards)*

~~Sargent School District RE 333, Monte Vista, Colorado~~

## Board Member Qualifications

A candidate for the office of school director shall be:

- a resident of the school district and a registered voter, as shown on the books of the county clerk and recorder, for at least 12 consecutive months prior to the election
- 18 years or older by the date of the election
- a citizen of the United States

No candidate may run representing a political party.

In addition, any person who has been convicted of, pled guilty or nolo contendere to, or received a deferred judgment or sentence for commission of a sexual offense against a child is ineligible for election to a school district board of education. Similarly, any board member who is convicted of, pleads guilty or nolo contendere to, or receives a deferred judgment for a sexual offense against a child while serving on a board shall become ineligible to serve and a vacancy shall be created. Any person who is the subject of a pending charge of commission of a sexual offense against a child at the time of election is ineligible for election to a school district board of education.

It is important that the candidate be sincerely and honestly interested in serving the whole school district for the best interests of all children. Board members shall be nonpartisan in dealing with school matters. The Board does not wish to subordinate the education of children and youth to any partisan principle, group interest or personal ambition.

Adopted: 10/22/01

LEGAL REFS.: C.R.S. 22-31-107 (*qualifications and nomination of candidates for school director*)  
C.R.S. 1-2-101,102 (*qualification and registration of elections*)  
C.R.S. 1-4-803 (*petitions for nominating school directors*)

# Revised Sample Policy

File: BBBA

Sargent School District RE-33J, Monte Vista, Colorado

## Board Member Qualifications

A candidate for the office of school director shall be:

- a resident of the school district and a registered voter, as shown on the books of the county clerk and recorder, for at least 12 consecutive months prior to the election
- 18 years or older by the date of the election
- a citizen of the United States

~~If the school district has a director district plan of representation or a combined director district and at-large plan of representation, the candidate must be a resident of the director district in which he or she is a candidate.~~

No candidate may run representing a political party.

In addition, any person who has been convicted of, pled guilty or nolo contendere to, or received a deferred judgment or sentence for commission of a sexual offense against a child is ineligible for election to a school district board of education. Similarly, any board member who is convicted of, pleads guilty or nolo contendere to, or receives a deferred judgment for a sexual offense against a child while serving on a board shall become ineligible to serve and a vacancy shall be created. Any person who is the subject of a pending charge of commission of a sexual offense against a child at the time of election is ineligible for election to a school district board of education.

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Revised: ~~date of manual revision~~

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# ~~Revised Sample Policy~~

~~File: BBBA~~

~~Sargent School District RE 33J, Monte Vista, Colorado~~



## School Board Member Conduct

Public office is a trust created by the confidence which the public places in the integrity of its public officers. To preserve this confidence, it is the desire of the Board to operate under the highest ethical standards.

In carrying out his/~~her~~ fiduciary duties, a Board member shall not:

1. Disclose or use confidential information acquired in the course of ~~their~~ official duties to further substantially the member's personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in ~~their~~ position to depart from the faithful and impartial discharge of the Board member's public duties or which the member knows or should know is primarily for the purpose of a reward for official action taken.
3. Engage in a substantial financial transaction for the~~ir~~ member's private business purposes with a person whom the member supervises in the course of ~~their~~ official duties.
4. Perform an official act which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the member has a substantial financial interest or is in which they are engaged as ~~a~~ counsel, consultant, representative or agent.

It shall not be considered a breach of conduct for a Board member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

Adopted: 02/26/01

Revised: ~~7~~11/17/14, 12/15 note, 11/19 note, date of manual revision

LEGAL REFS.: C.R.S. 1-45-101 et seq. (Fair Campaign Practices Act)  
C.R.S. 22-32-110 (1)(k) (specific powers of Boards)  
C.R.S. 24-6-201 et seq. (Public Official Disclosure Law)  
C.R.S. 24-18-104 (rules of conduct for all public officers, general assembly, local government officials and employees)

C.R.S. 24-18-109 (rules of conduct for local government officials and employees)

~~C.R.S. 1-45-108 (Campaign Reform Act; requires report of \_\_\_\_\_ campaign contributions and expenditures.)~~

~~\_\_\_\_\_ C.R.S. 24-6-203 (Public Official Disclosure Act)~~

~~\_\_\_\_\_ C.R.S. 24-18-104~~

~~\_\_\_\_\_ C.R.S. 24-18-109~~

~~NOTE 1: State law defines "economic benefit tantamount to a gift of substantial value" to include: 1. A loan at a rate of interest substantially lower than the prevailing commercial rate; 2. Compensation received for private services rendered at a rate substantially exceeding the fair market value; and 3. Goods or services for the Board member's personal benefit offered by a person who is at the same time providing goods or services to the district under a contract or other means by which the person receives payment or other compensation from the district. C.R.S. 24-18-104 (2). However, state law permits a Board member to receive such goods or services if the "totality of the circumstances" indicates the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the Board member does not receive any substantial benefit resulting from the Board member's status that is unavailable to members of the public generally. C.R.S. 24-18-104 (2)(b).~~

~~NOTE 2: State law lists the type of items that are not considered "gifts of substantial value or substantial economic benefit tantamount to a gift of substantial value" and are therefore permissible for a Board member to receive. See, C.R.S. 24-18-104 (3). Such items include campaign contributions or contributions in kind that are reported in accordance with the Fair Campaign Practices Act; an unsolicited item of trivial value (i.e. currently less than \$65), "such as a pen, calendar, plant, book, notepad or similar item;" and an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item. Id.; see also, Colo. Const. Art. XXIX, Section 3.~~

~~NOTE 3: The amount of the gift limit (\$65) is identical to the gift limit under section 3 of article XXIX of the state constitution. This amount shall be adjusted for inflation contemporaneously with any adjustment to the constitutional gift limit. C.R.S. 24-6-203 (8). The state constitution requires an adjustment for inflation every four years. The next adjustment must occur in the first quarter of 2023. Colo. Const. Art. XXIX, Section 3 (6).~~

| ~~Sargent School District RE-33J, Monte Vista, Colorado~~

## School Board Member ~~Conduct~~Financial Disclosure

Board members are required by law to disclose certain items received in connection with serving on the Board. If Board members receive such items, they must file a report with the secretary of state on forms prescribed by the secretary of state. Such report must be filed on or before January 15, April 15, July 15 and October 15 of each year, and shall cover the period since the last report. The report must contain the name of the person from whom the reportable item was received, its value and the date of receipt. Board members who do not receive any items that must be reported are not required to file a report.

Items which must be reported include the following:

1. Any money received, including a loan, pledge, advance, guarantee of a loan or any forbearance or forgiveness of indebtedness from any person with a value greater than ~~\$65~~75.
2. Any gift ~~of~~ any item of real or personal property other than money with a value greater than ~~\$65~~75.
3. Any loan of real or personal property if the value of the loan is greater than ~~\$59~~75. "Value of the loan" means the cost saved or avoided by the Board member by not borrowing, leasing or purchasing comparable property from a source available to the general public.
4. Any payment for a speech, appearance or publication.
5. Tickets to a sporting, recreational, educational or cultural event with a value greater than ~~\$65~~75 for any single event.
6. Payment of or reimbursement for actual and necessary expenses for travel and lodging for attendance at a convention, ~~fact-~~finding mission or trip, or other meeting if the ~~board~~Board member is scheduled to deliver a speech, make a presentation, participate on a panel or represent the school district unless the payment for such expenditures is made from public funds or from the funds of any association of public officials or public entities such as the Colorado Association of School Boards (CASB).
7. Any gift of a meal to a fund-raising event of a political party.

To avoid misunderstandings about the value of an item, the donor must furnish the Board member with a written statement of the dollar value of the item when it is given. ~~Board members who do not receive any items which must be reported are not required to file a report.~~

Approved: 02/26/01

Revised: 10/22/12, 11/17/14, 2/22/16, 2/24/20, date of manual revision

LEGAL REFS.: C.R.S. 24-6-201 et seq. (Public Official Disclosure Law)

~~NOTE 1: The amount of the gift limit (\$65) is identical to the gift limit under section 3 of article XXIX of the state constitution. This amount shall be adjusted for inflation contemporaneously with any adjustment to the constitutional gift limit. C.R.S. 24-6-203 (8). The state constitution requires an adjustment for inflation every four years. The next adjustment must occur in the first quarter of 2023. Colo. Const. Art. XXIX, Section 3 (6).~~

~~NOTE 2: The gifts and items that do not require a disclosure report are listed in C.R.S. 24-6-203 (4). They include campaign contributions or contributions in kind that are reported in accordance with the Fair Campaign Practices Act; an unsolicited item of trivial value (i.e. currently less than \$65), "such as a pen, calendar, plant, book, notepad or similar item;" and an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item. Id.; see also, Colo. Const. Art. XXIX, Section 3.~~

Sargent School District RE-33J, Monte Vista, Colorado

**SUGGESTED NEW POLICY - It is up to the district whether to adopt this policy. It is not required by law. If adopted, policy will be redlined for your review.**

*NOTE: This exhibit does not need to be filed in the Board's policy manual. It is provided as informational only and if applicable, may be kept by the district in another location.*

## **Board Member Code of Ethics**

According to the Colorado Revised Statutes 24-18-105, the following ethical principles for school Board members "are intended as guides to conduct and do not constitute violations as such of the public trust of office..."

1. A Board member "should not acquire or hold an interest in any business or undertaking which that member has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which the member has substantive authority."
2. A Board member "should not, within six months following the termination of office..., obtain employment in which the member will take direct advantage, unavailable to others, of matters with which the member was directly involved during the term of [office]. These matters include rules, other than rules of general application, which the member actively helped to formulate and applications, claims or contested cases in the consideration of which the member was an active participant."
3. A Board member "should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the member has a substantial financial interest in a competing firm or undertaking."
4. A Board member is discouraged "from assisting or enabling members of [the Board member's] immediate family in obtaining employment, a gift of substantial value, or an economic benefit tantamount to a gift of substantial value from a person whom [the Board member] is in a position to reward with official action or has rewarded with official action in the past."

(Issue date)

**[Revised July 2013]**  
COLORADO SAMPLE EXHIBIT 1988©

## School Board Member Conflict of Interest

Public office is a trust created in the interest of the common good and for the benefit of the people. A conflict of interest can arise when a public officer is unable to devote himself/herself with complete loyalty and singleness of purpose to the general public interest.

It is the intent of this policy to protect the public trust placed in directors of this school district. For purposes of this policy, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite and demonstrable and which is or may be in conflict with the public interest.

A Board member who has a personal or private interest in a matter proposed or pending before the Board shall disclose such interest to the Board, shall not vote on it and shall not attempt to influence the decisions of other Board members in voting on the matter.

However, if a Board member has complied with statutory disclosure requirements by notifying the secretary of state of ~~his~~ interest in the matter, ~~he~~ the member may vote if ~~his~~ participation is necessary to obtain a quorum or otherwise enable the Board to act. If a member votes under these circumstances, ~~he~~ that member shall state for the record the fact and summary nature of the potential conflict of interest.

The written disclosure to the secretary of state shall list as applicable the amount of the member's financial interest, the purpose and duration of any services rendered, compensation received for services or such other information necessary to describe the interest.

**NOTE: The Colorado Supreme Court has held that a local board of education has the authority to adopt a conflict of interest policy prohibiting district employment while serving on the Board. Montrose County Sch. Dist. RE-1J v. Lambert, 826 P.2d 349 (Colo. 1992). Accordingly, the following paragraph is optional language which may be included at the Board's discretion.**

~~The Board considers it a conflict of interest for a Board member to also be employed by the district. Therefore, the Board shall not hire any of its members as an employee of the district nor shall the Board approve any compensation for a member for services rendered to the district as an employee except for services rendered to the Board as provided by law. [State law allows the Board to compensate certain officers of the Board for services rendered in the course of their official Board duties, including the Board secretary, assistant secretary, treasurer and assistant treasurer.] Therefore, an employee elected to the Board shall be required to relinquish~~



~~employment with the district prior to taking office. Employees are encouraged to consider this prior to running for the Board.~~

~~Members may be reimbursed for authorized expenses in carrying out Board duties as provided by law.~~

The Board shall not enter into any contract with any of its members or with a firm or corporation in which a member has a financial interest unless one or more of the following apply:

1. The contract is awarded to the lowest responsible bidder based on competitive bidding procedures.
2. The merchandise is sold to the highest bidder at a public auction.
3. The transaction involves investing or depositing money in a financial institution which is in the business of loaning money or receiving money.
4. If, because of geographic restrictions, the district could not otherwise reasonably afford the contract because the additional cost to the district would be greater than 10 percent of the contract with the interested member or if the contract is for services that must be performed within a limited time period and no other contractor can perform the services.
5. If the contract is one in which the Board member has disclosed a personal interest and is one on which ~~he~~ ~~the member~~ has not voted or has voted as allowed in state law following disclosure to the secretary of state and to the Board.

Except as described above, a Board member shall not be a purchaser at any sale or a vendor for any district purchase made with non-federal funds.

### **Conflict of interest – federally funded transactions**

Separate from state law and the Board's policies concerning the Board's standards of conduct and conflict of interest, federal law imposes restrictions on the conduct of Board members whenever the transaction in question is supported by federal funds subject to the Uniform Grant Guidance (UGG).

Under the UGG, a Board member shall not participate in the selection, award or administration of a contract supported by a federal award if the Board member has a conflict of interest as defined by the UGG.

A conflict of interest arises under the UGG when the Board member, any member of his or her immediate family, his or her business partner, or an organization which employs or is about to employ any of the aforementioned parties has a substantial financial or other interest in or would obtain a substantial tangible personal benefit from a firm considered for a contract.

In addition, the UGG prohibits Board members from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or parties to subcontracts that are federally funded, unless the gift is an unsolicited item of nominal value.

For purposes of this policy section only, “immediate family” means the Board member’s spouse, partner in a civil union, children and parents. In determining whether a financial or other interest is “substantial,” or whether anything solicited or accepted for private benefit is of “nominal value,” the Board shall follow the standards of conduct and corresponding definitions applicable to local public officials under state law.

These minimum federal requirements are not waivable in connection with any transaction or contract to which they apply.

A Board member who violates the standards of conduct set forth in this policy’s section may be subject to censure or other disciplinary action, in accordance with the Board’s authority and state law.

Adopted: 08/28/89

Revised: 01/22/01, 11/17/14, 5/22/17, **date of manual revision**

**LEGAL REFS.:** ———2 C.F.R. 200.318 (c) (Uniform Grant Guidance - written standards of conduct covering conflicts of interest required concerning the selection, award and administration of contracts supported by federal funds)

**Colorado Constitution, Article X, Section 13**

**C.R.S. 22-32-109 (1)(y) (duty of board to adopt bylaws on conflicts of interest)**

**C.R.S. 24-18-109 (government rules of conduct)**

**C.R.S. 24-18-110 (voluntary disclosure)**

C.R.S. 24-18-201 (standards of conduct - interests in contracts)

C.R.S. 24-18-202 (standards of conduct - interests in sales)

~~2 C.F.R. 200.318 (c) (Uniform Grant Guidance – written standards of conduct covering conflicts of interest required concerning the selection, award and administration of contracts supported by federal funds)~~

~~Colorado Constitution, Article X, Section 13~~

~~C.R.S. 22-32-109 (1)(y)~~

~~C.R.S. 24-17-109 through 24-17-111~~

~~C.R.S. 24-17-201~~

~~C.R.S. 24-17-202~~

CROSS REFS.: BC, School Board Member Conduct  
BCA-E-1, Code of Ethics for School Board Member

BEDF, Voting Method

BID/BIE, School Board Member Compensation

Insurance/Expenses/Liability

DJE, Bidding ~~Requirements and~~ Procedures

DKCE, Expense Authorization/Reimbursement (Mileage and Travel)



~~Sargent School District RE-33J, Monte Vista, Colorado~~

## Board Organizational Meeting

Within 15 days after the school district receives the official abstract of votes, the Board shall meet in an organizational session at a regular or special meeting for the purpose of selecting officers.

The incumbent president of the Board shall preside until a successor is elected, whereupon the successor will assume the chair.

Following the swearing in of the newly-elected Board member or members, the following officers, in order, shall be elected or appointed: president, vice president, secretary, treasurer and policy adviser.

Nominations for president and vice president shall be made from the floor and voting shall be by roll call or secret ballot. Should no nominee receive a majority vote of Board members, the election shall be declared null and void, further nominations may be made and the roll call or secret ballot vote shall be retaken.

The president and vice president shall serve two-year terms and shall hold office until their successors are elected.

The Board shall then appoint a secretary and, treasurer ~~and policy adviser~~ who may or may not be members of the Board. The secretary, ~~and~~ treasurer ~~and policy adviser~~ shall hold their offices for terms at the pleasure of the Board.

Following election and appointment of the officers, the Board shall appoint the staff members who will fill the offices of secretary to the Board and assistant treasurer.

Then such other items of business shall be considered by the Board as are scheduled on the agenda.

### Officer ~~Resignation~~ resignation

Should one or more officers of the Board resign, the Board shall select another member or members to fill the vacant office or offices as provided by law, using the procedures described above. A ~~newly~~ newly-selected officer shall assume ~~his~~ the duties immediately upon selection. Inasmuch as the selection of a new officer on a four-officer, five-member board frequently requires a shifting of officers it shall be permissible for a member to be nominated for another office without resigning ~~his~~ the current office. Upon ~~his~~ acceptance of the nomination and election to the new office, ~~his~~ the former office shall be declared vacant and another member elected to fill that position.

Adopted: 10/25/93

Revised: 01/22/01, 9/24/07, 9/14 legal ref, date of manual revision

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- LEGAL REFS.: — C.R.S. 22-31-104, (3) (biennial school elections)  
C.R.S. 22-32-104, (1),(2),(3),(4) (organization of the board)  
C.R.S. 22-32-108, (5) (meetings of the board)  
C.R.S. 22-32-108, (6) (meetings of the board - voting procedure)
- C.R.S. 1-10-201 et seq.  
C.R.S. 22-31-104 (3)  
C.R.S. 22-32-104 (1), (2), (3), (4)  
C.R.S. 22-32-108(5) meetings of the board  
C.R.S. 22-32-108 (6)

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*Note 1: The law permits the election of the president and vice president by secret ballot.*

*NOTE 2: Each school board member is required to sign an affidavit stating the board member is aware of and will comply with the confidentiality requirements and restrictions applicable to executive sessions of the board, as described in C.R.S. 24-6-402. The affidavit shall be signed at the board's organizational meeting called pursuant to C.R.S. 22-32-104 (1). The affidavits shall be kept with the minutes of the board meeting. C.R.S. 22-32-108 (5)(a).*

File: BDA

Sargent School District RE-33J, Monte Vista, Colorado

## Board Officers

### President and Vice-president

The president of the Board, in addition to the duties prescribed by law, shall exercise such powers as properly pertain to the office. In carrying out responsibilities, the president shall:

1. Preside at all meetings of the Board.
2. Serve as the main point of contact between the Board and the superintendent.
3. Consult with the superintendent in planning agendas.
4. Bring before the Board such matters as in his judgment may require the attention of the Board.
5. Be responsible for the orderly conduct of Board meetings.
6. Confer with the superintendent on crucial matters which may occur between Board meetings.
7. Call special meetings of the Board when necessary.
8. Appoint special committees, subject to the approval of the Board.
9. Sign any written contracts approved by the Board to which the school district may be party.
10. Sign all official reports of the district except as otherwise provided by law.
11. Appear in behalf of the Board in all actions brought by or against it, unless individually a party, in which case his duty shall be performed by the vice president.

In the absence of the president, the vice president shall have and perform all the powers and duties of the president and perform his/her duties.

### Secretary

The secretary of the Board shall perform the following duties:

1. Ensure that a record is kept of all business transacted by the Board at either regular or special meetings.
2. Cause written notice to be given to each Board member of all special meetings of the Board.
3. Be custodian of the seal of the district.

4. Cause all notices of school elections to be published and posted and perform such other duties in the conduct of school elections as required by law.
5. Attest any written contract **approved by the Board** to which the district may be a party and affix the district seal thereto.
6. Perform such other duties as may be assigned by the Board.

### **Treasurer**

The treasurer shall perform or cause to be performed the following duties:

1. Account for all moneys belonging to the district.
2. Report to the Board as required for all moneys of the district.
3. Sign either by written signature or facsimile all warrants or orders drawn on the county treasurer or checks drawn on a district depository. The Board may require the counter-signature of another person.
4. ~~Insures all deposits~~ **Deposit** to the credit of the district all moneys withdrawn from the custody of the county treasurer and all other moneys belonging to the district in one or more depositories designated by the Board.
5. Perform such other duties as may be assigned by the Board.

### ~~Policy Adviser~~

~~The Board Policy Adviser shall perform the following duties:~~

- ~~1. Represent the Board at District Policy Council meetings.~~
- ~~2. Act as the liaison between school employees and the Board regarding policy matters.~~
- ~~3. Act as the liaison between citizens and the Board regarding policy matters.~~
- ~~4. Advise the board relative to policy matters.~~
- ~~5. Perform such other policy duties as may be assigned by the Board.~~

Adopted: January 25, 1983

Revised: September 25, 2000, 02/27/12, **date of manual revision**

LEGAL REFS.: C.R.S. 22-32-104 (3); 22-32-105 (president and vice president)

C.R.S. 22-32-104 (4); 22-32-106 (secretary)

**C.R.S. 11-10.5-111; 22-32-104 (4); 22-32-107 (treasurer)**

~~C.R.S. 22-32-104 (4); 22-32-107; 11-10.5-111 (treasurer)~~



~~Sargent School District No. RE-33, Monte Vista, Colorado~~

## Advisory Committees

The Board of Education of the Sargent School District encourages the participation of citizens of the district in decision making processes. However, the legal responsibility for decision making in all matters of policy and operation rests with the Board.

1. Board-appointed advisory committees, both district-wide and at the school level, shall function within organizational frameworks approved by the Board. A staff member or members will be assigned to each group to help it develop an appropriate constitution and/or by-laws, carry out its functions and coordinate its work with other advisory and staff groups. Only the Board shall have the authority to dissolve committees it has created.

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2. School and district-level advisory committees that are required under federal and state programs shall be formed and shall function in accordance with the requirements pertaining to each specific federal or state program. The Board shall grant to those bodies the advisory responsibilities relevant to the planning, implementation and evaluation of such program or project as required by law in accordance with applicable law.

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3. Community groups that are neither appointed by the Board nor formed as required under federal or state programs are encouraged to offer suggestions and advice to the Board in order to assist it in the decision making process. The final responsibility for all decisions, however, rests with the Board of Education alone.

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Appointments of citizens to advisory committees shall be approved by the Board. An advisory committee member shall be removed from office by the Board if that member does not attend three consecutive meetings unless the committee by resolution approves any additional absences or unless such absences are due to temporary disability or illness. In addition, the committee by majority vote may request the removal from office of any member. Such removal shall require subsequent Board approval.

If required by state law, advisory committee meetings shall be open to the public and meeting notices shall be posted. If notice of the meeting is legally required, such notice shall be posted in the same place and manner as notices of Board meetings.

Adopted: 08/28/00

Revised: 03/22/10 (legal ref), 02/27/12, 4/13 (note), date of manual revision

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LEGAL REFS.: C.R.S. 22-9-107 (*licensed personnel performance evaluation councils*)  
C.R.S. 22-11-301.401 (accountability committees)  
C.R.S. 22-32-109.1 (2) (*community consultation on safe school plan, including conduct and discipline code*)  
C.R.S. 24-6-402 (*open meeting law*)

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CROSS REFS.: AE, Accountability/Commitment to Accomplishment  
BDFA\*, District Personnel Performance Advisory Council  
BDFB\*, Career and Technical Advisory Council (Career and Technical Program Advisory Committees)

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BDFB\*, Vocational Advisory Council (And Vocational Program Advisory Committees)

BEDA, Notification of Board Meetings

CBI, Evaluation of Superintendent

GCO, Evaluation of Licensed Personnel

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CFB, Evaluation of Principals/Building Administrators

GCOA, Evaluation of Instructional Staff

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GCOC, Evaluation of Administrative Staff

JIC, Student Conduct

JK, Student Discipline

KCB, Community Involvement in Decisionmaking

*NOTE: Colorado's open meetings law (OML) permits "local public bodies" to elect its leadership by secret ballot. C.R.S. 24-6-402(2)(d)(IV). Therefore, any advisory committee that falls within the definition of "local public body" that is subject to the OML may elect its chair and co-chair by secret ballot. If the election of the chair and co-chair are by secret ballot, the outcome of the vote shall be recorded contemporaneously in the minutes. Id.*

Sargent School District RE 33-J, Monte Vista, Colorado

### District Personnel Performance Evaluation Council

In accordance with state law, the Board of Education shall appoint an advisory district licensed personnel performance evaluation council.

~~The Board of Education shall appoint, pursuant to state law, an advisory school district personnel performance evaluation council. State law requires the council to include, at a minimum, one teacher, one administrator, one principal, one parent and one person who does not have a child in school. [C.R.S. 22-9-107 (1)(a). A person employed by the district as both principal and administrator may serve on the council as both. C.R.S. 22-9-107 (1.5). The council may be composed of any other school district committee meeting these membership requirements (e.g. district accountability committee).]~~

The council shall consult with the Board as to the fairness, effectiveness, credibility and professional quality of the licensed personnel performance evaluation system and its processes and procedures and shall conduct a continuous evaluation of the system.

Adoption date: 02/25/13, 2/22/16, date of manual revision

LEGAL REF.: C.R.S. 22-9-107 (licensed personnel performance evaluation councils)

CROSS REFS.: CBI, Evaluation of Superintendent  
GCO Evaluation of Licensed Personnel

### **District Personnel Performance Evaluation Council**

The Board of Education shall appoint, pursuant to state law, an advisory school district personnel performance evaluation council which shall, as a minimum, consist of one teacher, one administrator, one principal, one parent and one person who does not have a child in school.

The council may be composed of the Academic Improvement Council or any other school district committee having membership as defined above.

The council shall consult with the Board as to the fairness, effectiveness, credibility and professional quality of the certificated personnel performance evaluation system and its processes and procedures and shall conduct a continuous evaluation of the system.

### **Career and Technical Advisory Council**

(Career and Technical Program Advisory Committees)

The Board of Education shall appoint a career and technical advisory council which shall assist the Board and administration in overall promotion, planning, coordination and evaluation of all district career and technical education programs. The council shall study issues, offer advice and make recommendations regarding:

1. Current job needs
2. Relevance of current training programs
3. Reduction, deletion or expansion of programs
4. Initiation of new programs
5. Financial and legislative support
6. Promotion of career and technical education in the schools and in the community

The advisory council shall provide for input from career and technical program advisory committees.

The council shall represent a cross-section of the community in terms of sex, race, age, occupation, socioeconomic status, geographical location and other appropriate factors. The district accountability committee may fulfill this function.

The Board also shall appoint an advisory committee for each career and technical education program provided by the district. Program advisory committees shall assist career and technical instructors and administrators in establishing, operating and evaluating programs to serve the needs of students, business and industry and shall provide expertise pertaining to technological change.

**File: BDFB**

Each program advisory committee shall be representative of the occupations in the community for which training is provided. The career and technical instructor shall serve as an ex officio member of the committee.

The Board shall approve written guidelines or operational procedures (bylaws) for the advisory council and each program committee which shall specify its composition, length of terms, responsibilities and rules for conducting business.

Adopted: 02/25/85

Revised: 01/22/01, date of manual revision

LEGAL REFS.: C.R.S. 23-8-103, (2)(c) (career and technical education program school grant eligibility)

C.R.S. 23-60-303, (occupational education)

C.R.S. 22-9-107

CROSS REF.: AE, Accountability/Commitment to Accomplishment

GCN 1 Evaluation of Professional Staff (Teachers)

GCN 2, Evaluation of Professional Staff (Administrators)

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Sargent School District RE 33J, Monte Vista, Colorado

## **School Board Meetings/~~Regular Meetings/Special Meetings~~**

All meetings of three or more members of the Board, at which any public business may be discussed or any formal action taken shall be open to the public at all times except for periods in which the Board is in executive session. All such meetings will be properly noticed and minutes will be taken and recorded as required by law.

No business may be conducted unless a quorum is present. A quorum shall consist of a simple majority (more than half) of the members serving on the ~~board~~Board.

A recording shall be made of regular and special meetings as required by law and at a minimum, shall be an audio recording. Recordings shall be maintained for 90 days.

### **Regular Meetingsmeetings**

Regular meetings of the Board of Education shall be held ~~at the school~~in the high school library unless otherwise posted. Board room of the administration building, 7090 North Road 2 East, Monte Vista, Colorado.;

Meetings of the Board shall be held on the fourth Monday of each month at 6:30 p.m. unless otherwise established by the Board. ~~Meetings may be rescheduled if the 4<sup>th</sup> Monday falls during a school break or on a holiday.~~

### **Special Meetingsmeetings**

Special meetings of the Board may be called by the Board president at any time and shall be called by the president upon the written request of a majority of the members.

The secretary of the Board shall be responsible for giving a written notice of any special meeting to each Board member at least 72 hours in advance of the meeting if mailed ~~or~~and 24 hours in advance if delivered. ~~The electronically notice~~ must contain time, place, and purpose of the meeting and names of the members requesting the meeting.

Any member may waive notice of a special meeting at any time before, during or after such meeting, and attendance at a special meeting ~~thereat~~ shall be deemed to be a waiver.

No business other than that stated in the notice of the meeting shall be transacted unless the item is reasonably related to the subject matter on the notice or an

exigency exists. In addition, all members must be present and cast a unanimous vote to amend the agenda.

**Work sessions and retreats**

The Board, 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, from time to time the Board may schedule work sessions or retreats, which shall be open to the public. No action shall be taken during such sessions. Public notice of the session, including the topics for discussion and study, shall be provided.

Adopted: 02/25/85

Revised: 01/22/01, 10/24/05, 9/24/07, 7/27/09, 9/28/09, 9/14 Cross Ref, 2/22/16  
1/23/23

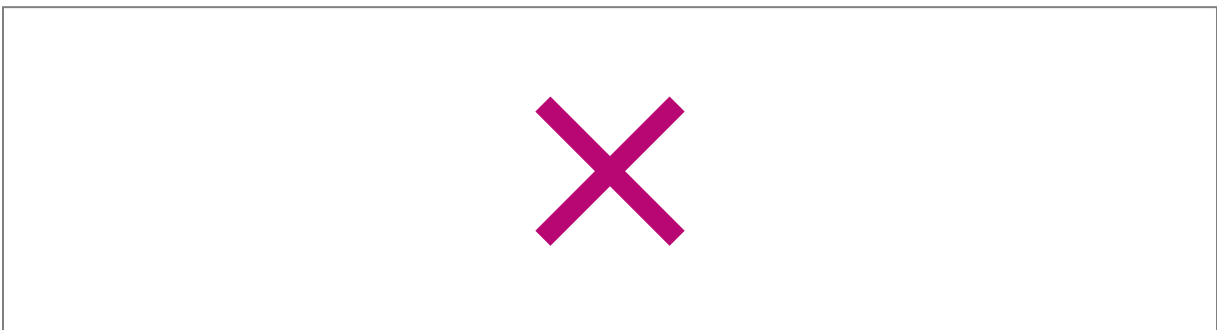
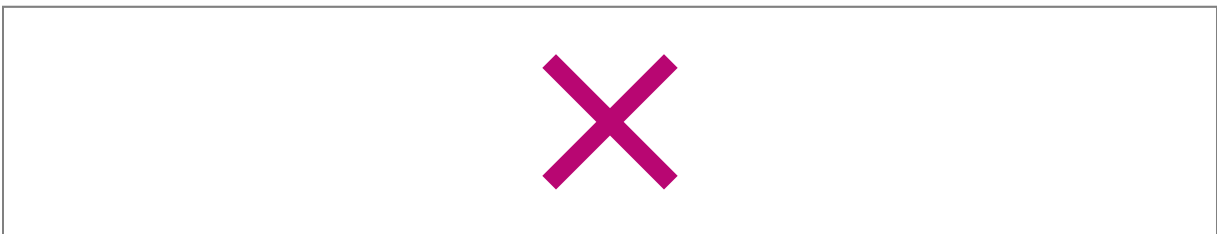
LEGAL REFS.: ~~————~~ C.R.S. 22-32-108 (board meetings)

C.R.S. 24-6-401 et seq. (open meetings law)

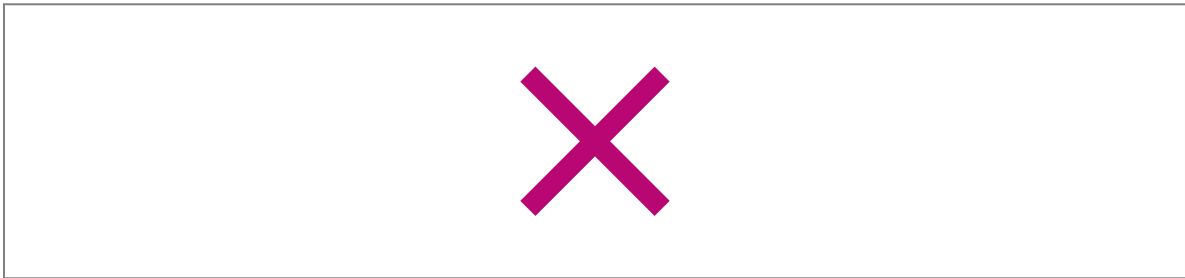
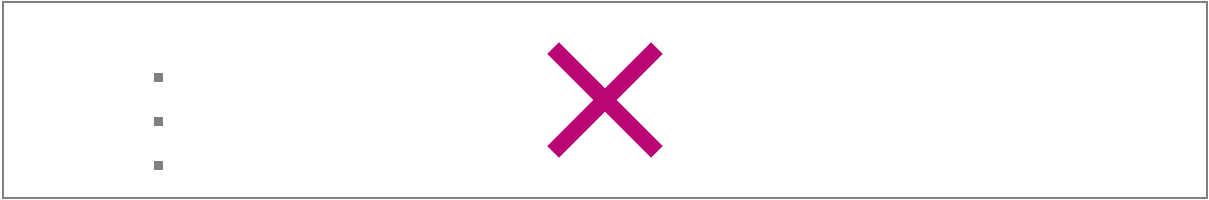
~~1973 C.R.S. 29-9-101~~

~~———— 1973 C.R.S. 22-32-108 (1) through (5)~~

CROSS REFS.: BEAA\* Electronic Participation in School Board Meetings  
BEC, Executive Sessions  
BEDA, Notification of Board Meetings







~~Sargent School District RE-33 J, Monte Vista, Colorado~~

## Electronic Participation in School Board Meetings

Board members may attend and participate by electronic means in regular or special meetings of the Board in accordance with this policy and state law. For purposes of this policy, “electronic means” shall be defined as attendance via telephone, video or audio conferencing, or other electronic device.

Board members may attend and participate by electronic means in a regular or special Board meeting only when extenuating circumstances prevent the Board member from physically attending the meeting. For purposes of this policy, “extenuating circumstances” means the Board member’s job or military service requires the member to be outside of the district at the time of the meeting, health issues, travel, or inclement weather and/or unsafe driving conditions prevent the Board member from physically attending the meeting.

A meeting at which one or more Board members attend and participate by electronic means shall be open to the public, except for periods in which the Board is in executive session. **A quorum of the Board, including members physically present and members attending electronically, is required to convene a meeting.** ~~A quorum of the Board shall be physically present at the meeting for a Board member to attend and participate by electronic means.~~

The electronic means used shall allow the public to hear the comments made by the Board member(s) participating by electronic means and allow the Board member(s) to hear the comments made by the public. A Board member participating by electronic means will be included in the recording of the Board meeting.

~~**NOTE:** State law requires the Board to have a procedure in place to ensure that a Board member who attends the meeting electronically has real-time access to any materials that are presented and available to members who are physically present at the meeting. C.R.S. 22-32-108(7)(b)(VI). Boards should consider how to share these materials, such as using video or scanning and sending such materials, as applicable, to a Board member who is participating in a meeting by electronic means.~~

A Board member who attends and participates by electronic means in a Board meeting shall have access to any materials that are presented and available to members who are physically present at the meeting.

A Board member who seeks to attend and participate by electronic means in a Board meeting shall notify the Board president and superintendent at least three business days prior to the meeting and shall explain the extenuating circumstances that prevent the Board member from physically attending the meeting. If such notification is not possible, the Board member shall notify the Board president and superintendent as soon as is reasonably possible of the request to attend by electronic means.

If the request is approved, a Board member who attends and participates by electronic means shall identify the location from which he or she is participating, those present, and the extenuating circumstances that prevented the Board member from physically attending the meeting. If the Board convenes in executive session, the Board member attending and participating by electronic means shall ensure confidentiality during that portion of the meeting.

A Board member may attend and participate by electronic means in a maximum of two Board meetings per calendar year. (~~Running November 1<sup>st</sup> to October 31<sup>st</sup>~~) Unless otherwise approved by the Board, additional requests to attend and participate by electronic means will be denied. In accordance with state law, the Board shall declare a vacancy if a Board member fails to attend three consecutive regular Board meetings, unless the Board member's absence is otherwise excused by the Board.

A Board member's failure to comply with this policy may result in the Board's refusal to allow the member to participate by electronic means in Board meetings.

Adoption date: 3/23/20 temporary; 4/27/20 formal adoption, 4/25/22, **date of manual revision**

LEGAL REFS.: C.R.S. 22-31-129 (*board vacancies*)  
C.R.S. 22-32-108 (7)(a) (*board ~~must~~ adopt policy allowing board members to attend and participate electronically in regular or special board meetings, if the board wishes to allow this practice*)  
C.R.S. 22-32-108 (7)(b) (*policy requirements if electronic participation is permitted*)  
C.R.S. 24-6-401 *et seq.* (*open meetings law*)

CROSS REF.: BE, School Board Meetings

~~Sargent School District RE 33J, Monte Vista, Colorado~~

## Executive Sessions

All meetings of the Board shall be open to the public except that at any regular or special meeting the Board may proceed into executive session upon affirmative vote of two-thirds of the quorum present.

The Board shall not make final policy decisions nor shall any resolution, policy or regulation be adopted or approved nor shall any formal action of any kind be taken during any executive session.

Prior to convening in executive session, the Board shall announce the topic of the executive session which shall be reflected in the minutes. The Board shall include the specific citation to statute authorizing it to meet in executive session when it announces the session and identifying the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.

The Board may hold an executive session for the sole purpose of considering any of the following matters:

1. Purchase, acquisition, lease, transfer or sale of any real, personal or other property. However, no executive session shall be held to conceal the fact that a member of the Board has a personal interest in such property transaction. C.R.S. 24-6-402-(4)(ea).
2. Conferences with an attorney for ~~the local public body for the purposes~~ of receiving legal advice on specific legal questions. C.R.S. 24-6-402(4)(b). Mere The mere presence or participation of an attorney at an executive session ~~of the local public body is not~~shall not be sufficient to satisfy this requirement.
3. Matters required to be kept confidential by federal or state law or regulations. C.R.S. 24-6-402(4)(c). An announcement will be made indicating the specific citation to state or federal law which is the reason the matter must remain confidential.
4. Specialized details of security arrangements or investigations. C.R.S. 24-6-402(4)(d).
5. Determination of positions relative to matters that may be subject to negotiations, ~~development of strategy for negotiations and instruction of negotiators~~, including strategy for negotiations relating to collective bargaining or employment contracts, and instruction of negotiators. Discussion of negotiations relating to collective bargaining or employment contracts shall occur in a public meeting, unless an executive session is otherwise allowed. C.R.S. ~~24060402~~24-6-402 (4)(e).
6. Personnel matters except if an employee who is the subject of an executive session requests an open meeting. C.R.S. 24-6-402(4)(f) If the personnel matter

involves more than one employee, all of the employees must request an open meeting. Discussion of personnel policies that do not require discussion of matters specific to particular employees are not considered “personnel matters.”

The Teacher Employment, Compensation and Dismissal Act shall prevail in teacher dismissal hearings. (It provides that a dismissal hearing shall be open unless either the administration or employee requests that the hearing be closed.)

Discussions concerning a member of the Board, any elected official of or the appointment of a Board member are not considered “personnel matters.”

7. Consideration of any documents protected under the mandatory nondisclosure provision of the Open Records Act, except that consideration of work product documents and documents subject to the governmental or deliberative process privilege must occur in a public meeting, unless an executive session is otherwise allowed. (C.R.S. 24-6-402(4)(g)).
8. Discussion of individual students where public disclosure would adversely affect the person or persons involved. C.R.S. 24-6-402(4)(h).
9. Negotiations concerning the terms of an employment contract with one or more superintendent finalists if the Board has named more than one candidate as a finalist and has held a forum open to the public to conduct interviews with each of the finalists. C.R.S. 24-6-402 (4)(i)(I).

In addition to interviewing finalists in a public forum, the Board may interview finalists in executive session. C.R.S. 24-6-402 (4)(i)(II).

The Board may also instruct personnel and representatives to begin contract negotiations with one or more superintendent candidates in executive session, including the necessary process to prioritize, for the purposes of negotiation, one or more finalists after public forums have been completed. C.R.S. 24-6-402 (4)(i)(III).

Prioritizing among the finalists and beginning negotiations with one or more of the finalists shall not constitute formal action or adoption by the board or governing body. Such formal action occurs only when the board or governing body comes into public session and casts votes on their preferred next chief executive officer. No formal adoption is deemed to have taken place until a public vote has occurred.

Only those persons invited by the Board may be present during any executive session regardless of the topic of the session (including personnel matters).

The Board shall cause an electronic recording to be made of the executive session in accordance with applicable law. Such record shall be retained by the Board for 90 days following the session.

Adopted: 02/25/85  
Revised: 01/22/01, 09/24/01, 09/26/05, 9/24/07, 11/17/14, 08/24/15, 02/24/20, 5/23/22, 10/24/22, date of manual revision

LEGAL REFS.: C.R.S. 22-32-108 (5) (meetings of the Board)  
C.R.S. 22-32-108 (5)(d) (executive session minutes)  
C.R.S. 22-32-109.4(4) (board meeting "at which a collective bargaining agreement is discussed" must be open to the public)  
C.R.S. 24-6-402 (open meetings law)

CROSS REF.: BEDG, Minutes  
KDB, Public's Right to Know/Freedom of Information

~~NOTE 1~~

~~School Districts must make an "electronic recording" of any executive session, which shall include the specific statutory citation to the executive session law that allows the Board to meet in executive session. However, if the executive session is held to discuss an individual student matter, the Board is not required to make an electronic or written record of the executive session. If the executive session is held to receive legal advice from an attorney on a particular matter, an electronic record must be made of the statutory citation to the executive session law that allows the Board to meet in executive session to receive legal advice, but the Board is not required to make an electronic or written record of the discussion that occurs in the executive session, on the basis that it constitutes privileged attorney-client communication. If no electronic recording is made because the discussion constitutes a privileged attorney-client communication, the attorney representing the board must provide a signed statement attesting that the portion of the executive session that was not recorded constituted a privileged attorney-client communication. The board should put a procedure in place to assure that the record of any executive session is routinely destroyed once the 90-day deadline expires.~~

~~Note 2: Each school board member is required to sign an affidavit stating the board member is aware of and will comply with the confidentiality requirements and restrictions applicable to executive session of the board, as described in C.R.S. 24-6-402. The affidavit shall be signed at the board's organizational meeting called pursuant to C.R.S. 22-32-104(1). The affidavits shall be kept with the minutes of the board meeting. C.R.S. 22-32-108(5)(a)~~

~~Note 3: State law requires the minutes of any Board meeting at which the Board convenes in executive session to be posted on the Board's website not later than 10 business days following the meeting at which the minutes are approved by the Board. C.R.S. 22-32-108(5)(d). If the Board does not maintain a website, the minutes "must be published in the same manner as the Board regularly provides public notice" Id. The law doesn't specify the length of time that the minutes must remain "posted" or "published." At a minimum, CASB suggests keeping the minutes posted/published for at least 90 days following the meeting at which the executive session occurred. This way, the timeline for posting/publishing is the same as the statutory timeline for the retention of electronic recordings of executive sessions. See C.R.S. 22-32-108(5)(d); 24-6-402(2)(d.5)(II)(E).~~

*~~NOTE 4: Beginning September 1, 2019, state law permits School Boards to convene in executive session “for the purpose of developing the strategy of the school district for negotiations relating to collective bargaining or employment contracts.” C.R.S. 24-6-402 (4)(e)(III). Proposition 104, which was passed by voters in November 2014, continues to prohibit school Boards from “discussing” negotiations relating to collective bargaining or employment contracts in executive session under the negotiations provision. C.R.S. 24-6-402 (4)(e)(II). Thus, a distinction between the “development of strategy” and “discussion” must be made by the Board. School Boards are still allowed to convene in executive session under the “negotiations” provision if such discussion relates to “negotiations for an individual’s employment contract.” C.R.S. 24-6-402 (4)(e)(II)(B)~~*



| ~~Sargent School District RE-33J, Monte Vista, Colorado~~

## Notification of School Board Meetings

The Board shall give full and timely notice to the public of any meeting of three or more Board members at which public business may be discussed or any formal action taken, including special, regular and work session meetings and retreats.

At its first regular meeting of the calendar year, the Board shall designate the public place or places at which notice of Board meetings shall be posted if the Board is unable to post notice of a Board meeting online due to exigent or emergency circumstances such as a power outage or an interruption in Internet service. In the event such action is not taken annually, the designated public place(s) used in the previous year shall continue as the official posting site(s).

At a minimum, the Board shall cause notice of regular and special meetings and work sessions to be posted on the district's website no less than 24 hours prior to the meeting. This notice shall include specific agenda information where possible.

The district shall maintain a list of persons who, within the previous two years, have requested notification of all meetings or of meetings when certain specified policies will be discussed. These individuals will be provided reasonable advance notification of such Board meetings.

### Notice to the Board

The superintendent or designee shall provide the agenda, together with meeting materials and the minutes of the last regular meeting, to Board members no later than 72 hours before the next regular meeting.

Adoption date: 02/26/01

Revised: 09/26/05, 4-13 (legal/cross ref.), 8/27/18, 2/24/20, date of manual revision

LEGAL REFS.: C.R.S. 22-32-108 (2), (3) (*meetings of the Board*)  
C.R.S. 24-6-402 (2)(c) (*notice of meeting "shall include specific agenda information where possible"*)  
C.R.S. 24-6-402 (2)(c)(III) (*"full and timely notice" requirement is met if district posts notice of meeting on the district's website no less than 24 hours prior to meeting*)  
C.R.S. 24-6-402 (7) (*district must keep list of persons who have requested notification of meetings when specified policies are discussed and provide reasonable advance notice to such persons*)

CROSS REFS.: BE, School Board Meetings  
BEDB, Agenda

## **Agenda**

The regular Board of Education meeting, scheduled for the 4<sup>th</sup> Monday of each month, shall contain the following standard agenda items:

To expedite the Board's proceedings and provide a framework for the orderly conduct of business, the superintendent in cooperation with the Board president shall prepare an agenda outlining the matters to be brought to Board attention at meetings.

The Board shall follow the order of business set by the agenda unless the order is altered or new items are added in accordance with this policy. The Board may add to or take action on matters not appearing on the posted agenda if the item is reasonably related to the subject matter on the posted agenda or if an exigency exists. Amending the agenda of a regular meeting requires a majority vote of Board members present. All board members must be present and cast a unanimous vote to amend the agenda of a special meeting.

### **Consent Grouping**

A consent grouping on the agenda shall be used for those items which usually do not require discussion or explanation as to the reason for Board action. Any board member may request the withdrawal of any item under the consent grouping for independent consideration.

### **Agenda Format**

1. Call to Order
2. Roll Call
3. Executive Session (if needed)
4. Pledge of Allegiance
5. Approve/Amend Agenda
6. Consent Agenda:
  - a. Minutes of Previous Meeting(s)
  - b. Financial Reports
  - c. Other Items as Needed
7. Community Input
8. Focus:
  - a. Student Reports, Goals and Needs
  - b. Staff Goals and Needs
  - c. Principals Goals and Needs
  - d. Superintendent
  - e. Board of Education
9. Action Items
10. Discussion Items
11. De-brief meeting, next meeting agenda
12. Adjournment

Adopted: 02/25/85

Revised: 01/22/01, 11/26/07, 8/27/12, 5/20/13, 11/17/14, 1/22/18, *date of manual revision*

LEGAL REFS.: C.R.S. 22-32-108 (4) (board meetings)  
C.R.S. 24-6-402 (2)(c) (*notice of meeting "shall include specific agenda information where possible")*  
*C.R.S.22-32-108(7)(a) (a board member who participates electronically in conformance with the board's policy on electronic meeting participation is considered "present")*

CROSS REFS.: BEAA, Electronic participation in School Board Meetings  
BEDA, Notification of School Board Meetings  
BEDH, Public Participation at School Board Meetings

~~Sargent School District RE 33J, Monte Vista, Colorado~~

## Rules of Order

Except as otherwise specified by state law or Board policies pertaining to its own operating procedures, the Board shall operate by the rules prescribed in *Robert's Rules of Order*, ~~newly-Newly revised-Revised~~ as those rules can reasonably be applied to the conduct of school board business.

It shall be the responsibility of the Board president to utilize such rules when appropriate to do so.

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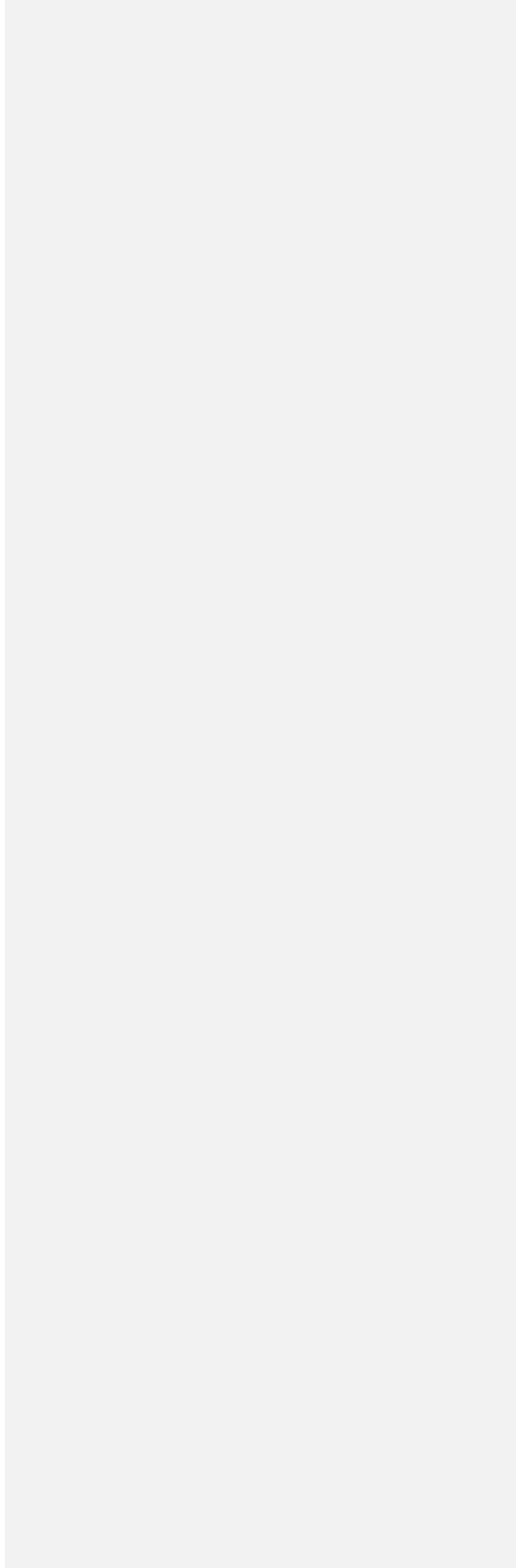
Adopted: 06/18/73

Revised: 01/25/83, 01/22/01, 09/26/05, date of manual revision

~~Note: Under Robert's Rules, these parliamentary rules of order may be suspended by a two-thirds vote. When law or Board policy conflicts with Robert's Rules, law and Board policy shall take precedence. For example, in Colorado, the president of the Board is first and foremost a Board member and, as such, may make motions and vote. According to Robert's Rules, the chairman cannot make motions and only votes in the case of a tie.~~

**File: BEDD**

Sargent School District RE 33J, Monte Vista, Colorado







**File: BEDF**

BE, School Board Meetings

| ~~Sargent School District RE 33J, Monte Vista, Colorado~~

## Minutes

Minutes of any Board meeting at which the adoption of any policy or formal action occurs or could occur shall be taken and promptly recorded. Such records shall be open to public inspection.

Official minutes of the meetings of the Board of Education constitute the written record of all proceedings of the Board. Therefore, the minutes shall include:

1. The nature of the meeting, whether regular or special; time and place; members present; approval of the minutes of the preceding meeting or meetings.
2. A record of all actions taken by the Board, the motion, the name of the member making the motion and seconding it; the record of the vote, with the vote of each member recorded. If a vote is taken by secret ballot, the outcome of the vote shall be recorded contemporaneously in the minutes. Reports and documents related to a formal motion may be omitted if they are referred to by title and date.
3. A record of all business that comes before the Board through reports of the superintendent and others and through communications from the staff and the public.
4. The names of all persons who speak before the Board and the topic of their remarks.
5. A record that an executive session was held, (if the Board convened in executive session) including the names of those present and the topic of discussion, unless including names of individuals would reveal information that should remain confidential, the specific citation to the statute that authorizes the Board to meet in executive session, and the amount of time the topic was discussed.
6. The record of adjournment.

The official minutes shall be signed by the secretary. Following their approval, the official copy also shall ~~also~~ be signed by the president of the Board of Education.

The official minutes shall be in the custody of the ~~superintendent of schools~~Board secretary and shall be made available to the public in accordance with the requirements of applicable state law.

Current practice codified 1982

Adopted: date of manual adoption

Revised: 01/22/01, 5/20/13, 11/17/14, date of manual revision

LEGAL REFS.: C.R.S. 22-32-106 (duties of the secretary)  
C.R.S. 22-32-108(5)(d) (board meetings ~~executive session~~ minutes)  
C.R.S. 22-32-109 (1)(e) (specific duties of the board)  
C.R.S. 24-6-402 (2)(d)(11) (open meeting law ~~minutes~~)  
C.R.S. 24-6-402 (2)(d)(IV) (*outcome of a secret ballot vote must be recorded contemporaneously in the minutes*)

*NOTE: State law requires the minutes of any Board meeting at which the Board convenes in executive session to be posted on the Board's website not later than 10 business days following the meeting at which the minutes are approved by the Board. C.R.S. 22-32-108(5)(d). If the Board does not maintain a website, the minutes "must be published in the same manner as the [B]oard regularly provides public notice." Id. The law doesn't specify the length of time that the minutes must remain "posted" or "published." At a minimum, CASB suggests keeping the minutes posted/published for at least 90 days following the meeting at which the executive session occurred. This way, the timeline for posting/publishing is the same as the statutory timeline for the retention of electronic recordings of executive sessions. See, C.R.S. 22-32-108(5)(d); 24-6-402(2)(d.5)(I)(E).*

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Sargent School District RE-33J, Monte Vista, Colorado

## Public Participation at School Board Meetings

All regular and special meetings of the Board shall be open to the public. Because the Board desires to hear the viewpoints of all citizens throughout the district and also needs to conduct its business in an orderly and efficient manner, it shall schedule time during some Board meetings for brief comments and questions from the public. Some public comment periods may relate to specific items on the agenda. The Board shall set a time limit on the length of the public participation time and a time limit for individual speakers.

During times of general public comment at a regular meeting, comments and questions may deal with any topic related to the Board's conduct of the schools. Comments at special meetings must be related to the purpose-call of the meeting. During times of public comment on specific agenda items, comments shall be confined to the topic of the agenda item being considered by the Board. Speakers may offer such criticism of school operations and programs as concern them, but are encouraged to exercise their speech rights responsibly. The Board encourages the discussion of all personnel matters to be conducted in executive session.

The Board president shall be responsible for recognizing all speakers who shall properly identify themselves, for maintaining proper order and for adherence to any time limits set. Questions asked by the public that require further investigation may be referred to the superintendent or superintendent's designee for consideration and later response.

Members of the public will not be recognized by the president during Board meetings except as noted in this policy.

Members of the public wishing to make formal presentations before the Board should make arrangements in advance with the superintendent so that such presentations, when appropriate, may be scheduled on the agenda.

In addition to public participation time during Board meetings, the Board is committed to engaging members of the community on an ongoing basis regarding community values about education during times other than the Board's regular meetings.

Adopted: 06/18/73

Revised: 01/25/83, 09/26/83, 10/25/99, 07/24/00, 02/23/04, 08/27/18, date of manual revision

LEGAL REFS: C.R.S. 24-6-401 et seq. (open meetings law)

CROSS REF.: KE, Public Concerns and Complaints



## School Board Policy Process

The Board considers policy development its chief responsibility. The Board strives to reflect the community's values in its policies and commits itself to an ongoing effort to engage the community regarding policy-level concerns. The Board develops policies and puts them in writing to provide for the successful, consistent and efficient operation of the district's schools and the high achievement of district students. Policy development shall be aimed primarily toward the continual formation and evaluation of goals and desired end results for students, rather than toward daily district operations.

The Board uses the policy development and codification system of the National Education Policy Network/National School Boards Association (NEPN/NSBA), as recommended by the Colorado Association of School Boards.

This system, while it may be modified to meet needs, is to serve as a general guideline for such tasks as policy research, drafting of preliminary policy proposals, reviewing policy drafts with concerned groups, presenting new and revised policies to the Board for consideration and action, policy dissemination, policy ~~evaluation-~~ **monitoring** and the continuous maintenance of the Board policy manual.

The policies of the Board shall be interpreted in accordance with state and federal laws and regulations.

### Policy adoption

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Board of Education. However, proposals regarding policies may originate with a Board member, the superintendent, staff members, parents, students, consultants, civic groups or other residents of the district. A careful and orderly process shall be used in examining such proposals prior to action upon them by the Board.

The Board shall adhere to the following procedure in formally considering and adopting policy proposals to ensure that they are well examined before final adoption.

~~1. First meeting-the proposal shall be presented as an information item.~~

~~Second meeting-~~ **1. First meeting-the proposal shall be presented for a first reading, discussion and first vote.**

- ~~2. Third meeting~~—2. Second meeting—the proposal shall be presented for a second reading, discussion and final vote.
1. ~~First meeting~~ — the proposal shall be presented for a first reading, discussion and first vote.
2. ~~Second meeting~~ — the proposal shall be presented for a second reading, discussion and final vote.

During discussion of a policy proposal, the ~~board~~ Board shall seek out the views of the community and staff. The Board shall take action only after hearing recommendations of the superintendent and viewpoints of persons and groups affected by the policy.

Amendments may be proposed by Board members. An amendment shall not require that ~~the~~ policy go through an additional reading except when the Board determines that further study is needed or that an additional reading would be helpful.

Under unusual circumstances, the Board may temporarily approve a policy to meet emergency conditions. However, the above procedure is required before the policy shall be considered permanent.

The Board shall establish procedures to waive policies to facilitate attainment of district level or school-level goals.

### **Policy revision and review**

In an effort to keep its written policies up-to-date, the Board shall review its policies on a ~~continuing~~ continuous basis.

The superintendent shall be responsible for calling to the Board's attention all policies that are out of date or for other reasons appear to need revision. Policy revision shall be accomplished in the same manner as policy adoption, except that revisions mandated by changes in law shall not require a second reading and may be adopted upon final vote at the second meeting.

~~The Board directs the superintendent to recall all policy and regulation manuals periodically for administrative updating and Board review, if hard copies are maintained.~~

Additionally, from time to time the Board may undertake a process to review and revise all of the policies in its manual. At the Board's discretion, it may utilize an outside facilitator to conduct this review and revision process. Such process shall be in accordance with a schedule developed by the Board and the outside

facilitator, if applicable. The process shall include opportunities for staff, parent and community involvement. In addition, any changes to policy that affect the benefits, rights, responsibilities or expectations of students or staff shall be provided in writing to the affected group with sufficient time to make any necessary arrangements prior to the effective date of the change. Once the review and revision process is complete, the Board may choose to adopt the revised policy manual in its entirety by approval of a resolution. In this event, the above policy adoption process, including any readings, shall not apply.

### **Board review of regulations**

The Board reserves the right to review regulations issued by the administration at its discretion, but it shall revise or veto such regulations only when, in the Board's judgment, they are inconsistent with policies and regulations adopted by the Board. The Board shall be provided with copies of all district-wide regulations issued by the administration.

Regulations shall be officially approved by the Board when ~~this is~~ required by state or federal law or when strong community, staff or student attitudes make it advisable.

Before issuance, regulations shall be properly titled and coded.

### **Policy communication**

The superintendent shall establish and maintain an orderly plan for preserving and disseminating district policies and regulations. Staff will be informed of policy changes on a regular basis.

~~All policy manuals shall remain the property of the district and shall be considered as "on loan" to anyone or any organization in whose possession they might be at any time. They are subject to recall at any time for updating.~~

The Board's policy manual is a public record and shall be open for inspection at the administrative offices of the district and on the district's website.

### **Monitoring policy implementation**

The Board shall continuously monitor the implementation of its policies to ensure that reasonable progress is being made toward achieving the Board's goals and that operation of the school district is consistent with its policies.

### **Suspension/repeal of policy**



In the event of special circumstances, the operation of any Board policy, including those governing its own operating procedures, may be temporarily suspended by a majority vote of Board members present at any regular ~~or~~ special meeting. This, however, ~~does~~**shall** not apply to any ~~section of~~ Board policies ~~that may be~~ established by law or by contract.

Policy repeal shall be accomplished in the same manner as policy adoption.

Current practice codified 1982

Adopted: date of manual adoption

Revised: 07/24/00, 02/27/12, 11/17/14, **date of manual revision**

LEGAL REFS.: C.R.S. 22-32-109 (1)(a-c), ~~(w),(y)(l)~~ (*specific duties of board*)

~~Sargent School District RE 33 J, Monte Vista, Colorado~~

## **School Board Member Compensation/Expenses/~~Insurance~~/Liability**

The taxability and tax status of all compensation, expense reimbursement, and other payments that the district makes to, or on behalf of, the members of the Board of Education is determined by applicable state and federal law. Board members must follow the Board's policy or administratively established procedures for claiming and substantiating all amounts for which payment or reimbursement is requested.

### **Compensation**

Board members will serve without compensation for their service- ~~u~~Unless compensation has been authorized by a written resolution adopted by a majority vote of the Board in a public meeting; except that no Board member may have their compensation increased during the term in office to which they have been elected or appointed.

Any compensation provided to Board members must not exceed \$150 per day for not more than 5 days of service per week, excluding federal and state holidays. Board members may only receive compensation for days when official Board duties- meaning Board meetings and other official activities and duties, including those that are conducted with a majority of the Board present-are performed.

### **Reimbursement**

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Board, Board members may be reimbursed from district funds in accordance with the Board's policy on expense authorization and reimbursement- and in amounts approved by a majority vote of the Board in a public meeting.

### **Insurance and liability**

The Board ~~will~~shall purchase liability insurance and errors-and-omissions insurance to protect its members individually and collectively for claims made against them as a result of their membership on the Board.

The Board will rely on the Colorado Governmental Immunity Act, C.R.S. 24-10-101 *et seq.* (the Act) as the statement of its obligation to defend and indemnify Board members. If the Board elects to provide for the defense of a Board member in a claim which alleges willful and wanton conduct by the Board member, the Board may require the Board member to post a reasonable bond to ensure reimbursement of any amounts advanced, in accordance with the Act.

Adopted: 02/26/01, 11/29/21

Revised: 11/26/07 (legal ref.), 5/22/17, 2/18 (legal ref.), date of manual revision

LEGAL REFS.: 20 U.S.C. 7941 through 7948 (Coverdell Teacher Protection Act limits the liability of school board members)

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C.R.S. 22-12-101, et seq. (Teacher and School Administrator Protection Act also limits liability of school board members)

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C.R.S. 22-32-104, (5) (board member compensation)

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C.R.S. 22-32-109.1, (9) (immunity provisions in safe schools law also apply to school board members)

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C.R.S. 22-32-110, (1)(n), (u) (power to provide necessary expenses)

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C.R.S. 24-10-101, et seq. (Colorado Governmental Immunity Act)

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C.R.S. 24-18-104, (3)(d), (e) (reimbursements are not considered gifts)

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~~C.R.S. 22-32-110 (1) (n), (u) (power to provide necessary expenses)~~

~~C.R.S. 24-10-102 et seq. (governmental immunity)~~

~~C.R.S. 24-18-104 (3)(d)(e) (reimbursements are not considered gifts)~~

~~20 USC 7941 through 7948 (Coverdell Teacher Protection Act limits the liability of school board members)~~

CROSS REFS.: DKC, Expense Authorization/Reimbursement (Mileage and Travel)  
EI, Insurance Program/Risk Management

File: BID-BIE

| ~~Sargent School District RE-33J, Monte Vista, Colorado~~