Emmetsburg CSD
Policy Committee Meeting
December 1, 2023
7:00 a.m.
Superintendents Conference Room

Policy Committee Meeting

I. Call to order
   A. Attendance (members present)
      Cory Jenness, Superintendent
      Bill Huberty, Board Member
      Lori Riley, Board Member
      Morgan Grimm, Board Member
II. Policy Review
   A. Policy 211: Open Meetings
   B. Policy 212: Closed Session
   C. Policy 212.1: Exempt Meetings
   D. Policy 213: Public Participation in Public Meetings
   E. Policy 213.1: Public Complaints
   F. Policy 214: Public Hearings
   G. Policy 215: Board of Directors' Records
   H. Exhibition 215.1E1: Board Meeting Minutes
   I. Policy 216.1: Board of Directors Association Membership
   J. Policy 216.2: Board of Directors Member Development and Training
   K. Policy 216.3: Board of Directors Member Compensation and Expenses
   L. Policy 217: Gifts to Board of Directors
III. Adjournment

POLICY 211: OPEN MEETINGS

A gathering of a majority of board members either in person or electronically in which deliberation of an issue within the scope of the board's policy-making duties takes place is a board meeting. A gathering for the purpose of social or ministerial action shall not constitute a board meeting when there is no discussion of policy or no intent to avoid the purpose of an open meetings law. Meetings of the board shall be conducted in an open meeting unless a closed session is authorized by law or the meeting is exempt from the open meetings law.

Legal Reference: Iowa Code §§ 21, 279.1-.2 (2013).

1982 Op. Att'y Gen. 162.

1980 Op. Att'y Gen. 167.

Cross Reference: 208 Ad Hoc Committees

210 Board of Directors' Meetings

210.8 Board Meeting Agenda

212 Closed Sessions

Approved 11/20/00 Reviewed 1-15-20 Revised 1-15-20

Jen@iowaschool… Sat, 07/13/2019 - 16:01

POLICY 212: CLOSED SESSIONS

Generally, board meetings will be open meetings, unless a closed session is provided for by law.

Closed sessions take place as part of an open meeting. The board may enter into a closed session for any reason permitted by law.

The item for discussion in the closed session will be listed as part of the tentative agenda on the public notice with the full text of the *Iowa Code* citation reference stated on the agenda. The motion for a closed session, stating the purpose for the closed session, will be made and seconded during the open meeting. A minimum of two-thirds of the board, or all of the board members present, if any are absent, must vote in favor of the motion on a roll call vote. Closed sessions will be recorded and have detailed minutes kept by the board secretary. No voting will take place in the closed session. Final action on matters discussed in the closed session will be taken in an open meeting.

The minutes and recording will restate the motion made in the open meeting, the roll call vote, the members present, and the time the closed session began and ended. The recordings and the written minutes will be kept for one year from the date of the meeting. Real estate related minutes and recordings will be made public after the real estate transaction is completed.

The detailed minutes recording will be sealed and will not be public records open to public inspection. The minutes recording will only be available to board members or opened upon court or administrative order in an action to enforce the requirements of the open meetings law. The board has complete discretion as to whom may be present at a closed session, but generally closed sessions will be limited to the board, a recording secretary and the superintendent if indicated. The board has discretion to nominate the board secretary or any board member to serve as recording secretary for the closed session.

Legal Reference:

Iowa Code §§ 21; 22.7; 279.24.

Cross Reference:

208 Ad Hoc Committees

211 Open Meetings

212.1 Exempt Meetings

Approved 11/20/2000 Reviewed 8/22/2019 Revised 12/15/21

Jen@iowaschool… Sat, 07/13/2019 - 16:01

POLICY 212.1: EXEMPT MEETINGS

Board meetings at which a quorum is not present, or gatherings of the board for purely ministerial or social purposes when there is no discussion of policy or no intent to avoid the purposes of the open meetings law, are exempt from the open meetings law requirements. Since gatherings of this type are exempt from the open meetings requirements, they can be held without public notice, be separate from an open meeting, be held without recording the gathering or taking minutes, and be held without a vote or motion. The board may also hold an exempt session for the following reasons, or as may be otherwise authorized by law:

1. Negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitration;
2. to discuss strategy in matters relating to employment conditions of employees not covered by the collective bargaining law;
3. to conduct a private hearing relating to the recommended termination of a teacher's contract. The private hearing however, in the teacher's contract termination will be recorded verbatim by a court reporter; and
4. to conduct a private hearing relating to the termination of a probationary administrator's contract or to review the proposed decision of the administrative law judge regarding the termination of an administrator's contract.

NOTE: Meetings exempt from the Open Meetings law are separate, standalone meetings of the board. For this reason, exempt meetings should never take place within an open meeting. Exempt meetings may be placed before or after an open meeting. But once an open meeting has convened, it should be adjourned prior to holding an exempt meeting. While there is no legal requirement to provide notice or keep minutes for exempt meetings; there may be intrinsic benefit for the community to understand that the board is communicating in a transparent fashion. For this reason, boards may choose to provide a notice that they intend to gather for an exempt meeting.

Legal Reference:

Iowa Code §§ 20.17; 21; 22.7; 279.15, .16.

Cross Reference:

208 Ad Hoc Committees

211 Open Meetings

212 Closed Sessions

Adopted 12/15/21 Approved _____ Reviewed _____ Revised

ahaack@e-hawks.org Tue, 11/30/2021 - 14:54

POLICY 213: PUBLIC PARTICIPATION IN BOARD MEETINGS

The board recognizes the importance of citizen participation in school district matters. In order to assure citizens are heard and board meetings are conducted efficiently and in an organized manner, the board shall set aside a specific time for public comment.

Public Comment During Board Meetings

Citizens wishing to address the board during public comment must notify the board secretary prior to the board meeting. The board president will recognize these individuals to make their comments at the appropriate time during the public comment. Citizens wishing to present petitions to the board may also do so at this time. The board however, will only receive the petitions and not act upon them or their contents.

The board has the discretion to limit the amount of time set aside for public participation. Normally, speakers will be limited to 3 minutes with a total allotted time for public participation of 20 minutes. However, the board president may modify this time limit, if deemed appropriate or necessary. Public comment is a time set aside for community input, but the board will not discuss or take any action on any matter during the public comment.

Public comment shall be limited to regular board meetings and will not be routinely held during special board meetings.

Petitions to Place a Topic on the Agenda

Individuals who wish for an item to be placed on the board agenda may submit a valid petition to the board. For a petition to be valid, it must be signed by at least 500 eligible

electors of the district, or ten percent of the individuals who voted in the last school election, whichever number is lower.

Upon receiving a valid petition to the board to place a proposal on the next board agenda for public hearing, the board will place the proposal identified in the petition on the agenda of the next regular meeting, or a special meeting held within 30 days of receipt of the petition. The board will provide a sign-up sheet for all individuals who wish to speak on the proposal, and individuals will be called to speak in order of sign-up. The sign-up sheet will require each individual to list their legal name and mailing address. Each speaker will be limited to an amount of time established by the board president that is reasonable and necessary based on the number of speakers signed up. The same time limit will apply to all speakers on the proposal. Each individual will be limited to one opportunity to speak. The board maintains absolute discretion on whether or not to discuss or act on the public comments made on the proposal. If a petition is related to curriculum, the district maintains discretion to determine whether to stop teaching that curriculum until the board holds the public hearing to discuss the curriculum.

The board has a significant interest in maintaining the decorum of its meetings and it is expected that members of the public and the board will address each other with civility. The orderly process of the board meeting will not be interfered with or disrupted by public comment. Only individuals recognized by the board president will be allowed to speak. Comments by others are out of order. If disruptive, the individual causing disruption may be asked to leave the board meeting. Defamatory comments may be subject to legal action.

NOTE: Members of the public do not have a legal right to participate in board meetings. Boards need to make the determination of how best, if at all, to involve the public in their board meetings. Boards that follow other practices for allowing the public to participate in board meetings should amend this policy to reflect their practice.

Legal Reference: Iowa Code §§ 21; 22; 279.8

Cross Reference:

205	Board Member Liability
210.8	Board Meeting Agenda
214	Public Hearings
307	Communication Channels
402.5	Public Complaints About Employees

Approved 11/20/00 Reviewed 8/22/2019 Revised 11/15/2021

Jen@iowaschool… Sat, 07/13/2019 - 16:03

POLICY 213.1: PUBLIC COMPLAINTS

The board recognizes situations may arise in the operation of the school district which are not of concern to parents and other members of the school district community. The board firmly believes concerns should be resolved at the lowest organizational level by those individuals closest to the concern. Whenever a complaint of concern is brought to the attention of the board it will be referred to the Chain of Command protocols.

Prior to board action however, the following should be completed:

a. Matters should first be addressed to the teacher or employee.
b. Unsettled matters from (a) above or problems and questions about individual attendance centers should be addressed to the employee's building principal.
c. Unsettled matters from (b) above or problems and questions concerning the school district should be directed to the superintendent.
d. If a matter cannot be settled satisfactorily by the superintendent, it may then be brought to the board for consideration. To bring a concern, the individual shall notify the board president or board secretary in writing, who may bring it to the attention of the entire board.

~~Parents, guardians and community members of the district who have concerns about the district or the board may refer to the student handbook for additional guidance from the Iowa Department of Education.~~

~~It is within the discretion of the board to address complaints from the members of the school district community, and the board will only consider whether to address complaints if they are in writing, signed, and the complainant has complied with this policy. The board is not obligated to address a complaint and may defer to the decision of the superintendent. If the board elects not to address a complaint, the decision of the superintendent shall be final. If the board does elect to address a complaint, its decision shall be final.~~

Approved 9/15/21 Reviewed Revised 11/22/22

ahaack@e-hawks.org Mon, 08/23/2021 - 12:32

POLICY 214: PUBLIC HEARINGS

Public hearings may be held on school district matters at the discretion of the board. Public notice of a public hearing shall be in the same manner as for a board meeting except that the notice shall be given at least ten days before the hearing is to be held unless it is impossible or impractical to do so.

At public hearings, citizens of the district who register at the door will be allowed to speak on the issue for which the public hearing is being held. Others may be allowed to speak at the board's discretion. Speakers are asked to keep their remarks as brief as possible. Prior to the beginning of the hearing, speakers and spectators will be apprised of the rules of order to be followed regarding time limitations, questions, remarks and rebuttals. In no event will a speaker be allowed to take the time of another speaker.

The board shall conduct public hearings in an orderly fashion. At the beginning of the hearing, statements, background materials and public hearing rules and procedures will be presented by the board president. The board president will recognize the speakers. A board member may ask questions of the speakers after receiving permission from the board president. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the board or the proceedings shall be asked to leave.

Legal Reference: Iowa Code §§ 24.9; 279.8, .10; 297.22 (2013).

Cross Reference: 210 Board of Directors' Meetings

213 Public Participation in Board Meetings

703.1 Budget Planning

Approved 11/20/00 Reviewed 8/22/2019 Revised

Jen@iowaschool… Sat, 07/13/2019 - 16:05

POLICY 215: BOARD OF DIRECTORS' RECORDS

The board shall keep and maintain permanent records of the board including, but not limited to, records of the minutes of board meetings and other required records of the board.

It shall be the responsibility of the board secretary to keep the minutes of the board meetings. The minutes of each board meeting shall include as a minimum the following items: a record of the date, time, place, members present, action taken and the vote of each member, and the schedule of bills allowed shall be attached. This information shall be available within two weeks of the board meeting and forwarded to the newspaper designated as the official newspaper for publication. The information does not need to be published within two weeks. The schedule of bills allowed may be published on a once monthly basis in lieu of publication with the minutes. The permanent records of the board minutes may include more detail than is required for the publication of the minutes.

Minutes waiting approval at the next board meeting will be available for inspection at the central administration office after the board secretary transcribes the notes into typewritten material which has been proofread for errors and retyped.

Legal Reference: Iowa Code §§ 21; 22; 279.8, .35, .36; 291.6, .7; 618.3 (2013).

281 I.A.C. 12.3(1).

1982 Op. Att'y Gen. 215.

1974 Op. Att'y Gen. 403.

1952 Op. Att'y Gen. 133.

Cross Reference: 206.3 Secretary

206.4 Treasurer

208 Ad Hoc Committees

210.8 Board Meeting Agenda

708 Care, Maintenance and Disposal of School District Records

901 Public Examination of School District Records

Approved 11/20/00 Reviewed 1-15-20 Revised

Jen@iowaschool… Sat, 07/13/2019 - 16:05

EXHIBIT 215.1E1 BOARD MEETING MINUTES

Since the official minutes of the board are the only basic legal record, it is important that they be recorded with extreme care and completeness. The board secretary shall follow the following guidelines in writing board minutes:

With respect to content, the minutes should show the following:

1. The place, date, and time of each meeting.
2. The type of meeting--regular, special, emergency, work session.
3. Members present and members absent, by name.
4. The call to order and adjournment.
5. The departure of members by name before adjournment.
6. The late arrival of members, by name.
7. The time and place of the next meeting.
8. Approval, or amendment and approval, of the minutes of the preceding meeting.

9. Complete information as to each subject of the board's deliberation and the action taken.
10. The maker and seconder of the motion, what action was taken, and the vote on the motion detailed enough to attribute a vote to each member present.
11. Complete text of all board resolutions, numbered consecutively for each fiscal year.
12. A record of all contracts entered into, with the contract documents kept in a separate file.
13. A record of all change orders on construction contracts.
14. All employment changes, including resignations or terminations.
15. A record, by number, of the bills of account approved by the board for payment.
16. A record of all calls for bids, bids received, and action taken thereon.
17. Approval of all transfers of funds from one budgetary fund to another.
18. Important documents forming a part of a motion should be made a part of the minutes by exhibit and placed in the minute book along with the minutes.
19. Board policy and administrative guides should be made a part of the minutes by exhibit.
20. Adoption of textbooks and establishment of bus routes by the board for the school year as well as the school calendar should become a part of the minutes.
21. Approval or disapproval of open enrollment requests with justification for disapproval or approval after the deadline.
22. A record of all delegations appearing before the board and a record of all petitions.
23. At the annual meeting each year the record should indicate that the books of the treasurer and secretary and the Certified Annual Report have been examined and approved subject to audit.
24. The election or appointment of board officers.
25. The appointment of auditors to examine the books.

At the annual or organizational meeting in odd-numbered years, the minutes should reflect the following:

26. Appointment of a temporary chairperson if not specified in policy.
27. Oath of office administered to newly elected board members.
28. Nominations taken for the office of president and vice-president.
29. Election of the president and vice-president, the votes and the oath of office administered to the president and vice-president.
30. The resolution to pay bills when the board is not in session.
31. A resolution to automatically disburse payroll along with a roster of all employees under contract.
32. A resolution naming depositories along with the maximum deposit for each depository.
33. Resolution authorizing the use of a check protector and signer and the proper control of the signer.

34. Motion designating a member or a committee to examine the bills of account for a designated period of time on a rotation basis if desired for the balance of the school year.

NOTE: There are no legal requirements for the contents of board minutes other than those stated in the policy. The contents of this exhibit are suggestions and may be amended, altered or deleted. For more detailed discussion of this issue, see IASB's Policy Primer, June 8, 2001.

Approved 10/26/70 Reviewed 09/18/19 Revised 9/18/19

Jen@iowaschool… Sat, 07/13/2019 - 16:06

POLICY 216.1: ASSOCIATION MEMBERSHIP

Participation in board member associations is beneficial to the board. The board shall maintain an active membership in the Iowa Association of School Boards and in organizations the board determines will be of benefit to the board and the school district.

Legal Reference: Iowa Code § 279.38 (2013).

Cross Reference: 216.2 Board of Directors' Member Development and Training

Approved 10/20/70 Reviewed 9/18/19 Revised 11/20/00

Jen@iowaschool… Sat, 07/13/2019 - 16:07

POLICY 216.2: BOARD OF DIRECTORS' MEMBER DEVELOPMENT AND TRAINING

High achieving school boards work as a team to create high expectations for all students. Board learning is foundational to creating this solid governance structure focused on student learning for school boards. The board may participate in conferences sponsored by educational associations and agencies in addition to its own in-service programs and work sessions.

The board shall work closely with the Iowa Association of School Boards and encourage the board members to participate in qualifying learning opportunities to achieve the Annual Board Award.

Legal Reference: Iowa Code §§ 279.8, .38 (2013).

Cross Reference: 216.1 Association Membership

Approved 11/20/00 Reviewed 1-15-20 Revised 1-15-20

Jen@iowaschool… Sat, 07/13/2019 - 16:10

POLICY 216.3: BOARD OF DIRECTORS' MEMBER COMPENSATION AND EXPENSES

As an elected public official, the board member is a public servant who serves without compensation. Board members shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

Prior to reimbursement of actual and necessary expenses, the board member must submit a detailed receipt indicating the date, purpose and nature of the expense for each claim item. A credit card receipt is generally not considered a detailed receipt. Failure to provide a detailed receipt shall make the expense non-reimbursable. Personal expenses shall be reimbursed by the board member to the school district no later than ten working days following the date of the expense. In exceptional circumstances, the board may allow a claim without proper receipt. Written documentation explaining the exceptional circumstances shall be maintained as part of the school district's record of the claim.

Travel outside of the school district must be pre-approved. Pre-approved expenses for transportation within three-hundred miles of the central administration office of the school district will be by automobile. If a school district vehicle is not available, the board member will be reimbursed 62.5 (or current rate from DMV) cents per mile. Pre-approved expenses for transportation outside of three-hundred miles will be by public carrier. Reimbursement for air travel will be at the tourist class fares. Should a board member choose to travel by automobile, reimbursement will be limited to the public carrier amount. Pre-approved expenses for transportation in a rental car is limited to the cost of a Class "C" rental car at a medium priced agency unless the number of board members traveling on behalf of the school district warrant a larger vehicle. Travel inside the school district in the board member's personal vehicle will not be reimbursed.

Pre-approved expenses for lodging within the state is limited to $ 150 per night. Pre-approved expenses for lodging outside the state is limited to the rate of a medium priced hotel in the area. Lodging may be pre-approved for a larger amount if special circumstances require the board member to stay at a particular hotel.

Pre-approved expenses for meals within the state are limited to $ 20 for breakfast, $ 20 for lunch and $ 20 for dinner. Pre-approved expenses for meals outside the state are limited to $ 20 for breakfast, $ 20 for lunch and $

20 for dinner. Meals may be pre-approved for a larger amount at the discretion of the board.

It shall be the responsibility of the board secretary to compile the expenses of board members and bring them to the board for audit and approval in the same manner as other claims of the school district. It shall be the responsibility of the board to determine through the audit and approval process of the board, whether the expenses incurred by a board member are actual and necessary expenses incurred in the performance of their official duties.

Legal Reference: Iowa Code §§ 68B; 277.27; 279.7A, .8, .32 (2013).

Cross Reference: 203 Board of Directors' Conflict of Interest

401.7 Employee Travel Compensation

401.10 Credit Cards

Approved 10/26/70 Reviewed 09/18/19 Revised 03/21/11

Jen@iowaschool… Sat, 07/13/2019 - 16:11

POLICY 217: GIFTS TO BOARD OF DIRECTORS

Board members may receive a gift on behalf of the school district. Board members shall not, either directly or indirectly, solicit, accept or receive a gift, series of gifts or an honorarium unless the donor does not meet the definition of "restricted donor" stated below or the gift or honorarium does not meet the definition of gift or honorarium stated below.

A "restricted donor" is defined as a person or other entity which:

- Is seeking to be or is a party to any one or any combination of sales, purchases, leases or contracts to, from or with the school district;
- Will be directly and substantially affected financially by the performance or nonperformance of the board member's official duty in a way that is greater than the effect on the public generally or on a substantial class of persons to which the person belongs as a member of a profession, occupation, industry or region; or
- Is a lobbyist or a client of a lobbyist with respect to matters within the school district's jurisdiction.

A "gift" is the giving of anything of value in return for which something of equal or greater value is not given or received. However, "gift" does not include any of the following:

- Contributions to a candidate or a candidate's committee;

- Information material relevant to a board member's official function, such as books, pamphlets, reports, documents, periodicals or other information that is recorded in a written, audio or visual format;
- Anything received from a person related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related;
- An inheritance;
- Anything available or distributed to the general public free of charge without regard to the official status of the board recipient;
- Items received from a charitable, professional, educational or business organization to which the board member belongs as a dues paying member if the items are given to all members of the organization without regard to an individual member's status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received;
- Actual expenses of a board member for food, beverages, travel and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the board member has participation or presentation responsibilities;
- Plaques or items of negligible resale value given as recognition for public service;
- Nonmonetary items with a value of less than three dollars that are received from any one donor during one calendar day;
- Items or services solicited or given to a state, national or regional organization in which the state of Iowa or a school district is a member for purposes of a business or educational conference, seminar or other meeting or solicited by or given to state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees for purposes of a business or educational conference, seminar or other meeting;
- Items or services received by members or representatives of members as part of a regularly scheduled event that is part of a business or educational conference, seminar or other meeting that is sponsored and directed by any state, national or regional government organization in which the state of Iowa or a political subdivision of the state of Iowa is a member or received at such an event by members or representatives of members of state, national or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees;
- Funeral flowers or memorials to a church or nonprofit organization;
- Gifts which are given to a public official for the public official's wedding or twenty-fifth or fiftieth wedding anniversary;
- Payment of salary or expenses by a board member's employer or the firm in which the board member is a member for the cost of attending a meeting of a subunit of an agency when the board member whose expenses are being paid serves on a board, commission, committee, council or other subunit of the agency and the board member is not entitled to receive compensation or reimbursement of expenses from the school district;
- Gifts other than food, beverages, travel and lodging received by a board member which are received from a person who is a citizen of a country other than the United States and

is given during a ceremonial presentation or as a result of a custom of the other country and is of personal value only to the board member; or

- Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

An "honorarium" is anything of value that is accepted by, or on behalf of, a board member as consideration for an appearance, speech or article. An honorarium does not include any of the following:

- Actual expenses of a board member for registration, food, beverages, travel or lodging for a meeting, which is given in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the board member has participation or presentation responsibilities;
- A non-monetary gift or series of non-monetary gifts donated within thirty days to a public body, an educational or charitable organization or the department of general services; or
- A payment made to a board member for services rendered as part of a private business, trade or profession in which the board member is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as a board member but, rather, because of some special expertise or other qualification.

It shall be the responsibility of each board member to know when it is appropriate to accept or reject gifts or honorariums.

Legal References: Iowa Code ch. 68B (2013).

1972 Op. Att'y Gen. 276.

1970 Op. Att'y Gen. 319.

Cross References: 203 Board of Directors' Conflict of Interest

402.4 Gifts to Employees

704.4 Gifts - Grants - Bequests

Approved 1/17/94 Reviewed 09/18/19 Revised 11/20/00

Jen@iowaschool… Sat, 07/13/2019 - 16:11