

## **B - School Board Governance and Operations.**

This policy consolidates all Summit School District (SSD) Administrative B-series policies focusing on statutory duties, specific operational requirements, and technical details not fully enumerated in the Board's Governance Process (GP) policies.

Each section of this policy annotates the legal references and the preceding B-series policy for the policy verbiage provided. The sections of this consolidated policy include:

### [I. Legal Status and Core Functions of the Board](#) (BB, BBA, BBAA)

### [II. Board Director Qualifications, Election, and Vacancies](#) (BBBA, BBBB, BBBB-E, BBBC/BBBD, BBBE, BBBG)

#### [A. Board Candidate Qualifications](#)

#### [B. Board Elections and Oath](#)

#### [C. Board Vacancies](#)

### [III. Board Member Compensation, Liability, and Development](#) (BIB, BIBA, BID/BIE)

#### [A. Board Compensation, Expenses, and Insurance](#)

#### [B. Board Professional Development Philosophy](#)

### [IV. Ethical Principles and Post-Service Restrictions](#) (BC, BCA, BCA-E-1, BCA-E-2)

### [V. Board Operations](#) (BDG, BDH, BE, BEAA, BEC, BEDA, BEDB, BEDC, BEDD, BEDF, BEDH, BEDH-R, BF)

#### [A. Public Board Meetings](#)

#### [B. Electronic Participation](#)

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#### [D. Board Agenda Format, Rules of Order, Voting Method, and Minutes](#)

#### [E. Public Participation Procedures](#)

#### [F. External Assistance](#)

### [VI. Policy Implementation and Authority](#) (BG, BGA)

### [VII. Required Policies and Compliance Update Chart for Colorado School Districts](#)

### [VIII. Footnotes and Citations](#)

Note 1: The following policies are SSD Administrative Policies only, not part of CASB sample policies: BBAA, BBBB, BBBB-E, BBBG, BBBC/BBBD, BBBE, BDG, BDH, BEDC, BF, BGA, BIB, BIBA

Note 2: SSD BE, BEDF, and BEDH policies contain aspects of CASB Sample policy BCB.

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## I. Legal Status and Core Functions of the Board

The local school board is a **political subdivision of the State** (BB), deriving its power from the **State constitution and acts of the General Assembly** (BB). The SSD Board of Education consists of **seven directors**, each elected for a four-year term (BB).

(Policy reference for **BB - School Board Legal Status**; Legal reference for Status and Directors: **Constitution of Colorado, Article IX, Sections 2, 15; C.R.S. 22-31-105.**; Cross reference: **GP-2**)

### Board's Mandatory Duties:

The Board's mandatory duties include:

- **Legislative or policy making** (BBA).
- **Educational planning and appraisal** (BBA).
- **Staffing and appraisal**, including employing staff and establishing salaries and terms of employment (BBA).
- **Financial resources**, including adopting a budget and ensuring proper use and accounting of District funds (BBA).
- **School facilities**, including determining housing needs and approving building plans (BBA).
- **Communication with the public** (BBA).
- **Judicial function**, acting as a **court of appeal** for school staff members, students, and the public when issues involve Board or Administrative policies and their fair implementation (BBA).

(Policy reference for **BBA - Board Powers and Responsibilities**; Legal reference for Mandatory Duties/Judicial Function: **C.R.S. 22-32-109.**; Cross reference: **GP-2, GP-3, GP-7**)

### Board Actions:

The Board may exercise its powers and duties only when **convened in a legally constituted meeting** (BBA), as all power lies in its action as a group (BBA).

(Policy reference for **BBA - Board Powers and Responsibilities**; Legal reference for Group Action: **C.R.S. 22-32-109; C.R.S. 22-32-110.**; Cross reference: **GP-2**)

All actions of the Board are performed at regular and special meetings and are a matter of record. Consent to action on any issue obtained from an individual Board member when not in session is not an act of the Board and is not binding on the District (BBAA).

(Cross reference **GP-2**)

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## **II. Board Director Qualifications, Election, and Vacancies**

### **A. Board Candidate Qualifications:**

A candidate for the office of school director shall be:

1. A resident of the school district and a registered voter for at least 12 consecutive months prior to the election (BBBA).
2. 18 years or older by the date of the election (BBBA).
3. A citizen of the United States (BBBA).
4. A resident of the director district in which he or she is a candidate (if applicable) (BBBA).

No candidate may run representing a political party (BBBA). Additionally, any person who has been convicted of, pled guilty or nolo contendere to, or received a deferred judgment or pending sentence for commission of a **sexual offense against a child** is ineligible for election (BBBA).

It is important that the candidate be sincerely and honestly interested in serving the whole school district for the best interests of all children. Board members shall be nonpartisan in dealing with school matters. The Board does not wish to subordinate the education of children and youth to any partisan principle, group interest, or personal ambition.(BBBA)

(Policy reference for Qualifications: **BBBA - Board Member Qualifications.**) (Legal references for Qualifications: **C.R.S. 22-31-107; C.R.S. 1-2-101, 102; C.R.S. 1-4-803.**; Cross reference **GP-1, GP-2, GP-3, GP-7**)

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## B. Board Elections and Oath:

### Board Elections

- Directors are elected at regular school elections held on the **first Tuesday of November in each odd-numbered year** (BBBG). For SSD, the director seats are staggered 4-year terms, where three (3) seats are open for election every other odd-year election and four (4) seats are open on the other odd-year elections.
- The election will be conducted pursuant to an intergovernmental agreement (IGA) between the District and the County Clerk and Recorder and shall be signed no later than 60 days prior to the election (BBBG).
- The District will designate a school election official whom some election responsibilities may be delegated pursuant to the IGA. This designee is typically the Assistant to the Superintendent and the Board, also known as the Assistant Board Secretary. This designee will also assist in ensuring election timeline requirements are accomplished and the Board is notified of election timeline requirements which impact Board operations (BBBG, GP-4)

### Oath of Office

Each director shall, no later than ten (10) days after they receive the certificate of election pursuant to section 1-11-103, C.R.S., or appointment pursuant to section 22-31-129 (2), appear before the President of the Board of Education and take an oath that the director will faithfully perform the duties of the office as required by law and will support the constitution of the United States, the constitution of the state of Colorado, and the laws made pursuant thereto. The oath shall be filed with the designated election official for the school district.

The Designated School Election Official will prepare documentation supporting the swearing in of new Board Directors. Below is the verbiage of the oath and an example which will be printed on SSD letterhead for signature at the swearing in ceremony. (BBBB-E)

I, \_\_\_\_\_, do solemnly swear that I will faithfully perform the duties of my office as a director of Summit School District RE-1 as required by law and will support the Constitution of the United States, the Constitution of the State of Colorado and the laws made pursuant thereto.

\_\_\_\_\_  
Signature of Director

\_\_\_\_\_  
Date

(Policy references for Elections and Oath: **BBBG - Board Elections; BBBB and BBBB-E - Board Member Oath of Office.**) (Legal references for Elections and Oath: **C.R.S. 1-1-101 through 1-13-108 et seq.; C.R.S. 1-45-101 et seq.; C.R.S. 22-31-101 et seq.; C.R.S. 22-31-104; C.R.S. 22-31-125.**)

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### **C. Board Vacancies:**

Board vacancies and related processes are outlined in GP-8, provision 5.

(Policy references for Vacancies: **BBBC/BBBD - Board Member Resignation/Removal from Office; BBBE - Unexpired Term Fulfillment/Vacancies.**) (Legal references for Vacancies: **C.R.S. 22-31-129; C.R.S. 22-31-129 (2), (3), (4).**) (Cross reference **GP-8**)

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## **III. Board Member Compensation, Liability, and Development**

### **A. Board Compensation, Expenses, and Insurance:**

Board members shall receive **no compensation** for their services (BID/BIE).

Members may be reimbursed for authorized expenses incurred in carrying out specific services previously authorized by the Board (BID/BIE).

The Board shall purchase **liability insurance and errors-and-omissions insurance** to protect its members individually and collectively for claims made against them as a result of their membership on the Board (BID/BIE).

(Policy reference for Compensation/Liability: **BID/BIE - Board Member Compensation and Expenses/Insurance/Liability.**) (Legal references for Compensation/Liability: **C.R.S. 22-32-104 (5); C.R.S. 22-32-110 (1)(n), (u); C.R.S. 24-10-102 et seq.; C.R.S. 24-18-104 (3)(d), (e); C.R.S. 22-12-101 et seq.; C.R.S. 22-32-109.1(9).**; Cross reference: [EL](#), Insurance Program/Risk Management and **GP-5**)

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## **B. Board Professional Development Philosophy:**

Details about the Board's commitment to an ongoing professional development program are outlined in GP-5.

(Policy references for Development: **BIB - Board Member Development Opportunities; BIBA - School Board Conferences, Conventions and Workshops.**) (Legal references for Development/Reimbursement: **C.R.S. 22-32-110 (1)(n), (u); C.R.S. 24-18-104 (3)(d), (e).**; Cross reference **GP-5**)

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## **IV. Ethical Principles and Post-Service Restrictions**

Details about the Board's ethical principles with respect to post-service restrictions are outlined in GP-8, provision 2(c)(6)(E).

(Policy reference for Post-Service Restrictions: **BCA-E-2 - Board Member Code of Ethics.**) (Legal reference for Post-Service Restrictions: **C.R.S. 24-18-105.**; Cross reference **GP-8**)

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## **V. Board Operations**

### **A. Public Board Meetings:**

All meetings with three (3) or more Board members in attendance at which public business may be discussed or any formal action taken must be open to the public at all times except for executive sessions (BE). All such meetings will be properly noticed and posted on the District website (BE).

No business may be conducted unless a quorum is present. A **simple majority** (more than half) of the members serving on the Board constitutes a quorum (BE, BEDC).

Public Notice of Meetings

The Board shall give **full and timely notice to the public** of any meetings of three (3) or more Board members at which public business may be discussed or any formal action taken, including regular, special, and work session meetings and retreats (BEDA).

During the first meeting of the year, the Board will designate a public location for posting notices to mitigate exigent or emergency circumstances such as power outages or internet disruptions. If this action is not taken, the designated location used in the previous year shall continue (BEDA).

At a minimum, notice of regular, special, and work session meetings and retreats will be posted to the District website **no later than twenty-four (24) hours prior to meeting start time** (BEDA). This notice will **include specific agenda information where possible** (BEDA).

The District shall **maintain a list of persons who**, within the previous two (2) years, have **requested notification** of all meetings or of meetings when certain specified policies will be discussed (BEDA). These individuals will be **provided reasonable advance notification** of Board meetings (BEDA).

#### Board Notice of Meetings

The Superintendent or designee shall provide the agenda together with meeting materials and the minutes of the last regular meeting, to the Board no later than seventy-two (72) hours before the next regular meeting.

(Policy references for Meetings: **BEDA - Notification of Board Meetings.**) (Legal references for Meetings: **C.R.S. 22-32-108; C.R.S. 24-6-402 et seq.**; Cross reference GP-5, GP-7)

#### Regular Board Meetings

Regular meetings are generally held on the first and third Thursday of each month at 4:30 p.m. at the SSD Professional Development Building (152 School Rd Frisco CO 80443)(BE).

The Board shall follow the order of business set by the agenda unless the order is altered or new items are added in accordance with this policy. The Board may add to or take action on matters not appearing on the posted agenda if the item is reasonably related to the subject matter on the posted agenda or if an exigency exists. Amending the agenda of a regular meeting requires a majority vote of all Board members present.

An **audio recording** shall be made of every regular meeting and maintained for **90 days** (BE, BEC).

(Policy references for Meetings: **BE - School Board Meetings.**) (Legal references for Meetings: **C.R.S. 22-32-108; C.R.S. 24-6-401 et seq.**; Cross reference **GP-5, GP-7**)

### Special Board Meetings

Special Board meetings may be called by the Board President at any time, and shall be called by the Board President upon the written request of a majority of the members (BE).

The Assistant Board Secretary will be responsible for giving written notice of any special meeting to the Board at least twenty-four (24) hours prior to the special meeting via phone, fax, text, or e-mail.

- The notice must contain time, place and purpose of the special meeting and names of the Board Directors requesting the meeting (BE).

Any member may waive notice of a special meeting at any time before, during, or after such meeting, and attendance at a special meeting shall be deemed to be a waiver (BE).

No business other than that stated in the notice of the meeting shall be transacted unless the item is reasonably related to the subject matter on the notice or an exigency exists (BE). In addition all members must be present and cast a unanimous vote to amend the agenda (BE). agree to consider and transact other business (BE). This requirement includes amendments to the agenda.

An **audio recording** shall be made of every special meeting and maintained for **90 days** (BE, BEC).

(Policy references for Meetings: **BE - School Board Meetings.**) (Legal references for Meetings: **C.R.S. 22-32-108; C.R.S. 24-6-401 et seq.**; Cross reference **GP-5, GP-7**)

### Board Work Sessions or Retreats

The Board, as a decision-making body, continually addresses evolving needs and opportunities requiring informed action (BE, BF).

While the Board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming, and thoughtful discussion without action (BE, BF).

Therefore, from time to time the Board may schedule work sessions or retreats, which shall be open to the public (BE, BF).

No action shall be taken during such sessions (BE, BF).

Public notice of the session, including the topics for discussion and study, shall be provided (BE, BF).



(Policy references for Meetings: **BE - School Board Meetings.**) (Legal references for Meetings: **C.R.S. 22-32-108; C.R.S. 24-6-401 et seq.**; Cross reference **GP-5, GP-7**)

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## **B. Electronic Participation:**

Board members may attend and participate by electronic means (telephone, video or audio conferencing, or other electronic device) only when **extenuating circumstances** prevent physical attendance (BEAA\*). For the purposes of the policy, “extenuating circumstances” means the Board member’s job or military service requires the member to be outside of the District at the time of the meeting or inclement weather and/or unsafe driving conditions, etc. prevent the Board member from physically attending the meeting or other

A Board member who will be participating by electronic means must promptly notify the Board President and Assistant Secretary.

A Board member who attends by electronic means shall be considered present and counted toward the quorum (BEAA\*). They must have real-time access to any material that are presented and available to members who are physically present at the meeting (BEAA\*). Additionally, the public must be able to hear the comments made by the Board member(s) participating by electronic means and allow the Board member(s) to hear the comments made by the public.

A Board member may attend and participate by electronic means in a maximum of ten (10) Board meetings per calendar year. Unless otherwise approved by the Board or Board President, additional requests to attend and participate by electronic means will be denied. In accordance with state law, the Board shall declare a vacancy if a Board member fails to attend three (3) consecutive regular Board meetings, unless the Board member’s absence or otherwise excused by the Board or Board President.

A Board member’s failure to comply with this policy may result in the Board’s refusal to allow the member to participate by electronic means in Board meetings.

(Policy reference for Electronic Participation: **BEAA - Electronic Participation in School Board Meetings.**) (Legal references for Electronic Participation: **C.R.S. 22-32-108 (7)(a)**, **C.R.S. 22-32-108 (7)(b)**, **C.R.S. 22-31-129**, **C.R.S. 24-6-401.**; Cross reference **GP-7**)

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### **C. Executive Sessions:**

The Board may proceed into executive session upon an affirmative vote of **two-thirds of the quorum present** (BEC, BEDF).

#### Required Announcement (Before Entering Executive Session)

Before convening a closed executive session, the Board must announce to the public:

- The topic for discussion.
- The **specific citation(s) to the provision of C.R.S. § 24-6-402(4)** that authorizes the session (e.g., C.R.S. § 24-6-402(4)(b) for legal advice).
- Identification of the particular matter to be discussed in as much detail as possible without compromising the purpose of the session (BEC).
- The name(s) of any individuals invited into the session.

#### Executive Session Recordings

An electronic **recording** of the executive session (excluding discussions of privileged attorney-client communication or individual students) **must be made and retained for 90 days** (BEC).

#### Required Announcement (Upon Entering Executive Session)

After entering a closed executive session, the Board must announce for the public record:

- Date and time
- Proper motion made to enter into executive session pursuant to **specific citation(s) to the provision of C.R.S. § 24-6-402(4)** that authorizes the session (e.g., C.R.S. § 24-6-402(4)(b) for legal advice)
- Executive session attendees names
- During the executive session,

- Discussion cannot stray from the purpose of the executive session,
- no Board action can be taken while in executive session, and
- if direction needs to be provided to staff, this must occur after the Board resumes in public session.

If the executive session falls under privileged attorney-client communication, the recording will be turned off if:

- An attorney for the school district is present.
- The attorney advises that the discussion constitutes privileged communication.
- The attorney states on the electronic record, or provides a signed written statement for public record, attesting that the unrecorded portion was privileged attorney-client communication (C.R.S. § 24-6-402(4)).

### Reasons for Executive Session

The Board may hold an executive session for the sole purpose of considering any of the following matters (BEC):

| Permissible Topic for Executive Session  | Statutory Citation      |
|--|-------------------------|
| 1. Purchase, acquisition, lease, transfer or sale of any real, personal or other property. However, no executive session shall be held to conceal the fact that a member of the Board has a personal interest in such property transactions. C.R.S. 24-6-402(4)(a).  | C.R.S. § 24-6-402(4)(a) |
| 2. Conferences with an attorney for the purpose of receiving legal advice on specific legal questions. C.R.S. 24-6-402(4)(b).<br><br>The mere presence or participation of an attorney at an executive session shall not be sufficient to satisfy this requirement.  | C.R.S. § 24-6-402(4)(b) |
| 3. Matters required to be kept confidential by federal or state law or regulations. C.R.S. 24-6-402(4)(c).<br><br>An announcement will be made indicating the specific citation to state or federal law which is the reason the matter must remain confidential.   | C.R.S. § 24-6-402(4)(c) |
| 4. Specialized details of security arrangements or investigations. C.R.S. 24-6-402(4)(d).  | C.R.S. § 24-6-402(4)(d) |
| 5. Determination of positions relative to matters that may be subject to negotiations, development of strategy for negotiations, including strategy for negotiations relating to collective bargaining or employment contracts, and instruction of negotiators. C.R.S. 24-6-402(4)(e).<br><br>Discussion of negotiations relating to collective bargaining or employment contracts | C.R.S. § 24-6-402(4)(e) |

|  |                            |
|--|----------------------------|
| shall occur in a public meeting, unless an executive session is otherwise allowed.   |                            |
| <p>6. Personnel matters except if an employee who is the subject of an executive session requests an open meeting. C.R.S. 24-6-402(4)(f).</p> <p>If the personnel matter involves more than one employee, all of the employees must request an open meeting. Discussion of personnel policies that do not require discussion of matters specific to particular employees are not considered "personnel matters."</p> <p>The Teacher Employment, Compensation and Dismissal Act shall prevail in teacher dismissal hearings. (It provides that a dismissal hearing shall be open unless either the administration or employee requests that the hearing be closed.)</p> <p>Discussions concerning a member of the Board, any elected official or the appointment of a Board member are not considered "personnel matters."</p>  | C.R.S.<br>§ 24-6-402(4)(f) |
| <p>7. Consideration of any documents protected under the mandatory nondisclosure provision of the Open Records Act, except that consideration of work product documents and documents subject to the governmental or deliberative process privilege must occur in a public meeting, unless an executive session is otherwise allowed. C.R.S. 24-6-402(4)(g).</p>   | C.R.S.<br>§ 24-6-402(4)(g) |
| <p>8. Discussion of individual students where public disclosure would adversely affect the person or persons involved. C.R.S. 24-6-402(4)(h)</p>   | C.R.S.<br>§ 24-6-402(4)(h) |
| <p>9. Negotiations concerning the terms of an employment contract with one or more superintendent finalists if the Board has named more than one candidate as a finalist and has held a forum open to the public to conduct interviews with each of the finalists. C.R.S. 24-6-402 (4)(i)(I).</p> <p>In addition to interviewing finalists in a public forum, the Board may interview finalists in executive session. C.R.S. 24-6-402 (4)(i)(II).</p> <p>The Board may also instruct personnel and representatives to begin contract negotiations with one or more superintendent candidates in executive session, including the necessary process to prioritize, for the purposes of negotiation, one or more finalists after public forums have been completed. C.R.S. 24-6-402 (4)(i)(III).</p> <p>Prioritizing among the finalists and beginning negotiations with one or more of the finalists shall not constitute formal action or adoption by the board or governing body. Such formal action occurs only when the board or governing body comes into public session and casts votes on their preferred next chief executive officer. No formal adoption is deemed to have taken place until a public vote has occurred.</p> | C.R.S.<br>§ 24-6-402(4)(i) |

Only those persons invited by the Board may be present during any executive session regardless of the topic of the session (including personnel matters).

Required Announcement (After Exiting Executive Session):

After exiting the executive session and re-entering the public Board meeting, the chair must make an announcement that includes:

- The time that the Board entered into the public meeting,
- that the executive session has been concluded, and
- that there was no discussion of any items other than subjects stated in the motion to enter into executive session and that no motions were made and no actions were taken while in executive session.

(Policy reference for Executive Sessions: **BEC - Executive Sessions.**) (Legal references for Executive Sessions: **C.R.S. 22-32-108 (5); C.R.S. 24-6-402; C.R.S. 24-6-402(4)(a-i).**; Cross reference: [KDB](#), Public's Right to Know/Freedom of Information, **GP-7**)

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#### **D. Board Agenda Format, Rules of Order, Voting Method, and Minutes:**

##### Board Agenda Format

The standard order of business includes:

- Board Dinner
- Call to Order, Roll Call, Establish Quorum
- Approval of the Agenda
- Special Guests
- Superintendent Spotlights and Recognition
- Comments (Public, Board, Superintendent)
- Consent Agenda
- Items Pulled from Consent Agenda
- Study Session
- Monitor Board Policies
- Superintendent Reports
- Board Development
- Other Business
- Executive Session
- End of Meeting Debrief
- Upcoming Meetings and Events
- Adjournment (BEDB).

All agenda sections are included in all meeting agendas.

Any agenda item that is not required will be annotated with “none” for the applicable meeting.

Agenda variations, if needed, will be determined during a preceding agenda planning meeting.

(Policy reference for Agenda: **BEDB - Agenda.**) (Legal reference for Agenda Amendments: **C.R.S. 22-32-108 (4).**)

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#### Rules of Order

Except as otherwise specified by State law or Board policies pertaining to its own operating procedures, the Board shall operate by the rules prescribed in *Robert's Rules of Order, Newly Revised*. In the event of questions, the ruling of the Board president shall be final (BEDD).

(Policy reference for Agenda: **BEDD - Rules of Order.**)

#### Voting Method

All **voting shall be by roll call** with each member present voting "Aye" or "No" alphabetically (BEDF). However, the election of the President and Vice President may be by secret ballot and **requires an affirmative vote by the majority of the entire Board membership** (BEDF).

A member may abstain from voting only if **excused by the Board for good cause** (BEDF).

A Board member who has a **conflict of interest** in accordance with Board policy GP-8 shall disclose such interest and **shall not vote unless their participation is necessary to obtain a quorum or otherwise enable the Board to act** (BEDF). Under such circumstances, the member shall comply with the **voluntary disclosure requirements** set out in State law (BEDF).

To pass, any motion must be approved by a majority of the members present unless state law or Board policies require a majority of the entire Board membership or a two-thirds majority (BEDF).

(Policy reference for Agenda: **BEDF - Voting Method.**) (Legal reference **C.R.S. [22-32-104 \(3\)](#), C.R.S. [22-32-108 \(6\)](#), C.R.S. [24-6-402\(4\)](#), C.R.S. [24-18-109 \(3\)](#), C.R.S. [24-18-110](#)** ; Cross reference: **GP-7, GP-8**)

#### Board Meeting Minutes

Official Board meeting minutes constitute the written record of all proceedings and formal actions of the Board (BEDG).

The minutes will include but not be limited to:

- Basic meeting information
  - Regular or Special meeting
  - Date, Time, and Place
  - Board Director attendance
  - Approval of preceding meeting minutes
- Board actions taken
  - Motion verbiage
  - Motion makers (First and Second)
  - Discussion summary, as applicable
  - Vote
- Board business conducted
  - Summary
  - Action Items
- Public Comment
  - Speaker name
  - If a copy of comments is not available, summary of comments will be provided.
- Executive Session Summary
  - Board member attendance: Will be specifically noted if attendance does not include all members who voted on the motion to enter into executive session, or if a member arrives after the vote to enter executive session or departs before its conclusion.
  - Invited guests: Unless names of individuals reveal information that should remain confidential
  - Topic of discussion
  - Specific citation in statute that authorizes the executive session
- Adjournment
  - Date and time

The official Board meeting minutes will be signed by the Assistant Secretary.

Upon consent agenda approval of Board meeting minutes, the minutes become the official record of the meeting and applicable recordings can be erased.

If an executive session is recorded (no legal reason to turn off the recording), the Assistant Board Secretary will delete the recording after ninety (90) days.

The Assistant Board Secretary will make official minutes available to the public on the District website.

(Policy reference for Agenda: **BEDG - Minutes.**) (Legal reference **C.R.S. [22-32-106](#), C.R.S. [22-32-109](#) (1)(e) , C.R.S. [24-6-402](#) (2)(d)(II)**; Cross reference: **GP-4, GP-7**)

## **E. Public Participation Procedures:**

Board meetings are business meetings held in public, not public meetings (BEDH-R).

It is the Board's duty to ensure that the District reflects the values of the community, and one of the ways that is accomplished is to hear directly from the community about their preferences and concerns (BEDH-R).

Because the Board desires to hear the viewpoints of all staff, students, families, and community members throughout the District and also needs to conduct its business in an orderly and efficient manner, the Board shall schedule time during Board meetings for brief comments and questions from the public (BEDH).

Speakers may offer such criticism of school operations and programs as concern them, but are encouraged to exercise their speech rights responsibly. The Board encourages the discussion of all personnel matters to be conducted in executive session. The Board president shall be responsible for recognizing all speakers who shall properly identify themselves, for maintaining proper order and for adherence to any time limits set.

The Board shall establish [public comment guidelines](#) that, at a minimum:

- Outline public comment participant requirements and responsibilities:
  - Participant name for minutes and contact information for staff follow-up (BEDH-R).
  - Topic for public comment (BEDH-R).
  - Submit a copy of public comment for public record, if desired (BEDH-R).
  - Public comment participants will be called in the order in which public comment forms or electronic attendance requests are received (BEDH-R).
- Allowed topics for comment or questions:
  - Regular meeting: **Any** topic related to the Board's conduct of schools (BEDH).
  - Special meeting: Topic(s) related to the call of the meeting (BEDH).
- Set a time limit on the length of the public participation time, and
- Set a time limit for individual speakers (BEDH).
  - Speakers' comments are limited to **three (3) minutes** (BEDH-R).

During public comment, the following is permitted:

- Members of the public will exercise freedom of speech rights responsibly (BEDH).
- Board President, Secretary, or Assistant Secretary will be responsible for recognizing all speakers (BEDH).
- The Board is only allowed to listen (BEDH).



- Operational questions and concerns will be addressed by the Superintendent or their designee for consideration and later response (BEDH).
- Distribution of a written public comment to the entire Board and Superintendent on behalf of a member of the public who is unable to attend (BEDH-R).
- Entering into public record a written public comment on behalf of a member of the public who is unable to attend (BEDH-R).

During public comment, the following is not permitted:

- Comments going beyond time limits (BEDH-R).
- The Board is prohibited by state law from taking any action on an item not previously noticed on the applicable Board agenda (BEDH, BEDH-R).
- Recognition of members of the public outside of public comment period unless they are a planned part of an applicable meeting agenda item (BEDH)
- Board or Assistant Secretary reading a public comment on behalf of a member of the public who is unable to attend (BEDH-R).
- Applause of individual public commenters (BEDH-R).

(Policy reference for Public Participation: **BEDH** and **BEDH-R - Public Participation at Board Meetings**.; Legal reference for Public Participation: **C.R.S. 24-6-401 et seq.**; Cross reference **KE** - Public Concerns and Complaints, **GP-1, GP-2, GP-3, GP-7**)

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## **F. External Assistance:**

### School Attorney / Legal Services

The Board shall retain a competent attorney or legal firm to systematically provide professional legal services (BDG).

A decision to seek legal advice or assistance from such an attorney shall originate from the Board, the Superintendent, or individuals specifically authorized by the Board or Superintendent (BDG).

The Superintendent shall inform the Board prior to requesting unusual types or amounts of legal services (BDG).

### Board Consultants / Staff Assistants

The Board may engage the services of qualified professional consultants to provide new insights and ideas for addressing complex issues or provide specialized services not available within current staff (BDH).

The Board shall require a written proposal from consultants that details objectives, tasks, procedures, and reporting methods (BDH).

The Superintendent will establish procedures necessary to ensure an efficient and effective working relationship between the consultant, the Board and/or staff members (BDH).

(Policy references for External Assistance: **BDG - School Attorney/Legal Services**; **BDH - Board Consultants/Staff Assistants.**)

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## **VI. Policy Implementation and Authority (BG, BGA)**

The Board uses a Policy Governance Model. The Board is responsible for developing and modifying, if necessary, policies in four set categories:

- Ends Policies
- Executive Limitations (EL) Policies
- Board-Superintendent Relationship (BSR) Policies
- Governance Process (GP) Policies

The **Superintendent has the responsibility for carrying out**, through Administrative policies and regulations, the policies established by the Board.

Disregard for district policies and regulations by employees may be interpreted as **insubordination and/or willful neglect of duty** (BGA).

(Policy reference for Policy Implementation: **BGA - Policy Implementation.**) (Legal reference for Policy Implementation: **C.R.S. 22-32-109(1)(a-c), (y)(I).**; Cross reference **GP-12**)

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## **VII. Required Policies and Compliance Update Chart for Colorado School Districts**

The Superintendent is responsible for ensuring that Administrative policies adhere to requirements established by the Colorado Revised Statutes (C.R.S.) and the Colorado Association of School Boards (CASB) Core Policy Manual and associated Special Policy Updates (SPUs).

At least annually, the Superintendent shall identify policy gaps and immediate policy updates required by the most recent state legislation and identified through the CASB SPUs.

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## VIII. Footnotes and Citations

| Description   | B-Series Policy Reference | Legal Citation  |
|---|---------------------------|---|
| Board Legal Status/Constitution/Number of Directors | BB                        | Constitution of Colorado, Article IX, Sections 2, 15; C.R.S. 22-31-105    |
| Board Mandatory Duties/Judicial Function            | BBA                       | C.R.S. 22-32-109; C.R.S. 22-32-110  |
| Board Member Qualifications                         | BBBA                      | C.R.S. 22-31-107; C.R.S. 1-2-101, 102; C.R.S. 1-4-803                     |
| Board Member Oath of Office                         | BBBB                      | C.R.S. 22-31-104; C.R.S. 22-31-125  |
| Board Elections/Cancellation                        | BBBG                      | C.R.S. 1-1-101 et seq.; C.R.S. 1-45-101 et seq.; C.R.S. 22-31-101 et seq. |
| Board Vacancies/Removal (Absences)                  | BBBC/BBBD                 | C.R.S. 22-31-128; C.R.S. 22-31-129  |
| Unexpired Term Fulfillment Rules                    | BBBE                      | C.R.S. 22-31-129 (2), (3), (4)  |

|  |           |  |
|--|-----------|--|
| Board Compensation/Insurance                         | BID/BIE   | C.R.S. 22-32-104 (5); C.R.S. 22-32-110 (1)(n), (u)             |
| Board Development/Training                           | BIB, BIBA | C.R.S. 22-32-110 (1)(n), (u); C.R.S. 24-18-104 (3)(d), (e)     |
| Post-Service Restrictions (Ethics)                   | BCA-E-2   | C.R.S. 24-18-105   |
| Board Meetings (Quorum, Recording, Timing)           | BE        | C.R.S. 22-32-108; C.R.S. 24-6-401 et seq.                      |
| Electronic Participation                             | BEAA      | C.R.S. 22-32-108 (7)(a); C.R.S. 22-32-108 (7)(b)               |
| Executive Sessions (Authority, Topics, Recording)    | BEC, BEDF | C.R.S. 22-32-108 (5); C.R.S. 24-6-402; C.R.S. 24-6-402(4)(a-h) |
| Agenda Structure and Amendment                       | BEDB      | C.R.S. 22-32-108 (4)   |
| Quorum Definition                                    | BEDC      | C.R.S. 22-32-108   |
| Public Participation Procedures (Time Limits, Scope) | BEDH-R    | C.R.S. 24-6-401 et seq.  |
| Legal Services/Attorney                              | BDG       | N/A  |
| Consultants/External Assistance                      | BDH       | N/A  |
| Policy Implementation/Insubordination                | BGA       | C.R.S. 22-32-109(1)(a-c), (w), (y)(I)                          |

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Adopted November 6 2025