

**1000 SERIES
BOARD OF TRUSTEES**

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Legal Status, Organization and Operation

The legal name of this District is Upper West Shore School District No.33, Lake County, State of Montana. The District is classified as a Third Class District and is operated according to the laws and regulations pertaining to elementary school districts of the State of Montana and the United States of America.

The Board of Trustees of the Upper West Shore School District #33 is the governmental entity established by the State of Montana to plan and direct all aspects of the District's operations to the end that students shall have ample opportunity to achieve their individual and collective learning needs.

In order to achieve its primary goal of providing each child with the necessary skills and attitudes to become an effective citizen, the Board shall exercise the full authority granted to it by the laws of the state. Its legal powers, duties and responsibilities are derived from the Montana Constitution and state statutes and regulations. Sources such as the school laws of Montana, and the administrative rules of the Board of Public Education and the Office of Superintendent of Public Instruction delineate the legal powers, duties and responsibilities of the Board.

The policies of the Board define the organization of the Board and the manner of conducting its official business. The Board's operating policies are those that the Board adopts from time to time to facilitate the performance of its responsibilities.

The Upper West Shore School District #33 maintains the Dayton Elementary School.

Legal References:	§ 20-3-323, MCA	District policy and record of acts
	§ 20-3-324, MCA	Powers and duties
	§20-6-101, MCA	Definition of elementary and high school districts
	§20-6-201, MCA	Elementary district classification

Policy History
Adopted on: 2008-09
Revised on:

Membership

Elementary School District No. 33 is a third class district and, as such, has three Board Members. Each Board Member serves a three year term. Terms are staggered according to law. Trustees are elected at the annual school election.

Election

Board elections shall be held on the first Tuesday after the first Monday of May of each year. A person who is a qualified voter of the District is legally qualified to become a trustee. Any five third-class qualified electors may nominate as many trustee candidates, as there are trustee positions subject to election at the ensuing election. The name of each person nominated for candidacy shall be submitted to the Clerk of the District not less than forty (40) days before the regular school election day at which he/she is to be a candidate. If there are different terms to be filled, the term for which each candidate is nominated shall also be indicated. If there are no contested seats and there is no other reason for the election, the district may cancel it.

Any person seeking to become a write-in candidate in a mail ballot election or for a trustee position in a school board election shall file a declaration of intent no later than 5 p.m. on the twenty-sixth (26th) day before the election. If the number of candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is equal to or less than the number of positions to be elected, the trustees may give notice no later than twenty-five (25) days before the election that trustee election will not take place. If a trustee election is not held, the trustees shall declare the candidates elected by acclamation and shall issue a "certificate of election" to each candidate.

Taking Office

A newly-elected trustee shall take office as soon as the election results have been certified and the newly-elected trustee has taken and subscribed to an oath that he/she will faithfully and impartially discharge the duties of the office to the best of his/her ability. Such oath shall be filed with the County Superintendent within fifteen (15) days after the receipt of the certificate of election.

Resignation

Resignation of a trustee, for whatever reason, must be submitted in writing to the Clerk of the District. A resignation is effective 72 hours after its submission unless withdrawn during that period by the resigner through written notification of withdrawal made to the district clerk. The Board shall then accept the resignation by formal action and proceed to fill the vacancy as provided by statute and Board policy. Trustees retiring from the Board will be recognized for their service to the District by presentation of a service plaque or other appropriate activities.

Legal Reference:	§ 2-16-502, MCA	Resignations
	§20-1-202, MCA	Oath of Office
	§20-3-301, MCA	Election and term of office
	§20-3-302, MCA	Legislative intent to elect less than majority of trustees
	§20-3-305, MCA	Candidates and Qualifications
	§20-3-307, MCA	Qualifications and Oath
	§20-3-324(4), MCA	Powers and duties
	§20-3-341, MCA	Number of trustee positions in elementary school districts
	§20-3-376, MCA	Conduct of Election
	§20-7-344, MCA	Nominating of Candidates
	§20-20-301, MCA	Qualifications of elector
	§Title 20, Chapter 20, MCA	School Elections

Policy History

Adopted on: 2008-09

Revised on:

Vacancies

Any elected trustee position shall be vacant whenever the incumbent:

1. Dies;
2. Resigns;
3. Moves his/her residence from the applicable District;
4. Is no longer a registered elector of the District under the provisions of § 20-20-301, MCA;
5. Is absent from the District for sixty (60) consecutive days;
6. Fails to attend three (3) consecutive meetings of the trustees without a good excuse;
7. Has been removed under the provisions of § 20-3-310, MCA; or
8. Ceases to have the capacity to hold office under any other provision of the law.

A trustee position also shall be vacant when an elected candidate fails to qualify.

In the case of a trustee vacancy, the remaining Trustees shall fill such vacancy by appointment. The Board will receive applications from any qualified persons seeking to fill the position after suitable public notice. The Board will appoint one (1) candidate to serve until the next regularly scheduled election. Should the Board fail to fill a vacancy within sixty (60) - days from the creation of such vacancy, the County Superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall meet the requirements provided by law and shall serve until the next regularly scheduled school election and his/her successor has qualified.

Cross Reference: 1240 Duties of Individual Trustees

Legal Reference:	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-309, MCA	Filling vacated trustee position

Policy History

Adopted on: 2008-09

Revised on:

Annual Organization Meeting

After the issuance of the election certificates to the newly elected trustees in May and on or before the third Saturday in May, the Board shall elect from among its members a Chairperson to serve a one (1) year term. If a Board Member is unable to continue to serve as an officer, a replacement shall be elected immediately. In the absence of the Chair, the Board shall elect a Chairperson pro tempore who shall perform the functions of the Chair during the latter's absence. The Clerk shall act as Board secretary.

The normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of newly-elected Board Members by the current Chair.
2. Swearing in of newly elected Trustees.
3. Call for nominations for Chair to serve during the ensuing year.
4. Election of a Chair.
5. Assumption of office by the new Chair.
6. Appointment of a Clerk.

Policies and By-Laws shall continue from year to year until and unless the Board changes them.

Legal Reference: § 20-3-321, MCA Organization and officers
 §20-3-322(a), MCA Meetings and Quorum

Policy History:
Adopted on: 2008-09
Revised on:

Officers:

Chair

The Chair shall preside at all Board Meetings and sign all papers and documents as required by law and as authorized by the action of the Board. The Chair shall conduct the meeting in the manner prescribed by the Board's policies, provided that the Chair shall have the full right to participate in debate without relinquishing the Chair and shall have the right to vote on all matters put to a vote. The Chair may close a meeting during the time the discussion relates to a matter of individual privacy and then if and only if the Chair determines that the demands of individual privacy clearly exceeds the merits of public disclosure. The Chair may also close a meeting to discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the district. The Chair will strive to keep all trustees informed regarding correspondence and issues that are brought to his/her attention.

Clerk

The Clerk of the Board shall attend all meetings of the Board unless excused by the Board Chair, and keep an accurate journal of its proceedings. The Clerk shall have custody of the records, books, and documents of the Board. In the absence or inability of the Clerk to attend a Board meeting, the Board will designate a person to serve as clerk for the meeting. The Clerk will keep accurate and detailed accounts of all receipts and disbursements made by the District. The Clerk shall draw and countersign all warrants for expenditures that have been approved by the Board. The Clerk shall prepare and submit to the Board a financial report of receipts and disbursements of all school funds on an annual basis. The Clerk will make the preparations legally required for the notice and conduct of all District elections. The Clerk shall perform other duties as prescribed by state law or as directed by the Board.

Legal references:	§ 2-3-203, MCA	Meetings of public agencies to be open to the public - exceptions
	§ 20-3-321, MCA	Organization and officers
	§ 20-3-325, MCA	Clerk of the district
	§ 20-9-133, MCA	Adoption and expenditure limitations of final budget
	§ 20-9-165, MCA	Emergency budget limitation, preparation, and adoption procedures
	§ 20-9-221, MCA	Procedure for issuance of warrants
	§ 20-20-401, MCA	Trustees' election duties

Policy History:

Adopted on: 2008-09

Revised on:

Duties of Individual Trustees

The authority of individual Trustees is limited to participating in actions taken by the Board as a whole when legally in session. Trustees shall not assume responsibilities of administrators or other staff members. The Board or staff shall not be bound by an action taken or statement made by an individual Trustee except when such statement or action is pursuant to specific instructions and official action taken by the Board.

Each Trustee shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item. Each Trustee shall visit each school not less than once per year to examine its management, conditions and needs.

Each member is obligated to attend Board meetings regularly. Whenever possible, each Trustee shall give advance notice to the Chair of his/her inability to attend a Board meeting. A majority of the Board may excuse a Trustee's absence from a meeting if requested to do so. The Board shall declare a position vacant after three (3) consecutive unexcused absences from regular Board meetings or if the Trustee has been absent from the District for sixty (60) consecutive days.

Official action by Board members must occur at a duly called and legally conducted meeting. "Meeting" is defined as the convening of a quorum of the constituent membership of the Board, whether in person or by means of electronic equipment, to hear, discuss or act upon a matter over which the Board has supervision, control, jurisdiction, or advisory power.

School board members, as individuals, have no authority over school affairs, except as provided by law or as authorized by the Board.

Cross Reference: 1113 Vacancies
 1455 Absences of Board Members
 Appendix A-1 Code of Ethics for School Board Members

Legal References: §20-3-301, MCA Election and term of office
 §20-3-308, MCA Vacancy of trustee position
 §20-3-324(21), MCA Powers and duties
 §20-3-332, MCA Personal liability of trustees.

Policy History:

Adopted on: 2008-09

Revised on:

Duties of the Board

All duties of the Board are prescribed by law and include the following:

- a. To employ and dismiss all certified and non-certified personnel of the district
- b. To administer the attendance and tuition provisions and otherwise govern the pupils of the District in accordance with the provisions in Montana law;
- c. To call, conduct and certify the elections of the District in accordance with Montana law;
- d. To participate in the teachers' retirement system of Montana;
- e. To participate in District boundary change actions in accordance with Montana law.
- f. To organize, open, close or acquire isolation status for the schools of the District in accordance with Montana law;
- g. To adopt and administer the annual budget or a budget amendment of the District in accordance with Montana law;
- h. To conduct the fiscal business of the District in accordance with Montana law;
- i. To establish the ANB, BASE budget levy, over-BASE budget levy, additional levy, operating reserve, and state impact aid amounts for the general fund of the District in accordance with Montana law;
- j. To issue, refund, sell, budget and redeem the bonds of the District in accordance with Montana law;
- k. When applicable, to establish, financially administer and budget for the tuition fund, retirement fund, building reserve fund, adult education fund, non-operating fund, miscellaneous federal programs, impact aid fund and inter-local cooperative agreement fund in accordance with Montana law;
- l. When applicable, to administer any inter-local cooperative agreement, gifts, legacies or devises in accordance with Montana law;
- m. To hold in trust, acquire and dispose of real and personal property of the District in accordance with Montana law;
- n. To operate the schools of the District in accordance with Montana law;
- o. To establish and maintain the instructional services of the schools of the District in accordance with Montana law;
- p. To make reports from time to time as the County Superintendent, Superintendent of Public Instruction and the Board of Public Education may require;

- q. To retain, when considered advisable, a physician or registered nurse to inspect the sanitary conditions of the school or the general health conditions of each pupil, and, upon request, to make available to any parent or guardian any medical reports or health records maintained by the District pertaining to the child.
- r. For each member of the Board, to visit each school of the District not less than once each school fiscal year to examine its management, conditions, and needs;
- s. To procure and display an American flag, outside (4' x 6') and in the classroom (12' x 18");
- t. To adopt and administer a District policy on assessment for placement of any child who enrolls in the District from non-accredited, non-public schools;
- u. To meet in regular open meetings to handle the business of the school; and
- v. To perform any other duties and enforce any other requirement for the government of the schools as set forth in law or administrative rule.

Legal Reference: § 20-3-324, MCA Powers and Duties

Policy History:

Adopted on: 2008-09

Revised on:

Adoption and Amendment of Policies

Proposed new policies and proposed changes in existing policies shall be presented in writing for reading and discussion. Unless it is deemed by the Board that immediate action would be in the best interest of the District, the final vote for adoption shall take place not earlier than the next succeeding regular or special Board meeting. Any written statement by a person relative to a proposed policy or amendment should be directed to the District Clerk prior to the second reading. The Board may invite oral statements from staff members or patrons as an order of business.

All new or amended policies shall become effective upon adoption, unless a specific effective date is provided in the motion for adoption.

Policies as adopted or amended shall be made a part of the minutes of the meeting at which action was taken and shall also be included in the District's policy manual. The Board of Trustees shall review the Policies of the District on a three to five year schedule.

Suspension of the Policies

Under circumstances that require waiver of a policy, the policy may be suspended by a majority vote of the members present. In order to suspend a policy, all Trustees must have received written notice of the meeting that included a proposal to suspend the policies with an explanation of the purpose of such proposed suspension. If such proposal is not made in writing in advance of the meeting, the policies may be suspended only by a unanimous vote of all Trustees present.

Legal References: § 20-3-323, MCA District policy and record of acts
 10.55.701, ARM Board of Trustees

Policy History:
Adopted on: 2008-09
Revised on:

Meetings**Regular Meetings**

Regular meetings will usually be held on the third Monday of every month at 4:30 p.m. in the Kindergarten Room of the Dayton School, or at any other times and places determined by a majority vote. However, the Board of Trustees of Upper West Shore School District #33 may hold quarterly meeting rather than monthly meetings. Except for an unforeseen emergency, meetings must be held in a school building or in a publicly owned building located within the District. If regular meetings are to be held at places other than the place stated above or are adjourned to times other than the regular meeting time, notice of the meeting shall be made in the same manner as provided for special meetings. The trustees may meet outside the boundaries of the district for collaboration or cooperation on educational issues with other school boards, educational agencies, or cooperatives. Adequate notice of the meeting, as well as the agenda, must be provided to the public in advance. Decision making may only occur at a properly noticed meeting held within the district's boundaries. When a meeting date falls on a legal holiday, the meeting shall be held on the next business day.

Special Meetings

Special meetings may be called by the Board Chair or by any two (2) members of the Trustees. A written notice of a special meeting, stating the purpose of the meeting, shall be delivered to each trustee not less than forty-eight (48) hours prior to the time of the meeting, except that the forty-eight (48) hour notice is waived in an unforeseen emergency as stated in MCA 20-3-322(5). Such written notice shall be posted conspicuously within the District in a manner that will receive public attention. Written notice shall also be sent not less than twenty-four (24) hours prior to the meeting to each newspaper and radio or television station that has filed a written request for such notices. Business transacted at a special meeting will be limited to that stated in the notice of the meeting.

Budget Meetings

On or before August 15, on a date, time and place stated in public notice, the Trustees of Upper West Shore School District #33 shall meet to consider all budget information and any attachments required by law. The Trustees may continue the meeting from day to day but shall adopt the final budget and determine the amounts to be raised by tax levies not later than the fourth Monday in August and before the fixing of the tax levies for each district. The notice of the final budget meeting must be published between July 1 and August 4. At any time during these meetings a taxpayer may be heard on any matter of the budget. Upon approval, the Trustees shall deliver the adopted budget, including the amounts to be raised by taxes, to the County Superintendent of schools within five days of passage.

Emergency Meetings

In the event of an emergency involving possible personal injury or property damage, the Board may meet immediately and take official action without prior notification.

Executive Sessions

Under Montana law, the Board may hold closed or executive sessions for the following purposes:

1. To consider matters of individual privacy and then if and only if the presiding officer determines that the demands of individual privacy exceed the matter of public disclosure.
2. To discuss a strategy to be followed with respect to litigation when an open meeting would have a detrimental effect on the litigating position of the District. This exception does not apply if the litigation involves only public bodies or associations as parties.

Prior to closing a meeting for this purpose, it is recommended that the District obtain legal advice on the appropriateness of this action. No formal action shall take place during executive session.

All meetings shall be open to the public with the exception of executive sessions authorized by law. Any final action will be taken at an open meeting.

Legal Reference: § 2-3-103, MCA Public parties portion
 §2-3-104, MCA Requirements with compliance with notice provisions
 §2-3-105, MCA Supplemental notice by radio or television
 §2-3-201, MCA Legislative intent
 §2-3-203, MCA Meetings of public agencies open to public - exceptions
 §20-3-322, MCA Meeting and quorum
 §20-9-131, MCA Final budget meeting
 10.55.701, ARM Board of Trustees
 Article II, Sections 9 and 10 of the Montana Constitution, Right to Know, Right to Privacy

Policy History:

Adopted on: 2008-09

Revised on:

THE BOARD OF TRUSTEES
Meeting Procedure, Agenda, Quorum and Conduct

1420

Agenda

The preparation of the Board meeting agenda for regular and special meetings is the responsibility of the Board Chair with assistance from the Clerk. The agenda for regular Board meetings will be prepared and distributed to the Trustees at least three days prior to the day of the Board of Trustees' meeting. An agenda for other types of Board meetings will be prepared if the circumstance necessitates an agenda.

- I. Call to Order
- II. Approval or Amendment of Minutes
- III. Approval or Disapproval of Warrants
- IV. Community Input – 10 minutes
- V. Teacher's Discussion
- VI. Clerk's Discussion
- VII. Trustee's Discussion
- VIII. Adjournment

The Board may go into Executive Session whenever applicable.

Suggested items for consideration of the Board of Trustees from all sources should be submitted in writing to the District Clerk. Such items must be submitted at least six days prior to the applicable Board meeting, unless of immediate importance. Anyone wishing to be placed on a Dayton School Board Meeting agenda must call the Clerk by 4:00 p.m. on the fifth (5th) work day preceding the day of the meeting, make a request to be placed on the agenda, and state the reason for appearance. In addition, if the reason for the appearance is a complaint against any School District personnel, that complaint must be in writing, signed by the complainant, and presented to the Supervising Teacher/Principal (the senior professional) at least five (5) work days prior to the Trustees' meeting. School personnel are required to follow the complaint procedure established specifically for their use. District citizens wishing to make brief comments about school programs or procedures or items on the agenda need not request placement on the agenda and may attend the meeting and ask recognition by the Chair at the appropriate time. (See Policy #1441.) No employee or citizen complaint shall be acted upon at a Board meeting unless the employee or citizen has first pursued the matter through the appropriate grievance/complaint procedure.

Quorum

No business shall be transacted at any meeting of the Board of Trustees unless a quorum of the members is present. A quorum for any meeting shall be a majority of the members of the Board of Trustees. A majority of the quorum may pass a resolution except as provided by § 20-4-203(1), MCA.

Meeting Conduct,

All Board meetings will be conducted in an orderly and business-like manner, using *Roberts Rules of Order* as a guide except when such rules are superseded by Board policies. The order of business will be indicated in the agenda. Any additions or changes in the prepared agenda may be requested by the Trustees and must be approved by majority vote of the Trustees present. The Board shall establish its regular order of business, but may elect to change the order by a majority vote of the members. The minutes shall reflect the voting record of each Trustee.

Cross Reference: Appendix A-2 Parliamentary Procedure Quick Guide

Legal Reference: §20-3-322, MCA Meetings and quorum
§20-3-323, MCA District policy and record of facts

Policy History:

Adopted on:2008-09

Revised on:

Audience Participation

The Board recognizes the value of public comment on educational issues and the importance of involving members of the public in its meetings. The Board also recognizes the public's statutory and constitutional right to participate in governmental operations. In order to permit fair and orderly expression of such comment, the Board will provide appropriate times and places in the agenda for public comment. If an item is placed on the agenda for action, public comment must be allowed before the Board takes action. The Chair may control such comment to insure an orderly progression of the meeting and allow for public comment.

The Board will also allow individuals to express an opinion prior to Board action on agenda items. The Chair shall first recognize individuals wishing to be heard by the Board. Individuals, after identifying themselves, will proceed to make comments as briefly as the subject permits. Any representative of a firm eligible to bid on materials or services solicited by the Board shall also be entitled to express an opinion. The Chair may interrupt or terminate an individual's statements when appropriate including when statements are out of order, too lengthy, personally directed, abusive, obscene or irrelevant. The Board as a whole shall have the final decision in determining the appropriateness of all such rulings. If the subject matter of the agenda item involves a matter of individual privacy that clearly exceeds the merits of public disclosure, the Board Chair shall receive comments from individuals in executive session.

Legal Reference: Article II, Section 8, Montana Constitution
Article II, Section 10, Right of Privacy□
§2-3-101, et seq., MCA, Right of Participation

Policy History:

Adopted on: 2008-09

Revised on:

Minutes and Records

The Clerk of the Board shall record the minutes of all open Board meetings. Minutes become official after approval by the Board and shall be retained as a permanent record of the District. When issues are discussed that may require detailed record, the Board may direct the Clerk to record the discussion verbatim. Any verbatim records of a meeting may be destroyed after the minutes have been approved pursuant to § 20-1-212, MCA. Minutes shall be comprehensive and shall show:

1. The date, time and place of the meeting
2. The presiding officer
3. Members in attendance
4. Items discussed during the meeting, wording of motions and the voting record of each Trustee present
5. A detailed statement of all expenditures (name of business or person and services rendered or goods furnished)
6. Purpose of recessing to executive session
7. Time of adjournment

Unofficial minutes shall be delivered to Board members in advance of the next regularly scheduled meeting of the Board and may also be available to other interested citizens. Minutes need not be read publicly, provided that members have had an opportunity to review them before adoption.

A file of permanent minutes of all Board meetings will be maintained in the office of the Clerk to be made available for inspection upon the request of any interested citizen. A written copy shall be available within five (5) working days following approval by the Trustees at a cost not to exceed 15¢ a page. A copy to the press shall be furnished at no cost.

Records Management

The Board recognizes the importance of public records as the record of the acts of the district and the repository of such information. The public has the right under law to inspect and procure copies of such records with certain exceptions. (Those records restricted by state and federal law.) The public records of the District shall mean any account, voucher or contract dealing with the receipt or disbursement of funds; with acquisition, use or disposal of services or of supplies, materials, equipment or other property; or with any minutes, orders or decisions fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group. The District Clerk shall serve as the District records officer.

<p>Legal Reference:</p>	<p>§2-3-212, MCA §20-1-212, MCA §20-3-323(2), MCA §20-6-101, et. seq., MCA §20-9-215, MCA</p>	<p>Minutes of meetings Destruction of old records by an officer District policy and record of acts Public Records Records Destruction</p>
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Policy History:
 Adopted on: 2008-09
 Revised on:

Conflict of Interest

A Trustee may not:

1. Engage in a substantial financial transaction for his/her private business purpose with a person whom he/she inspects or supervises in the course of his/her official duties.
2. Perform an official act directly and substantially affecting to its economic benefit, a business or other undertaking in which he/she either has a substantial financial interest or is engaged as counsel, consultant, representative or agent;
3. Act as an agent or solicitor in the sale or supply of goods or services to a district.
4. Have a pecuniary interest, directly or indirectly, in any contract made by the Board of Trustees when the Trustee has more than a ten percent (10%) interest in the corporation. A contract does not include: 1) merchandise sold to the highest bidder at public auctions; 2) investments or deposits in financial institutions which are in the business of loaning or receiving money when such investments or deposits are made on a rotating or ratable basis among financial institutions in the community or when there is only one financial institution in the community; or 3) contracts for professional services other than salaried services or for maintenance or repair services or supplies when the services or supplies are not reasonably available from other sources if the interest of any Board member and a determination of such lack of availability are entered in the minutes of the Board meeting at which the contract is considered.
5. Be employed in any capacity by the District, with the exception of officiating at athletic competitions under the auspices of the Montana Officials Association.
6. Appoint to a position of trust or emolument any person related or connected by consanguinity within the fourth degree or by affinity within the second degree.
 - a. This prohibition does not apply to the issuance of an employment contract of a person as a substitute teacher who is not employed as a substitute teacher for more than 30 consecutive school days.
 - b. This prohibition does not apply to the renewal of an employment contract of a person who was initially hired before the Board member to whom he/she is related assumed the position.
 - c. This prohibition does not apply if the Trustees comply with the following requirements: 1) All Trustees, except the Trustee related to the person to be employed or appointed, vote to employ the related person; 2) The Trustee related to the person to be employed abstains from voting; and 3) The Trustees give fifteen days written notice of the time and place of their intended action in a newspaper of general circulation in the county where the school is located.

Legal Reference:	§ 2-2-125, MCA	Rules of conduct for local government officers
	§ 2-2-201, MCA	Public officers, employees and former employees not to have interest in contracts
	§ 2-2-302, MCA	Appointment of relative to office of trust - employment unlawful
	§ 2-2-303, MCA	Agreement to appoint relative to office unlawful
	§ 20-1-201, MCA	School officers not to act as agent
	§ 20-9-204, MCA	Conflicts of interest, letting contracts and calling for bids

Policy History:

Adopted on: 2008-09

Revised on:

Management Rights

The Board of Trustees retains the right to operate and manage its affairs in such areas as but not limited to:

1. Direct employees,
2. Employ, dismiss, promote, transfer, assign, and retain employees,
3. Relieve employees from duties because of lack of work or funds under conditions where continuation of such work would be inefficient and non-productive,
4. Maintain the efficiency of District operations,
5. Determine the methods, means, job classifications, and personnel by which District operations are to be conducted,
6. Take whatever actions may be necessary to carry out the missions of the District in situations of emergency,
7. Establish the methods and processes by which work is performed;
8. The Board reserves all other rights, statutory and inherent, as provided by state law; the Board also reserves the right to delegate authority to the County Superintendent or Principal (whichever is appropriate for the district based on its administrative structure), for the on-going direction of District programs.

Legal Reference: §20-3-207, MCA Assist Trustees with school supervision
 §20-3-324, MCA Powers and duties
 §39-31-303, MCA Management rights of public employers

Policy History:
Adopted on: 2008-09
Revised on:

District Goals and Philosophy

The Trustees of Upper West Shore School District #33 are guided by the conviction that all students are capable of learning to high standards and that they have a right to the best education this community can provide. Responsibility for this rests with all citizens, parents, school staff and students, with the ultimate responsibility for direction and decision-making assumed by the Board of Trustees.

The Board will exert leadership in creating, maintaining and improving the school for the children's educational needs. The focal point of concern in our school system is the student. Organization, staffing, programming, teaching, and funding should all be developed primarily and basically to enhance appropriate opportunities for students to learn and develop—personally, academically and socially. The District's Goals and Philosophy will be current and sequential and curriculum will be aligned to the state standards regularly. The District's goals and philosophy will drive continuous school improvement.

Legal Reference: 10.55.701 ARM Board of Trustees

Policy History:

Adopted on: 2008-09

Revised by: 10/20/2014

Board/Staff Communications

Every reasonable means of communication is encouraged throughout the education community. Nevertheless, an organization must maintain some order and structure to promote efficient and effective communications.

Staff Communications to the Board

All *official* communications regarding complaints and grievances to the Board from principals, supervisors, teachers, or other staff members shall be submitted through the County Superintendent of Schools. This shall not deny any staff member's right to appeal an administrative decision to the Board.

Board Communications to Staff

All *official* communications, policies and directives of staff interest and concern will be communicated to staff members through the County Superintendent of Schools or Supervising Teacher as appropriate. The County Superintendent of Schools or Supervising Teacher will employ all such media as are appropriate to keep staff fully informed of the Board's concerns and actions.

Visits to Schools

In accordance with Montana statutes, each trustee shall visit each school of the District not less than once each school fiscal year to examine its condition and needs. Individual Board members interested in visiting schools should, out of courtesy, make arrangements for visitations through the Supervising Teacher. Such visits shall be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes.

Social Interaction

Staff and Board members share a keen interest in the schools and education. When they meet at social affairs and other functions, informal discussion on such matters as educational trends, issues, and innovations and general District problems can be anticipated. **Discussions of personalities or staff grievances are not appropriate.**

Legal Reference: § 20-3-324(21), MCA Powers and duties

Policy History:
Adopted: 10/20/2014

Trustee Expenses

Expenses for Board Members-In-District

The Trustees shall not receive remuneration for their service as a Trustee. Trustees living more than three miles from the meeting place shall be entitled to mileage at the rate stipulated in § 2-18-503, MCA, for each mile of travel from their homes to the meeting place for each meeting of the Board and for any meeting called by the County Superintendent of Schools. Such travel reimbursement may be paid as the travel is assumed or may accumulate until the end of the fiscal year, at the discretion of the reimbursed Trustee.

Expenses for Board Members at Out-of-District Meetings

Trustees elected by the citizens to serve on the Board that provides governance to the District, a financially large public enterprise, serve without financial compensation. To intelligently deal with numerous issues and to budget and monitor thousands of dollars in expenditures annually, training and communications are essential. Trustees normally attend workshops, training institutes, and conferences at both the state and national level. It is appropriate that the District pay Trustee expenditures at these out-of-District meetings.

It is the intent of the District to pay all legitimate costs for Trustees to attend out-of-District meetings. The purpose of this policy is to provide for expenditure guidelines and define what is considered legitimate expenses of attendance at out-of-District meetings. The District will pay the cost for:

1. Transportation to and from the meeting site in the amount of the cheapest available air fare if the meeting is more than 300 miles from Dayton School, and at the per mile rate approved for the District for meetings 300 miles or less from said school.
2. On-site transportation: For necessary transportation by bus, taxi or rental car during the course of the meeting.
3. Hotel or motel cost for Trustee room accommodations at the meeting or convention headquarters facility or other as necessary. If at a convention, the headquarters hotel cannot accommodate all of the participants and a Trustee must stay at an alternative facility, the cost of the alternative facility will be paid.
4. Food costs as necessary: Since food costs vary significantly from one location to another, a specific dollar allowance for meals per day is not possible to establish. Trustees are requested to be modest in their meal expenditures.
5. Telephone services: Necessary telephone communications with business or family resulting from the Trustee being away from Dayton School.
6. Incidental expenditures for tips and other necessary costs attributable to the Trustee's attendance at the meeting.
7. Registration and materials which are a part of the meeting agenda and/or requirements.

Legal References: §2-18-503, MCA Mileage allowance
 §20-1-211, MCA Expenses of officers attending conventions
 §20-3-311, MCA Trustee travel reimbursement

Policy History:

Adopted on: 2008-09

Revised on:

Trustee Insurance

The District shall maintain sufficient insurance to protect the Board and its individual members against liability arising from actions of the Board or its individual members while each is acting on behalf of the District and within his/her authority as a Trustee.

Legal Reference: §20-3-331, MCA Purchase of liability insurance
 §20-3-332, MCA Personal immunity and liability of Trustees

Policy History:
Adopted on: 2008-09
Revised on:

Evaluation of Board

At the conclusion of each year, the Board may evaluate its own performance in terms of generally accepted principles of successful Board operations.

The Board may choose to evaluate the effectiveness of the processes that it employs in carrying out the responsibilities of the District. Those processes include, but are not limited to: team building, decision making, functions planning, communications, motivation, influence and policy.

Policy History:

Adopted on: 2008-09

Revised on:

APPENDIX A-1

Code of Ethics for School Board Members

AS A MEMBER OF MY LOCAL BOARD OF TRUSTEES, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION, AND TO THAT END I WILL:

Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;

Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings;

Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;

Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;

Work with other Board members to establish effective Board policies and to delegate authority for the administration to the Superintendent;

Recognize and respect the responsibilities that properly are delegated to the Superintendent;

Communicate to the Superintendent expression of public reaction to Board policies, school programs, or staff;

Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the Montana and National School Boards Associations;

Support the employment of those persons best qualified to serve as school staff, and insist on regular and impartial evaluation of staff;

Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain;

Avoid compromising the Board or administration by inappropriate individual action or comments, and respect the confidentiality of information that is privileged under applicable law;

Remember always that my first and greatest concern must be the educational welfare of the students attending public schools.

APPENDIX A - 2

Parliamentary Procedure Quick Guide*

Fundamentals of Parliamentary Procedure

1. Justice and courtesy for all.
2. Do only one thing at a time.
3. The majority rules.
4. The minority must be heard.
5. Each Proposition is entitled to a full and free debate.
6. The desires of the individual must be merged into the larger unit
--the organization or board.
7. The purpose is to facilitate action, not to obstruct it.

Motions and Purposes:

1. A **Privileged Motion** is a main motion that is so important that it must be dealt with immediately.
 - a. To set time & place of next meeting
 - b. To adjourn
 - c. To recess
 - d. To rise to a Question of Privilege
2. An **Incidental Motion** rises incidentally out of the business and is, in general, concerned with rights and privileges of members.
 - a. To rise to a Point of Order
 - b. To rise to a Parliamentary Inquiry
 - c. To appeal from the decision of the Chair
 - d. To suspend the rules
 - e. To withdraw the motion
 - f. To call for a Division of the question (Decided by the Chair)
 - g. To object to the Consideration of the Motion -- two-thirds vote
3. A **Subsidiary Motion** is a method of modifying, changing or disposing of the main motion.
 - a. To lay on the table
 - b. To close debate or limit debate (call for the Previous Question)
-- two-thirds
 - c. To postpone to a certain day
 - d. To refer
 - e. To amend
 - f. To postpone indefinitely
4. A **Main Motion** brings a question before the board for consideration
 - a. General Main Motions
 - b. Specific Main Motions
 1. To reconsider
 2. To rescind -- two-thirds
 3. To take from the table
 4. To accept, modify or reject committee reports, recommendations or resolutions.

The motions in the above list are arranged in the order of the precedence or rank. Setting of time and place of the next meeting has the highest rank, while a main motion has the lowest rank. Incidental motions have no order of precedence among themselves. No two Main Motions may be pending at the same time. Two-thirds refers to the vote required: all others must have a majority.

Seven Steps in Dealing with a Motion

1. A member makes a motion.
2. Another member seconds the motion. (If a Main or Subsidiary Motion or an Incidental Motion to suspend the rules or a privileged motion to set the time & place of the next meeting, to adjourn or to recess.)
3. The Board Chair states the motion
4. The Board debates the motion. (If a Main Motion or a Subsidiary Motion to refer, to amend or to postpone indefinitely, or a privileged motion to set the time & place of the next meeting, or to adjourn.)
5. The Board Chair restates the motion before the vote
6. The Board votes on the motion and the Clerk records the vote.
7. The Board Chair announces the results of the voting.

***For more complete information refer to: *Roberts Rules of Order*.**