

SCHOOL BOARD POWERS AND DUTIES

Board Policy: SB-3

Adopted: February 10, 1997

Revised: October 13, 2003

I. General Policy Statement

The general powers and duties of school boards are set forth in the North Carolina General Statutes. The Board has those powers expressly granted to it by the legislature and other such powers as may be reasonably implied from those expressly granted. Board members will represent the interests of the citizens of Haywood County with the focus on students.

The Board will concern itself primarily with broad questions of policy rather than with administrative details. The application of policies is an administrative task to be performed by the superintendent and staff who will be held responsible for the effective administration and supervision of the entire school system.

Individuals should accept the office of board member as a sacred public trust, one which shall be filled with dignity, honor and humility, to the best of one's ability. Individuals should view service on the Board of Education as an opportunity to serve Haywood County, North Carolina, and the nation, because public education is one of the best means to promote the welfare of the people and to preserve the democratic way of life.

II. Functions of the board.

The Board shall exercise its powers and duties as authorized by G.S. 115C-36, 115C-47 and such other powers and duties as granted in NC General Statutes and any other applicable state and federal statutes, laws and regulations.

III. Duties and Responsibilities of Members

Members of the Haywood County Board of Education in meeting the functions as stated in Section II shall conduct themselves according to the following guidelines:

- A. Work unremittingly to help people in Haywood County understand the importance of public education and to support willingly the highest level of education which we can afford.
- B. Observe and enforce state and federal laws and regulations.
- C. Make decisions in terms of the best interest of the educational welfare of the children, seek to provide equal educational opportunities for all children regardless of ability, race, gender, creed or location of residence and keep an open mind in evaluating all available information before making decisions.
- D. Recognize that a board member shall act in a nonpartisan way in dealing with school matters and will not subordinate the education of children and youth to any partisan principle, group, interest, or personal ambition.
- E. Diligently express my concerns, vote my convictions, and once a decision has been

reached by the majority of the board, support the decision.

- F. Recognize that authority vests with the board assembled in a meeting and that I have no legal status to bind the board outside a meeting. Further, I am cognizant that statements issued by me outside of meetings, as an individual, may have serious detrimental effects and thus I pledge my caution in such utterances.
- G. Vote for the best qualified personnel available who have been properly recommended by the appropriate administrator. Refrain from contacting applicants of any vacant position and will refer potential applicants to the appropriate school administrator.
- H. Support school personnel in the performance of their duties within the established laws, policies and guidelines.
- I. Refer worthy complaints to the proper school authorities and abstain from individual counsel and action.
- J. Adhere to the code of ethics as described in Policy SB-4.

IV. Duties of Officers

The designated officers of the Board will be chair, vice-chair (optional), chair pro tempore and secretary and have the duties that are defined by General Statutes 115C-45, -46, -47 to include but not limited to the following:

- A. Duties of the Chair. The chair has the following duties:
 - 1. preside at all meetings of the board
 - 2. preserve order at all times
 - 3. appoint all standing committee members and chairs
 - 4. serve as ex-officio member of all committees
 - 5. call special meetings
 - 6. sign official district documents
 - 7. optional appointment of either a vice-chair or a chair pro tempore—
 - 8. direct committees to conduct research and fact finding for the purpose of providing information and/or recommendations to the board
 - 9. perform all duties required of the office by law and execute all documents on behalf of the Board
 - 10. serve as spokesperson of the board for communicating the boards' position to the public
 - 11. In accordance with Robert's Rules of Order, a member or other individual in order to address the Board must be recognized by the chair. The chair will
 - a. rule a motion in or out of order, including the right to rule out of order any motions patently offered for obstructive or dilatory purposes
 - b. determine whether a speaker has gone beyond reasonable standards of courtesy in his/her remarks
 - c. entertain and rule on questions of parliamentary procedure;
 - d. call a brief recess at any time
 - e. adjourn in an emergency.

B. Duties of the Vice-Chair and Chair Pro Tempore

In the absence of the chair, the vice-chair or chair pro tempore will perform the regular duties of the chair. The minutes shall reflect that the vice-chair or chair pro tempore is acting in the absence of the chair.

C. Duties of Board Secretary

The superintendent will serve as ex-officio secretary to the board. The superintendent or designee will be responsible for recording the minutes of the meetings of the Board but will have no vote. In the event of a vacancy in the position, or if the superintendent is excluded from a closed-session, the board will designate one of its members to serve temporarily as secretary to the Board.

As secretary to the Board, the superintendent will:

1. be responsible for having all proceedings of the Board recorded in written form
2. issue all notices and orders that may be made by the Board
3. ensure that the minutes of the meetings of the Board are promptly and accurately recorded in the minute's book which will be kept in the office of the superintendent and be open to public inspection during regular business hours
4. manage all correspondence on behalf of the Board, unless the Board directs otherwise
5. prepare and distribute copies of the agenda as required by law and Board policy
6. maintain current manuals of policies and administrative regulations for Board members
7. advise the Board of policies which affect items under consideration
8. in the absence of the chair and vice-chair, call the Board meeting to order and conduct the election of a chair pro tempore
9. perform other duties as required by state law or board policy.

D. Committees

1. Standing Committees

- a. The purpose of standing committees is to conduct thorough deliberations and investigations of issues and to bring to the Board the results of their deliberations with the committee's recommendation for board action if needed.
- b. Standing committees of the Board are: finance, building and grounds, and programs/special issues.
- c. The chair of each standing committee and the members of that committee will be named by the chair of the Board on an annual basis. The assignment of individual board members to these committees will be published each year.

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- d. The committee chair will preside at all committee meetings and be responsible for reporting to the Board on the activities of the committee. The committee chair will call the an agenda for each committee meeting that suggested by the superintendent or other
- e. The board chair and the superintendent will be ex-officio members of each committee. The superintendent or his/her designee will assist the chair of each standing committee in the preparation of the agenda and in ensuring that information is available to the committee during its deliberation of issues. Minutes will be kept of all committee meetings.
- f. A standing committee may make recommendations to the board but has no authority to act on behalf of the Board unless authorized by law, board policy, or the Board.

2. Ad Hoc Committees

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As time and situations demand, ad hoc committees may be appointed by the chair with the approval of the Board. Ad hoc committees no final authority and are subordinate and advisory to the Board. hoc committees may include persons other than school board

3. Open Meetings Law

All committees of the Board are public bodies as defined by the North Carolina Open Meetings Law and are subject to all requirements pertaining to notice, closed sessions, minutes, voting and penalties.