

ORGANIZATION OF THE BOARD OF DIRECTORS

The Hamburg Community School District board is authorized by and derives its organization from Iowa law. The board will consist of 5 board members. Board members are elected by director district.

The board is organized for the purpose of setting policy and providing general direction for the school district. The board will hold its organizational meeting at the first regular meeting following the canvass of votes. The retiring board will transfer materials, including the board policy manual, and responsibility to the new board.

The organizational meeting allows the outgoing board to approve minutes of its previous meetings, complete unfinished business and review the school election results. The retiring board will adjourn and the new board will then begin. The board secretary will administer the oath of office to the newly-elected board members. The superintendent will preside while the new board elects the president and vice-president of the new board.

Legal Reference: Iowa Code §§ 274.2; 275.23A; 277.23, .28, .31; 279.1, .5, .7, .8, .33 (2007).  
281 I.A.C. 12.3(2).

Cross Reference: 202 Board of Directors Members  
206.1 President  
206.2 Vice-President  
210 Board of Directors' Meetings

Approved 1-18-10

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## ORGANIZATIONAL MEETING PROCEDURES

The board will hold its organizational meeting annually at the first regular meeting following the canvass of votes. Notice of the meeting's place and time will be given by the board secretary to each member, member-elect and the public.

The purpose of the meeting is to transfer material and responsibility from the outgoing board to the new board. At the meeting, the board will elect a president who will hold office for one year. Once elected, the president will be entitled to vote on all matters before the board.

### Meeting Procedure

The organizational meeting of the board will be held in two parts: the final meeting of the outgoing board, and the organizational meeting of the new board.

#### 1. Final Meeting of the Retiring Board

- (1) Call to order.
- (2) Roll call.
- (3) Approval of minutes of previous meeting(s).
- (4) Communications.
- (5) Visitors.
- (6) Unfinished business.
  - (a) Current claims and accounts (for the retiring board to authorize).
  - (b) Other items. If any member of the board feels the board should consider any unfinished business, even if only to identify it as unfinished business, the member should address the issue at this time.
- (7) Review of election results. The board secretary will present the county auditor's official report on the latest elections. Official results are recorded in the minutes.
- (8) Adjournment of the retiring board.

#### 2. Organizational Meeting of the New Board

- (1) The Superintendent, as president pro tem, will preside over the meeting until a new board president is elected.
- (2) Call to order.
- (3) Roll call.
- (4) Oath of office. The board secretary will administer the oath to new members.
- (5) Election of a president of the board. The president pro tem calls for nominations; nominations need not be seconded. The board will then vote on the nominations. The secretary will announce the result of the vote, and the board secretary will administer the oath of office to the newly elected president and the newly elected president will assume the chair.

Approved 1-18-10

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## ORGANIZATIONAL MEETING PROCEDURES

- (6) Election of the vice-president. The president of the board will call for nominations; the nominations need not be seconded. The board will then vote on the nominations. The president will announce the results and administer the oath of office to the vice-president.

Other items of business at the organizational meeting may include:

- (7) Board resolution of appreciation recognizing the public service rendered by retiring board members.
- (8) Determination of dates, times, and places for regular meetings of the board.
- (9) Board resolution to define the operating rules and practices that will be followed by the new board.
- (10) Board resolution to authorize the interim payment of bills pursuant to policy 705.5.
- (11) Communications.
- (12) Visitors.
- (13) Superintendent's report.
- (14) Adjournment.

### Vacancies in Officer Positions

If any office of the board should become vacant between organizational meetings, such office will be filled by the remaining members of the board in accordance with this policy.

Legal Reference: Iowa Code §§ 274.2; 275.23A; 277.23, .28, .31; 279.1, .5, .7, .8 (1999).  
281 I.A.C 12.3(2).

Cross Reference: 202 Board of Directors Members  
206.1 President  
206.2 Vice-President  
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POWERS OF THE BOARD OF DIRECTORS

The board of the Hamburg Community School District, acting on behalf of the school district, will have jurisdiction over school matters within the territory of the school district.

The board is empowered to make policy for its own governance, for employees, for students and for school district facilities. The board is also empowered to enforce its policies. The board may, through its quasi-judicial power, conduct hearings and rule on issues and disputes confronting the school district.

The board has these powers and all other powers expressly granted to it in federal and state law as well as the powers that can be reasonably implied from the express powers.

Legal Reference:        Board of Directors of Ind. School Dist. of Waterloo v. Green, 259 Iowa 1260,  
147 N.W.2d 854 (1967).  
Iowa Code §§ 28E; 274.1-.2; 279.8 (2001).  
281 I.A.C. 12.1(2).  
1990 Op. Att'y Gen. 66.

Cross Reference:        209        Board of Directors' Management Procedures

Approved   1-18-10  

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

RESPONSIBILITIES OF THE BOARD OF DIRECTORS

The board is authorized to govern the school district which it oversees. As the governing board of the school district, the board has three duties to perform: legislative duty, executive duty and evaluative duty.

As a representative of the citizens of the school district community, the board is responsible for legislating policy for the school district. As a policy making body, the board has jurisdiction to enact policy with the force and effect of law for the management and operation of the school district.

It is the responsibility of the board, under the board's executive duty, to select its chief executive officer, the superintendent, to operate the school district on the board's behalf. The board delegates to the superintendent its authority to carry out board policy, to formulate and carry out rules and regulations and to handle the administrative details in a manner which supports and is consistent with board policy.

The board has a responsibility to review the education program's performance under its evaluative duty. The board regularly reviews the education program and ancillary services. The review includes a careful study and examination of the facts, conditions and circumstances surrounding the amount of funds received or expended and the education program's ability to achieve the board's educational philosophy for the school district.

Legal Reference: Iowa Code §§ 274.1; 279.1, .8, .20; 280.12 (2001).  
281 I.A.C. 12.3(2).

Cross Reference: 101 Educational Philosophy of the School District  
103 Long-Range Needs Assessment  
209 Board of Directors' Management Procedures  
600 Goals and Objectives of the Education Program

Approved 1-18-10

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

BOARD OF DIRECTORS' ELECTIONS

The annual school election takes place on the second Tuesday in September of odd-numbered years. Each annual school election is used to elect citizens to the board to maintain a 7 member board and to address questions that are submitted to the voters.

Citizens of the school district community seeking a seat on the board must file their nomination papers with the board secretary, or the board secretary's designee, between sixty-four and forty days before the school election unless otherwise directed.

If a vacancy occurs on the board it may be filled by appointment within 30 days of the vacancy. If the board does not fill the vacancy by appointment, the board secretary will call a special election to fill the vacancy. Candidates for a seat created by a vacancy must file their nomination papers 25 days before the special election.

It is the responsibility of the county commissioner of elections to conduct school elections.

Legal Reference: Iowa Code §§ 39; 47, 63, 69; 274.7; 277; 278.1, 279.7 (2007).

Cross Reference: 202 Board of Directors Members  
203 Board of Directors' Conflict of Interest

Approved 1-18-10 Reviewed \_\_\_\_\_ Revised \_\_\_\_\_

## QUALIFICATIONS

Serving on the board of directors is an honor and privilege. Its rewards are respect from the community, students, and employees and the satisfaction from knowing each board member contributed to the success of the children in the school district community. Only those who are willing to put forth the effort to care and to make a difference should consider running for a position on the board.

Individuals who are willing to serve on the board should believe public education is important, support the democratic process, willingly devote time and energy to board work, respect educators and have the ability to examine the facts and make a decision. The board believes an individual considering a position on the school board should possess these characteristics.

Citizens wanting to run for a position on the board must be a citizen of the school district, an eligible elector of the district and free from a financial conflict of interest with the position.

Legal Reference: Iowa Code §§ 63; 68B; 277.4, .27; 279.7A (2001).

Cross Reference: 201 Board of Directors' Elections  
202.4 Vacancies  
203 Board of Directors' Conflict of Interest

Approved 1-18-10

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

OATH OF OFFICE

Board members are officials of the state. As a public official, each board member must pledge to uphold the Iowa and the United States Constitution and carry out the responsibilities of the office to the best of the board member's ability.

Each newly-elected board member will take the oath of office prior to any action taken as a school official. The oath of office is taken by each new board member elected, at the school election, at, or before, the organizational meeting of the board. In the event of an appointment or special election to fill a vacancy, the new board member will take the oath of office within ten days of the appointment or election.

Board members elected to offices of the board will also take the same oath of office but replacing the office of board member with the title of the office to which they were elected.

The oath of office is administered by the board secretary and does not need to be given at a board meeting. In the event the board secretary is absent, the oath is administered by another board member.

"Do you solemnly swear that you will support the Constitution of the United States and the Constitution of the state of Iowa, and that you will faithfully and impartially to the best of your ability discharge the duties of the office of \_\_\_\_\_ (naming the office) in \_\_\_\_\_ (naming the district) as now and hereafter required by law?"

Legal Reference: Iowa Code §§ 277.28; 279.1, .6 (2007).

Cross Reference: 200.1 Organization of the Board of Directors  
201 Board of Directors' Elections  
202 Board of Directors Members  
204 Code of Ethics  
206 Board of Directors' Officers

Approved 1-18-10

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

TERM OF OFFICE

Board members elected for a full term at a regularly scheduled school election in September, of odd-numbered years, serve for four years. Board members appointed to fill a vacant position will serve until the next scheduled school election. A board member elected to fill a vacancy will serve out the unexpired term.

Being a board member is a unique opportunity for a citizen to participate on a governing board of the school district. Eligible board members are encouraged to consider running for more than one term.

Legal Reference: Iowa Code §§ 69.12; 274.7; 279.6-.7 (2007).

Cross Reference: 201 Board of Directors' Elections  
202 Board of Directors Members

Approved 1-18-10

Reviewed \_\_\_\_\_

Revised \_\_\_\_\_

## VACANCIES

A vacancy occurs when a board member resigns forfeits or otherwise leaves the office. A vacancy also includes, but is not limited to, the following: failure to be properly elected, failure to qualify within the time fixed by law, failure to reside in the school district or director district, a court order declaring the seat vacant, conviction of a felony, violations of the open meetings law, or conviction of a public offense in violation of the oath of office.

If a vacancy occurs prior to the expiration of a term of office, the vacancy will be filled by board appointment within 30 days of the vacancy. The newly-appointed board member will hold the position until the next scheduled school election.

If the board is unable to fill a vacancy by appointment within 30 days after the vacancy occurs, the board secretary will call a special election to be held no sooner than 60 days and not later than 70 days after the vacancy occurred. A board member elected at the special election will serve the remaining portion of the unexpired term.

Legal Reference:        Good v. Crouch, 397 N.W.2d 757 (Iowa 1986).  
                              Board of Directors of Grimes Independent School Dist. v. County Board of Public Instruction of Polk Co., 257 Iowa 106, 131 N.W.2d 802 (1965).  
                              Board of Directors of Menlo Consol. School Dist. v. Blakesburg, 240 Iowa 910, 36 N.W.2d 751 (1949).  
                              Iowa Code §§ 21.6(3)(d); 69; 277.29-.30; 279.6-.7 (2007).  
                              1944 Op. Att'y Gen. 39.

Cross Reference:        201     Board of Directors' Elections  
                              202     Board of Directors Members

Approved   1-18-10  

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Revised \_\_\_\_\_