

SERIES 100: BOARD OF EDUCATION

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* *Identifies general policy category or a policy topic not currently addressed in Board policy*

DE SOTO AREA SCHOOL DISTRICT

110

EDUCATIONAL PHILOSOPHY

The De Soto Area School District accepts its guardianship of public education as a trust and obligation. The basic purpose of our school system is to educate the youth of the District while providing a humane and responsive learning environment for all students.

The District recognizes and celebrates individual differences and promotes the development of a healthy self-concept for each student. The District also believes the function of the educational process is to provide each student with opportunities for obtaining the knowledge, experience, and skills necessary to succeed in an ever-changing society. The De Soto Area School District believes this will generate an appreciation for education and lifelong learning. **{NOTE: The first two paragraphs were found in both the 1996-97 teacher performance evaluation handbook and the 2003-04 faculty handbook.}**

The fundamental educational beliefs of the District are as follows:

- All students can learn and add to their knowledge.
- All students deserve a safe and conducive learning environment.
- School must create an appreciation for learning as a life-long process.
- All members of our community are valued for who they are and will be treated with respect.
- The educational process requires the dedication and active participation of our entire community, including students, parents, staff, district residents, businesses, and civic organizations. **{NOTE: This information was found on the home page of the district's web site.}**

LEGAL REF.: Sections 118.01 Wisconsin Statutes
118.13
118.30(1g)
121.02(1)

Wisconsin Constitution - Article X, Section 3

APPROVED: May 27, 1980

REVISED:

NOTE: *This policy is based on information found in the district's current policy manual (131 - approved 5/27/80), the 1996-97 teacher performance evaluation handbook, 2003-04 faculty handbook and the educational beliefs found on the district's home page on the district website. The more recent information appeared to be an updated version of the ideas expressed in policy 131, so I replaced that policy with the newer information, and revised it slightly for stylistic reasons. Does this policy draft as written reflect the district's current educational philosophy? If not, revise it accordingly. (WASB - 3/04)*

DE SOTO AREA SCHOOL DISTRICT

120

SCHOOL DISTRICT LEGAL STATUS

The United States Constitution leaves to the individual states the responsibility for public education. The Wisconsin Constitution provides for the establishment of public school districts and sets up the basis for school district organization. Thus, the De Soto Area School District derives its legal status from the Wisconsin Constitution. **{NOTE: I deleted the reference to the Board from the previous statement. School board legal status is covered in policy 130.}**

The District is classified as a common school district and shall be known as the De Soto Area School District.

The District consists of the following municipalities, all in the State of Wisconsin:

- Village of De Soto in Vernon and Crawford Counties;
- Village of Ferryville and Town of Freeman in Crawford County; and
- Villages of Genoa and Stoddard and Towns of Bergen, Genoa, Harmony, Sterling and Wheatland in Vernon County.

LEGAL REF.: Sections 115.01(3), (5) Wisconsin Statutes
Wisconsin Constitution - Article X, Section 3

APPROVED IN PART: June 21, 1976

REVISED:

NOTE: This policy is based on information found in your district's current policy manual (110; 112 - no approval date; 111 - approved 6/21/76). I combined the information and revised it for stylistic reasons. (WASB - 3/04)

DE SOTO AREA SCHOOL DISTRICT

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SCHOOL BOARD LEGAL STATUS

The Board of Education of the De Soto Area School District derives its legal status from the Wisconsin Constitution and statutes, and will adhere to their provisions.

The Board shall consist of nine members who are electors residing in the following municipalities, in accordance with the District plan of apportionment:

- Village of De Soto in Vernon and Crawford Counties
- Village of Ferryville in Crawford County
- Town of Freeman in Crawford County
- Village of Genoa in Vernon County
- Village of Stoddard in Vernon County
- Town of Bergen in Vernon County
- Town of Genoa or Town of Harmony in Vernon County
- Town of Sterling in Vernon County
- Town of Wheatland in Vernon County

The Board consists of a President, Vice-President, Clerk, Treasurer and five Board members.

The District Administrator serves as executive secretary of the Board.

LEGAL REF.: Sections 118.001 Wisconsin Statutes
118.24
120.01 (2)
120.02 (2)
120.05 (1) (d)

APPROVED:

NOTE: *This policy is based on information found in your district's current policy manual (120 A and B; 121; 122.01 - no approval dates). I combined the information and revised it for stylistic reasons. I did not include information on compensation since that will be covered in policy 163. (WASB - 3/04)*

DE SOTO AREA SCHOOL DISTRICT

-DRAFT-

131

FILLING BOARD VACANCIES

In the event a vacancy occurs on the Board due to the death, resignation, removal from office of the incumbent, the ceasing to be a resident of the District, or other just cause as outlined by state law, the vacancy shall be filled by appointment by the remaining members.

To fill a vacancy on the Board, the remaining members shall appoint a replacement after considering the qualifications of qualified electors who have declared an interest in the position. When making the appointment, Board members should consider the candidate's interest in children, willingness to give time and effort to the work, expertise in areas important to Board duties and interest in public education. The appointee shall serve the portion of the unexpired term as prescribed by law.

The candidate appointed to the vacancy upon being notified of the selection shall be deemed to have accepted the appointment unless, within five days thereafter, the person files a written refusal to serve as outlined in state law. Pending acceptance and filing the oath of office, an appointed Board member shall be seated at the next meeting of the Board.

LEGAL REF.: Sections 17.03 Wisconsin Statutes
17.26
19.01
120.05(1)(d)
120.06(4), (12)

APPROVED:

NOTE: *This policy draft is only an example of the type of filling board vacancy policy adopted by Wisconsin school boards. Feel free to revise it to reflect your district's practices in filling a board vacancy. If you would like additional information and/or sample*

DE SOTO AREA SCHOOL DISTRICT

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BOARD OFFICERS

The Board of Education shall elect a President, Vice-President, Clerk and Treasurer at the Board's organizational meeting, which is to be held on the 4th Monday of April.

The term of office shall be for one year.

The President

The President shall:

- a. preside at all Board meetings.
- b. decide on any questions of order, subject to appeal by any Board member.
- c. receive and review all communications that are directed to the Board.
- d. appoint special committees and act as an ex-officio member of committees. *{NOTE: If your use of the term "ex-officio" is intended to mean "non-voting", you may wish to revise the previous statement accordingly.}*
- e. appoint Board standing committees. *{NOTE: I added this item to reflect information found in policy 183 on Board Committees.}*
- f. perform such other duties as prescribed by law and as may be assigned by the Board. *{NOTE: I added the previous statement since the statutes include additional duties and to allow flexibility for the Board to assign specific tasks to the President.}*

The President is entitled to have his/her vote counted on every issue before the Board.

The Vice-President

The Vice-President shall:

DE SOTO AREA SCHOOL DISTRICT

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SCHOOL BOARD POWERS AND DUTIES

State law provides that school affairs shall be managed by a Board of Education. The Board may do all things reasonable to promote the cause of education, including establishing, providing and improving District programs, functions and activities for the benefit of students.

{NOTE: I added the previous statement to reflect new provisions of state law regarding broad powers of the board (sections 118.001; 120.12 of the statutes.)}

The function of the Board shall be that of policy making, appraisal and evaluation. The Board shall operate in such a manner as to maintain the distinction between activities appropriate to the Board as the legislative governing body of the District, and those administrative activities best performed by the District Administrator and his/her staff in the exercise of their delegated administrative authority.

LEGAL REF.: Sections 118.001 Wisconsin Statutes
120.10
120.12
120.13

APPROVED:

NOTE: This policy was found in your district's current policy manual (120 C - no approval date). I revised it for stylistic reasons and as outlined above. (WASB - 3/04)

DE SOTO AREA SCHOOL DISTRICT

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BOARD POLICY DEVELOPMENT

The Board of Education shall adopt policies to reflect its decisions regarding governance of the District, as well as to comply with requirements of state and federal laws and regulations. Members of the administrative staff shall be responsible for informing students and staff of existing policies and rules, and for seeing that they are implemented. *{NOTE: I revised this paragraph (found in 120 D) very liberally as the current language seemed a little confusing. Does it reflect the district's intent?}*

The Board shall also make policies for its own governance. Such policies may be changed or amended as needed by a 2/3 majority of the entire membership of the Board. *{NOTE: I revised the previous statement (found in 125.01) as it appears that a 2/3 vote would only be required for this type of policy (i.e. those in Series 100 - Board of Education of the policy manual). Information found in the 9/8/03 board meeting minutes simply states "motion carried" to indicate that policies had been approved on the second reading - there is no mention of a 2/3 majority. Is this paragraph accurate as written?}*

Board action on any policy shall be at a regular meeting one month after the recommended change has been officially presented to the Board. *{NOTE: I added "on any policy" for clarification, as board meeting minutes of 9/8/03 refer to "second reading" of policies relating to a variety of topics. Does this reflect the district's current practice? Are there ever any exceptions?}*

APPROVED:

NOTE: This policy is based on information found in your district's current policy manual (120 D; 125.01 - no approval dates). I combined the information and revised it for stylistic reasons and as outlined above. (WASB - 3/04)

DE SOTO AREA SCHOOL DISTRICT

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BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

As an individual, a Board of Education member has no legal authority outside a legally constituted Board meeting, unless authorized by the Board, since the law assigns powers, duties and responsibilities of the Board to the Board as whole. ***{NOTE: I revised the previous statement for clarification.}***

Board members, working together as a Board, shall be responsible for all matters pertinent to all phases related to the operation of schools and education of young people in the District. ***{NOTE: The previous statement was found in policy 122.02 #5. I added "working together as a Board" for clarification.}*** Irrespective of municipal seating, Board members shall act and assume responsibilities and leadership which is indicative of consideration to all youth in the District, wherever they attend school or reside.

Board members have a responsibility to review and research all materials received in the mail so that discussion will be brief and to the point, with no digressing and a minimum of discussion, so that action may be taken competently and quickly.

APPROVED:

NOTE: This policy is based on information found in your district's current policy manual (122.02 #5; 124; 124.01 - no approval dates). I combined the information and revised it for stylistic reasons and as outlined above. (WASB - 3/04)

DE SOTO AREA SCHOOL DISTRICT

162

BOARD MEMBER DEVELOPMENT OPPORTUNITIES

The Board of Education believes that inservice training for its members is vital in order for the Board to govern the District in the most informed and prudent manner possible. Informed decision making grows more important as school governance becomes increasingly complex.

In keeping with this position, the Board encourages the participation of its members at appropriate school board conferences, conventions, seminars and workshops.

The Board correspondent (or District Administrator) shall report monthly on upcoming inservice opportunities for Board members. **{NOTE: WASB no longer uses the term "WASB correspondent". The term currently used on our membership verification form is "WASB delegate and legislative contact". Is this the position that is currently responsible for making this report to the Board? If so, replace "correspondent" with "delegate/legislative contact".}** The Board shall select representatives to these sessions from among its membership. The members selected shall report to the Board on the inservice session attended and shall share information, materials, and recommendations acquired by attending the session.

Representative to Wisconsin Association of School Boards (WASB) Delegate Assembly

Annually, the Board shall select one of its members to represent the Board at the WASB delegate assembly, and an alternate. **{NOTE: I added information regarding an alternate.}** Whenever a new delegate is chosen by the Board, that individual shall be certified in writing to WASB at least five days before the delegate assembly begins.

Representatives to National School Board Association (NSBA) Conventions

Up to three Board members shall be entitled to attend either the NSBA convention or the American Association of School Administrators (AASA) convention in any one year at District expense.

BOARD MEMBER COMPENSATION AND EXPENSES

Board of Education members shall receive a salary, and shall be reimbursed for actual and necessary expenses incurred when traveling in the performance of duties, as determined by the annual meeting

Board members shall be paid \$100.00 per day to attend meetings outside the District.

Board members using their own vehicles in the performance of duties shall be reimbursed for mileage at the current rate established by the Internal Revenue Service. Other necessary expenses shall be reimbursed in accordance with expense reimbursement rates and procedures for District staff.

No reimbursement may be paid for the expenses of the spouse of any Board member.

LEGAL REF.: SECTIONS 120.10(3), (4) Wisconsin Statutes
120.13(16), (32)

APPROVED _____ ADMINISTRATOR _____

DE SOTO AREA SCHOOL DISTRICT

164.1

BOARD MEMBER CONFLICT OF INTEREST

Board of Education members shall not buy from, sell to, or in any manner become parties, directly or indirectly, to any contract to furnish supplies, material or labor to the District. Certain circumstances allow collective contracts of not more than \$15,000 per year without penalty of law.

LEGAL REF.: Section 946.13 Wisconsin Statutes

APPROVED: _____ ADMINISTRATOR: _____

DE SOTO AREA SCHOOL DISTRICT

171.1

PUBLIC NOTIFICATION OF BOARD MEETINGS

Whenever possible, public notice of all Board of Education meetings and Board committee meetings shall be provided to a designated newspaper and radio station, posted in designated locations throughout the District and provided to any news media who have filed a written request, at least 24 hours prior to the meeting. *{NOTE: I deleted "open meetings" since public notice requirements apply to all Board meetings, both open and closed. I also added a reference to Board committees - as subcommittees of a governmental body, they are also subject to requirements of the open meetings law. I expanded the previous statement to include references to postings and the radio station to reflect current practice, as noted in board meeting minutes. I also added a reference to any news media who have filed a written request and to the requirement for notice at least 24 hours prior to the meeting, to reflect requirements of section 19.84 of the statutes.}* Public notice shall also be placed on the District website. *{NOTE: The previous statement is based on information found in the 10/22/01 board meeting minutes. I was unable to find a current Board meeting agenda on the website however. If this is not your current practice, delete the previous statement.}*

In the event that a meeting needs to be scheduled and there is not sufficient time to provide the above notice in the designated newspaper, legal public notice shall be given by public posting throughout the District. In no event shall open session of the Board be held unless the public has been notified by radio, on station WISV, Viroqua at least two hours prior to the commencement of the meeting. *{NOTE: Does this paragraph reflect the Board's practice? Is this the current radio station? WVRQ is the one referred to in recent board meeting minutes.}*

Public notice of Board meetings shall set forth the time, date, place and subject matter of the meeting, including that intended for consideration at any contemplated closed session, in accordance with state law requirements. *{NOTE: I added this paragraph to provide additional guidance.}*

DE SOTO AREA SCHOOL DISTRICT

171.2

AGENDA PREPARATION AND DISSEMINATION

The agenda shall be prepared by the District Administrator, in consultation with the Board President. The agenda will show clearly what business will be transacted.

The agenda and all information sheets pertaining to items on the agenda shall be mailed to all Board members no later than Wednesday prior to a regularly scheduled Board meeting. Special Board meeting agendas will be handled the same way, if time allows, so that Board members can review information ahead of time.

At no time will copies of business items be passed out during the meeting for action by the Board. If there are informational items pertaining to the agenda, which because of an emergency could not be mailed to the members, such copies will be distributed to each Board member before the meeting begins. Every effort shall be made to send all information to Board members before the meeting.

The Board shall not discuss or act upon any item of business not included on the noticed agenda. The Board may discuss matters raised by the public during the public comment portion of the meeting, provided such period of public comment was included on the meeting agenda notice. ***{NOTE: I replaced item 5 regarding "such other matters as are authorized by law" with this paragraph. Except to the extent authorized by section 19.83(2) of the state statutes, a school board should be cautious of discussing or acting upon any item of business not included in the public notice of a board meeting. According to section 19.83(2) of the state statutes, a school board may discuss any matter raised by the public during a period of public comment, provided notice regarding such period of public comment has been provided under section 19.84(2) of the statutes. An attorney general's opinion written prior to the change in section 19.83(2) of the statutes (I-5-93) stated that if a subject that is not specifically noticed comes up at a board meeting, the board should refrain from engaging in any form of information gathering or discussion or from taking any action that would deprive the public of information about the conduct of governmental business.***

DE SOTO AREA SCHOOL DISTRICT

171.2-Rule

SUBJECT MATTER CONSIDERATION

1. February - Each year in February a meeting will be held by the Board of Education with all principals, the elementary coordinator and the District Administrator to review the past year and consider plans for the next school year.
2. May - At the first meeting in May, all summer programs will be brought to the Board for approval.
3. By June 1st - A special meeting will be called with the athletic director and the high school principal and coaches to go over plans for the next year's athletics, review of girl's athletics and to clarify the duties and role each has in the enactment of their positions. **{NOTE: Is a review of girls' athletics still specifically done, or is this considered part of the plans for next year's athletics? If it is the latter, you may wish to delete language relating to girls' athletics.}**

APPROVED:

NOTE: *These guidelines were found in your district's current policy manual (125.02 - no approval date). I revised them for stylistic reasons. Are these considerations currently followed? I noted, for example, that the board meeting minutes of 5/03 did not include information regarding summer school programs. You should revise these guidelines if necessary, or delete them if they are no longer pertinent. (WASB - 3/04)*

DE SOTO AREA SCHOOL DISTRICT

171

REGULAR BOARD MEETINGS

Regular meetings of the Board of Education shall be held on the second and fourth Monday of each month at the De Soto Middle School, De Soto, Wisconsin at 8:00 p.m. ***{NOTE: I revised the previous statement since recent board meeting minutes show the Middle School Commons to be the location of board meetings.}***

The day, time and location of the regular meetings may be changed upon majority vote of the Board at a prior meeting.

At the hour of the meeting if a quorum is present or as soon thereafter as a quorum is present, the President shall call the Board to order and proceed according to the published agenda. ***{NOTE: I replaced "or if a quorum is present" with "if a quorum is present or as soon thereafter as a quorum is present" since a meeting may not take place without a quorum present.}*** The agenda shall be followed as printed unless a majority of the Board consents to address agenda items in a different order. ***{NOTE: I replaced "deviate from the agenda" with "address agenda items in a different order" to avoid any possible confusion regarding how the agenda may be altered. Due to open meetings law requirements, items may not be added to an agenda at the meeting; supplements to the agenda must be given public notice at least two hours in advance of the meeting.}***

Public notice of regular Board meetings shall be given in accordance with state law and established procedures. ***{NOTE: I added the previous statement to provide further guidance.}***

LEGAL REF.: Sections 19.84 Wisconsin Statutes
19.85
120.11(1)

CROSS REF.: 171.1, Public Notification of Board Meetings

APPROVED:

DE SOTO AREA SCHOOL DISTRICT

172

SPECIAL BOARD MEETINGS

Special Board of Education meetings shall be held upon the written request of any Board member.

The request shall be filed with the Board Clerk, or in the Clerk's absence, the Board President, who shall notify in writing each Board member of the time and place of the special Board meeting at least 24 hours before the meeting, as required by law. **{NOTE: I added "as required by law" to provide further guidance.}**

Special Board meetings may be held without prior notice if every member is present and consents, or if every member consents in writing even though he/she does not attend. **{NOTE: I added the previous statement to reflect provisions of section 120.11(2) of the statutes.}**

Public notice of special Board meetings shall be given in accordance with state law and established procedures. **{NOTE: I added the previous statement to provide further guidance.}**

LEGAL REF.: Sections 19.84 Wisconsin Statutes
120.11(2)

CROSS REF.: 171.1, Public Notification of Board Meetings
171.2, Agenda Preparation and Dissemination

APPROVED:

NOTE: This policy was found in your district's current policy manual (123.03 - no approval date). I revised it for stylistic reasons and as outlined above. (WASB - 3/04)

DE SOTO AREA SCHOOL DISTRICT

173

BOARD ORGANIZATIONAL MEETING

The organizational meeting of the Board of Education shall be held on the 4th Monday in April for the purpose of electing Board officers. **{NOTE: I expanded the previous statement to provide additional guidance.}**

{NOTE: I added the following information to reflect information found in the 4/28/03 board meeting minutes.} At the meeting the Board shall also select:

- a delegate/legislative contact and alternate delegate to the Wisconsin Association of School Boards (WASB);
- a delegate to Cooperative Educational Service Agency (CESA) #4; and
- the official newspaper.

LEGAL REF.: Section 120.05 Wisconsin Statutes

APPROVED:

NOTE: This policy is based on information found in your district's current policy manual (123.01 - no approval date) and the 4/28/03 board meeting minutes. I revised it slightly for stylistic reasons and as outlined above. (WASB - 3/04)

DE SOTO AREA SCHOOL DISTRICT

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QUORUM

To transact business at any regular or special meeting of the Board of Education, five or more Board members shall be present.

LEGAL REF.: Section 120.11(1) Wisconsin Statutes

APPROVED:

NOTE: This policy was found in your district's current policy manual (123.08 - no approval date). I revised it slightly for stylistic reasons. (WASB - 3/04)