

Section B Policies- School Board Governance and Operations

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BOARD OPERATIONAL GOALS

The Board is responsible to the people for whose benefit the cooperative has been established, and committed to providing services for all students as appropriate to the best of their individual abilities. It is charged with accomplishing this while also being responsible for wise management of resources available to the cooperative. By virtue of its responsibility and commitment the Board must establish those purposes, programs, and procedures that will respond to the cooperative's immediate problems and long-range needs.

The Board must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer/director to implement policy and by evaluating the results. Further, it must carry out its functions openly, while seeking the involvement and contributions of its member districts, students and staff in its decision making processes.

Additionally, the Board commits itself to the following objectives:

1. To interpret the educational needs and aspirations of the member school communities, and to meet them through the formulation of policies that stimulate the learner and the learning process.
2. To require the establishment and maintenance of records, accounts, archives, management methods and procedures incidental to the conduct of Cooperative business.
3. To approve the budget, financial reports, audits, major expenditures, payment of obligations and policies whereby the administration may formulate procedures regulations and other guides of the orderly accomplishment of business.
4. To approve staffing levels for the Cooperative.
5. To provide the director with sufficient and adequate guidelines to effectively carry out the goals and objectives of the school district.
6. To maintain effective communication with the public served by the schools, and with staff and students in order to maintain awareness of attitudes, opinions, desires and ideas.

Review Date: December 8, 2016

Adopted: 8/3/2017

GOVERNING BOARD LEGAL STATUS

The Governing Board derives its authority from the Constitution of the State of South Dakota, from the acts of the State Legislature, the electorate of the district and the regulations of the State Board of Education and State Board of Vocational Education.

As expressed in the law, the Board is the governing board of a cooperative, and is created

". . . for the purpose of organizing, maintaining, and locating schools and for providing educational opportunities and services for all citizens residing within the school district."

The Board will consist of twelve (12) members, as appointed by its member schools.

State Reference	Description
SDCL 13-6-13.1	Former school dist. representation areas for consolidated districts
SDCL 13-6-2	Legislative policy
SDCL 13-8-1	School board defined
SDCL 13-8-2	Composition and terms of office
SDCL 13-8-3	Petition to increase size of board
SDCL 13-8-4	Elections and terms of office after increase of size of board
SDCL 13-8-5	Waiting period after election on size of board
SDCL 13-8-7.1	School board member representation areas

Policy Reference	Description
AA	SCHOOL DISTRICT LEGAL STATUS

Review Date: December 8, 2016

Adopted: 8/3/2017

GOVERNING BOARD POWERS AND DUTIES

Under the laws of South Dakota, the Governing Board acts as the governing body of the public schools with full powers of direction and control. The Board derives its authority from the state legislature and will function within the framework of state and federal laws and regulations, court decisions and attorney general opinions.

Recognizing the authority of the State, the Board considers the following its general functions:

1. To select and employ a Director and support him or her in the discharge of his or her responsibilities.
2. To formulate and enact policy and to delegate the application of policies to the Director and his or her staff, who will be held responsible for the effective administration and supervision of the entire cooperative.
3. To provide for the planning, expansion, improvement, financing, construction and maintenance of the physical plant of the cooperative.
4. To establish and maintain records, accounts, archives, management methods and procedures incidental to the conduct of cooperative business.
5. To approve the budget, financial reports, audits, major expenditures, payment of obligations and policies that enable the administration to formulate regulations and other guides for the orderly accomplishment of business.
6. To employ support and certificated personnel to carry out cooperative programs and services, and provide fair and equitable compensation.
7. To evaluate the cooperative program to determine the effectiveness with which the member schools and staff are achieving the educational purpose of the system and adequate services are being provided.
8. To sit as a judicial body when the Director requests a hearing or on an appeal for any Cooperative employee or group of employees.
9. To maintain open lines of communication with the member schools, parents, students and staff.
10. To act as an appraisal body rendering judgement upon recommendations that may come to it through its Director, its own members, or the public which concern the progress and improvement of the Cooperative.

State Reference

SDCL 13-10-2

SDCL 13-8-1

SDCL 13-8-39

Description

General power of school boards to employ personnel

School board defined

Management of schools by board - general powers

Policy Reference

BBF

Description

BOARD MEMBER CODE OF ETHICS

Review Date: December 8, 2016

Adopted: 8/3/2017

BOARD MEMBER AUTHORITY

The powers delegated to a governing board by the state are delegated to the board as whole. No authority is granted Board members acting as individuals.

The Board exercises its powers and duties only in properly called meetings, where a majority of the Board constitutes a quorum to transact business. Except when performing a specific duty as ordered by the Board, the decision and actions of a single member of the Board are not binding on the entire Board.

State Reference	Description
SDCL 13-8-10	Meetings of board
SDCL 13-8-39	Management of schools by board - general powers
SDCL 2-14-15	Majority exercising joint authority
Policy Reference	Description
BBF	BOARD MEMBER CODE OF ETHICS

Review Date: December 8, 2016

Adopted: 8/3/2017

GOVERNING BOARD APPOINTMENTS

The Cooperative shall be governed by a Governing Board comprised of one (1) school board member from each of the member districts appointed by their respective local board of education. Each member district shall nominate at least one alternate board member who can attend meetings and vote in the place of the regularly appointed board member.

The terms of office of the members of the Governing Board shall be for a one-year period. Any unexpired terms of office shall be filled by appointment through the respective local board of education to serve the remainder of the unexpired term of office. There shall be no limit to the number of consecutive or total terms of office held by one member.

State Reference	Description
SD Constitution Article 7 §1	Right to vote
SD Constitution Article 7 §2	Voter qualification
SD Constitution Article 7 §3	Elections
SDCL 12-14-1	Designation of precincts and polling places
SDCL 13-6-13.1	Former school dist. representation areas for consolidated districts
SDCL 13-7	School district elections
SDCL 13-8-2	Composition and terms of office
SDCL 13-8-25	Appointments to fill vacancies on board
SDCL 13-8-4	Elections and terms of office after increase of size of board
SDCL 13-8-7.1	School board member representation areas

Review Date: December 8, 2016

Adopted: 8/3/2017

BOARD MEMBER QUALIFICATIONS

A person is legally qualified to become a member of a governing board if he or she is a United States citizen, complies with the provisions of law relating to the registration of voters and is a qualified elector, at least 18 years of age and not otherwise disqualified.

In accordance with state law, no elective county, municipal, or state officer or holder of any other office, whose duties are incompatible or inconsistent with the duties of the governing board member will be eligible for such membership. This includes the elected offices of legislator, county commissioner and the municipality.

State Reference

SDCL 12-3-1

SDCL 13-7-3

SDCL 3-1A

Description

General qualifications of voters

Public offices incompatible with board membership

Officers' statements of financial interest

Policy Reference

BBF

BBFA

Description

BOARD MEMBER CODE OF ETHICS

BOARD MEMBER CONFLICT OF INTEREST

Review Date: December 8, 2016

Adopted: 8/3/2017

BOARD MEMBER OATH OF OFFICE

Before taking office, all Board members will take an oath of office as required by law. Newly appointed members will take and subscribe to the oath at the annual meeting, at which time they also assume their duties of office. Appointed members will take and subscribe the oath at the meeting following their appointment. All oaths will be filed in the office of the business manager.

State Reference	Description
SD Constitution Article 21 §3	Oath of office
SDCL 13-8-14	Assumption of office by new members
SDCL 13-8-15	Filing and administration of oaths
SDCL 3-1-5	Oath of office for civil officers
SDCL 3-1-8	Acting as officer without qualifying – misdemeanor

Review Date: December 8, 2016

Adopted: 8/3/2017

BOARD MEMBER OATH OF OFFICE-FORM

Do you solemnly swear, or affirm, that you will support the Constitution of the United States and the Constitution of the State of South Dakota; and that you will faithfully and impartially perform your duties as a member of the Governing Board of CORE Educational Cooperative, Charles Mix County, South Dakota, to the best of your ability, and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is appointed and qualified?

(The answer is "I do.")

Board Member's Signature

The following additional ceremony may be used:

I SWEAR THAT:

1. I will observe and enforce state laws and regulations pertaining to education.
2. I will accept office as a board member as a means of unselfish service.
3. I will transact cooperative business only in regular sessions.
4. I will represent the entire cooperative without fear or favor.
5. I will remember at all times that I am one of a team.
6. I will accept all board decisions once they are made and assist in carrying them out effectively.
7. I will delegate action to the director of the cooperative as the board executive and to confine board action to policymaking, planning and appraisal.
8. I will employ only competent, trained personnel and these only on the recommendation of the director of the cooperative.
9. I will preserve the right and obligation of staff to provide services fairly and without bias.

Review Date: December 8, 2016

Adopted: 8/3/2017

BOARD MEMBER RESIGNATION/REMOVAL FROM OFFICE

According to the provisions of state law, a vacancy occurs on the school board when an incumbent:

1. Dies.
2. Is removed from office.
3. Fails to qualify as provided by law.
4. Ceases to be a voting resident of the district where elected.
5. Is convicted of an infamous crime or of any offense involving a violation of the official oath of office.
6. Has a judgement obtained against him/her for breach of official bond.
7. Becomes incapacitated so as being unable to attend to the duties of a board member.
8. Assumes the duties of an office incompatibly with the duties of a school board member.
9. Resigns.

A board member's resignation will not be effective until a successor is appointed and qualified as prescribed by law. The resigning member will continue to serve in his official capacity as a board member until that time.

State Reference

SD Constitution Article 16
SDCL 3-17-6 through 3-17-11
SDCL 13-8-22 through 13-8-24

Policy Reference:

BBE: Unexpired Term Fulfillment

Description

Impeachment and removal from office
Grounds for removal of local officers from office
Incumbent continued in office

Adopted: 8/3/2017

UNEXPIRED TERM FULFILLMENT

When a vacancy occurs on the board for a reason allowed by law, the remaining board members of the school district from which the vacancy occurred are responsible for the appointment of a new board member.

STATE REFERENCE	DESCRIPTION
SDCL 3-14	Expiration of term of office
SDCL 13-8-23	Events creating vacancy on board
SDCL	13-8-25

Adopted: 8/3/2017

BOARD MEMBER CODE OF ETHICS

Members of the Cooperative's Governing Board are appointed officials of local government, and are responsible for governing the educational system of the educational cooperative. Each governing board member shall:

1. adhere to the principle that the responsibility of the school board is to govern the Cooperative, which includes but is not limited to establishing goals, planning, developing effective policies, and evaluation;
2. practice good stewardship of the Cooperative's resources;
3. leave the daily administration of cooperative to the Director;
4. professional development;
5. recognize and follow the legal principles that (a) the authority vests with the majority of the members of the governing board when assembled in meetings as authorized by law, (b) no individual governing board member has, or a minority of governing board members have, the legal right to bind the Cooperative, and (c) no individual cooperative board member may make decisions on behalf of the Cooperative unless upon approval of a majority of governing board members.
6. make informed decisions on matters brought before the governing board;
7. recognize and adhere to the policy that it is the responsibility of the governing board to plan, make, implement, appraise, and enforce policies and that it is not the responsibility of the governing board or governing board members to run the day-to-day operations of the Cooperative;
8. observe and enforce federal and state laws and regulations;
9. respect the limited intent and scope of executive sessions as set forth in statute;
10. respect confidential communications made during executive sessions held pursuant to SDCL 1-25-2 and shall not divulge privileged communications made during executive session held pursuant to SDCL 1-25-2 unless required by law, and shall respect confidential communications related to students and employees, and shall not discuss such confidential information at home, at work or in public;
11. distinguish between personal views and those of the governing board when making public comments regarding cooperative matters;
12. present information to the governing board without distortion and accurately represent facts concerning cooperative matters in direct or indirect public statements;
13. maintain professional relationships in a manner which are free of vindictiveness, recrimination and harassment;
14. refer persons having complaints to the applicable complaint policy and appropriate director; refrain from giving an opinion on the merits of the complaint unless, following the complaint procedure required in the governing board complaint policy, the matter is before the

governing board;

15. respect the legitimacy of the goals and interests of other governing board members and respect the rights of other governing board members to pursue goals and policies different from their own;
16. respect, require and contribute to the maintenance of order and decorum in proceedings before the governing board;
17. be honest, patient, dignified, and courteous to those with whom he/she deals with in his/her official capacity;
18. diligently discharge responsibilities and dispose promptly of the business of the cooperative for which he/she is responsible;
19. inform the governing board president or district business manager as soon as possible upon learning that he/she will not be in attendance at a governing board meeting;
20. refrain from personal, professional, business and financial dealings that interfere with or are in conflict with, or give the appearance of interfering with or being in conflict with, the performance of official duties;
21. not use the office of a governing board member to promote political candidates or partisan political activities;
22. not accept nor offer any gratuities, gifts, services, or things of value that (a) impair professional judgment, (b) offer special advantage or benefit to any person or organization, or (c) provide a direct or indirect personal benefit.
23. not commit any act of moral turpitude or gross immorality;
24. render a decision as a governing board member only after having discussed the matter with other board members in a legal governing board meeting, after having reviewed applicable information and data, and after having considered recommendations including but not limited to recommendations from the director;
25. support Board decisions made by the majority of governing board members, subject to a board member's right to formally make a motion at a governing board meeting to have the decision reconsidered or rescinded;
26. not have any direct pecuniary interest in a contract with the cooperative or furnish directly any labor, equipment or supplies to the district unless the amount involved is less than five thousand dollars (\$5,000).
27. not participate in discussion or vote on any issue in which I have an actual or the potential of a conflict of interest in the following circumstances:
 - a. a "direct pecuniary interest, (a matter benefiting the board member's own property or affording a direct financial gain);
 - b. an "indirect pecuniary interest" (a matter that financially benefits one closely tied to the board member, such as an immediate family member or an employer);
 - c. a "direct personal interest" (a matter that benefits a blood relative or close friend in a non-financial way); and

- d. an “indirect personal interest” (a matter in which the board member individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies); or
- e. when at least two-thirds of the governing board members vote that there is an identifiable conflict of interest that should prohibit the member from voting on a specific matter.

28. Pursuant to SDCL 1-25-2(1), the Board of Education may enter into executive session to discuss the performance of an appointed governing board member, which may include discussing a perceived or alleged violation of this policy. Should the majority of governing board members determine that a governing board member has violated one or more provisions of this policy, the governing board may, in open session, reprimand the governing board member for a violation of the Board Member Code of Ethics.

State Reference	Description
Hanig v. City of Winner	2005 SD 10, 692 N.W.2d 202
SD Constitution Article 8 §17	Interest in sale of school equipment prohibited
SDCL 13-20-2.1	Interest in sale of school equipment unlawful
SDCL 13-43-1	Employment of board member in same district prohibited
SDCL 13-7-3	Public offices incompatible with board membership
SDCL 3-16	Malfeasance, misfeasance and nonfeasance in office
SDCL 6-1-1	Local officer's interest in public purchase or contract unlawful
SDCL 6-1-17	Prohibition from discussion or voting on issue if conflict of interest exists
SDCL 6-1-2	Conditions which contract with local officer permitted
Policy Reference	Description
BBA	SCHOOL BOARD POWERS AND DUTIES
BBAA	BOARD MEMBER AUTHORITY
BBBA	BOARD MEMBER QUALIFICATIONS
BBFA	BOARD MEMBER CONFLICT OF INTEREST

Review Date: December 8, 2016

Adopted: 8/3/2017

BOARD MEMBER CONFLICT OF INTEREST

Public office is a trust created in the interest of the common good and for the benefit of the people. As public officials holding the respect and trust of the community, board members will not use the office for personal advantage.

A board member will not have any direct pecuniary interest in or receive direct benefit from any public contract or federal monies awarded to the cooperative. This includes directly furnishing any labor, equipment or supplies to the cooperative unless the amount involved is less than five thousand dollars (\$5,000).

Each member shall decide if any potential conflict of interest requires disqualification from participation in board discussion or action. No board member may participate in discussion or vote on any issue in which the member has a conflict of interest if the following circumstances apply:

1. "Direct pecuniary interests," when a governing board member votes on a matter benefiting the board member's own property or affording a direct financial gain;
2. "Indirect pecuniary interests," when a governing board member votes on a matter that financially benefits one closely tied to the official, such as an employer, or family member;
3. "Direct personal interest," when a governing board member votes on a matter that benefits a blood relative or close friend in a non-financial way; and
4. "Indirect Personal Interest," when a governing board member votes on a matter in which an individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies; or
5. At least two-thirds of the Board votes that a member has an identifiable conflict of interest that should prohibit the member from voting on a specific matter.

State Reference	Description
SD Constitution Article 8	
§17	Interest in sale of school equipment prohibited
SDCL 13-20-2.1	Interest in sale of school equipment unlawful
SDCL 13-43-1	Employment of board member in same district prohibited
SDCL 13-7-3	Public offices incompatible with board membership
SDCL 3-16	Malfeasance, misfeasance and nonfeasance in office
SDCL 6-1-1	Local officer's interest in public purchase or contract unlawful
SDCL 6-1-17	Prohibition from discussion or voting on issue if conflict of interest exists
SDCL 6-1-2	Conditions which contract with local officer permitted

Policy Reference	Description
BDDF	VOTING METHOD
BBBA	BOARD MEMBER QUALIFICATIONS
BBF	BOARD MEMBER CODE OF ETHICS
GBCA	STAFF CONFLICT OF INTEREST

Review Date: December 8, 2016

Adopted: 8/3/2017

BOARD ORGANIZATIONAL MEETING

The annual organizational meeting of the Board will be held on the Wednesday following the second Monday of the month of July unless otherwise designated by the Board at the previous regular meeting.

The meeting will be called to order and the oath of office given to all new board members. The Board will elect a president and vice-president from its membership to serve until its next annual meeting. The director will preside over the election of the president.

Other items of business will come before the annual meeting as appropriate. These will include:

1. Designation of official depository.
2. Designation of the custodians of all accounts.
3. Designation of official legal newspaper.
4. Authorization of continuation of existing funds or accounts and the establishment of any new accounts if necessary.
5. Setting of date, time and place for regular meetings.
6. Establishment of advisory committees where applicable.
7. Setting board member compensation.

State Reference:	Description
SDCL 13-8-4	Elections & terms of office after increase in size of board
SDCL 13-8-10	Meetings of board

Adopted: 8/3/2017

Amended: 8/6/2025

BOARD OFFICERS

President

The president will preside at all meetings of the Board and will perform other duties as directed by law, state regulations and by this Board. In carrying out these responsibilities the president will:

1. Countersign all orders drawn by the business manager for claims approved by the board;
2. Appoint or provide for the election of all committees, of which he or she will be an ex-officio member;
3. Confer with the director as may be necessary and desirable on cooperative or related matters;
4. Call special meetings of the Board;
5. Be entitled to vote and discuss on all matters before the Board; and
6. Perform such other duties as may be prescribed by the Board.

Vice-President

The Vice-President of the Board will assume the duties and responsibilities of the President in his or her absence. He or she will also perform such other duties as may be assigned by the Board.

State Reference	Description
SDCL 13-8-10	Meetings of board
SDCL 13-8-26	Duties of president of school board

Review Date: December 8, 2016

Adopted: 8/3/2017

APPOINTED BOARD OFFICIALS

The Board will employ a business manager who may be authorized to make all purchases for the Cooperative Board, in compliance with state law and within the budget approved by the Board.

Other duties of the business manager include:

1. Keeping an accurate record of the Board proceedings. The business manager will be responsible for the safekeeping of the minutes.
2. Assuming responsibility for a detailed account of all Board business and preparation of periodic and annual reports of the receipts and expenditures of the district.
3. Issuing of all warrants for the payment of verified bills, salaries, and contracts approved for payment by the Board.
4. Publishing proceedings of the Board consistent with laws regarding the publication of Board minutes.
5. Performing other such duties as the Board may require and as required by law.

State Reference:

SDCL 13-8-18

SDCL 13-8-25

SDCL 13-8-43

Description:

Amount of business manager's bond

Publication of minutes of board

Records of business manager open to public inspection

Policy Reference:

DH

DIC

Description:

Bonded Employees and Officers

Financial Reports and Statements

Adopted: 8/3/2017

BOARD-DIRECTOR RELATIONSHIP

It is the primary responsibility of the Cooperative Board to ensure the mission and purpose of the Cooperative is represented by its policies and procedures. The legislation of those policies is the most important function of the Cooperative Board and the execution of the policies is the function of the Director.

Delegation by the Board of its executive powers to the Director provides freedom for the Director to manage the cooperative within the Board's policies and frees the Board to devote its time to policy making and evaluation functions.

The Board hold the Director responsible for the administration of its policies, the execution of Board decisions, the operation of the internal workings of the cooperative designed to serve the member schools and for keeping the Board informed about the cooperative operations and problems.

As the legally designated governing body, the Board retains final authority within the Cooperative. The Director is the Board's advisor to whom the Board delegates executive responsibility. It is essential the Director and the Board work together as a team to ensure the Cooperative provides high quality services to its member districts. To help clarify this shared responsibility, the following principles are adopted:

- The Director shall be the chief administrator of the Cooperative and be directly responsible to the Board for the total administration of the Cooperative. The Board will not assume the administrative function, but will delegate the executive authority to the Director to carry out these administrative responsibilities.
- Matters requiring Board action will be presented by the Director to the Board in a responsible manner.
- Board members will honor the chain of command of the Cooperative when communicating with parents, member district administration, Cooperative personnel or others concerning Cooperative business by communicating with or making referrals to the Director. All Board decisions and communications affecting employees will be issued by the Director through regular administrative channels.
- The responsibility for determining staffing levels, and hiring, suspension, or dismissal of Cooperative personnel is delegated to the Director subject to approval by the Board as required by law and within budgetary allowances.

Adopted: 8/3/2017

BOARD COMMITTEES

The Board may authorize the establishment of committees from among its membership as it finds it necessary to study operations in specific areas and to make recommendations Board action.

All committees will be appointed by the Board president. The Board president and the Director will serve as ex-officio members of all committees.

The functions of committees will ordinarily be fact-finding, deliberative and advisory, and their reports will be made to the Board for discussion and action. All committee appointments will be for not longer than necessary to discharge the completion of their assignment.

Legal References:

SDCL 13-8-26

Policy References:

BDC

Description

Duties of the president of school board

Executive Sessions

Adopted: 8/3/2017

Revised:

COOPERATIVE ATTORNEY

The Governing Board may appoint an attorney at its discretion to advise and represent the cooperative.

It will be the duty of the cooperative attorney to advise the Board and the Director on the specific legal problems submitted to him or her. The cooperative attorney will attend meetings upon request and will be sufficiently familiar with Board policies, practices and actions under these policies and requirements of the cooperative code to enable him or her to offer the necessary legal advice.

State Reference	Description
SDCL 13-10-2	General power of school boards to employ personnel
SDCL 13-8-39	Management of schools by board - general powers

Review Date: December 8, 2016

Adopted: 8/3/2017

COOPERATIVE BOARD MEETINGS

For the general transaction of business, the standard parliamentary rules will be observed. If any disputed question may arise, Parliamentary Procedure at a Glance, will be taken as authority.

Regular Meetings

Regular Cooperative Board meetings will be held on the Wednesday of the first full week of each month, unless otherwise designated at a prior meeting of the Board.

During the month of July, the Cooperative Board meeting will be held on the Wednesday following the second Monday. The time and place of the meetings will be designated by the Board at the organizational meetings. Public notice will be given in the official newspaper and by posting the agenda in the Cooperative office at least twenty-four (24) hours prior to the meeting.

Regular Meetings of the Advisory Board of Superintendents

The Advisory Board of Superintendents shall meet on the first Monday of each month (excluding the month of July) and may be changed by the Advisory Board of Superintendents or Director to accommodate conflicts with other meetings or other unforeseen conditions. The time and place of the meetings will be designated by the Advisory Board at the organization meetings.

Special Meetings

Special meetings may be called by the President of the Board, or in his or her absence the Vice-President, or a majority of the Board members. Notice stating the time and place of any special meeting and the purpose for its call, will be given to each Board member and the Director by the Business Manager, either orally or in writing, in sufficient time to allow each member's presence. No business other than that stated in the notice will be transacted at a special meeting. Local new media that have requested notice will be notified of the special meeting by mail, e-mail, delivered in person or telephone prior to the meeting. The public notice requirement for posting the agenda in the Cooperative office at least twenty-four (24) hours prior to the meeting may be waived because of special circumstances.

Telephone Conference Call

Board meetings, including executive meetings, may be conducted by either Board by telephone or internet conference call. Members shall be deemed present if they answer present to the roll call taken over the phone or computer. No conference call can be used to conduct hearings.

Legal References

Legal References	Description
SDCL 1-25-1	Official meetings open to the public
SDCL 1-15-1.1	Notice of meetings of public bodies
SDCL 1-25-1.2	Teleconference defined
SDCL 1-26-8	Effective date of rules
SDCL 1-27-1.16	Material relating to open meeting agenda item to be available
SDCL 13-8-10	Meetings of board

Policy References

Policy References	Description
BD	Executive Sessions

Adopted: 8/3/2017

Amended: 8/6/2025

ELECTRONIC COMMUNICATION BY BOARD MEMBERS

Use of electron mail (e-mail) by members of the Cooperative Board shall conform to the same standards of judgement, propriety and ethics as other forms of Board related communication. Board members shall comply with the following guidelines when using e-mail in the conduct of Board responsibilities.

1. The Board shall not use e-mail as a substitute for deliberations at board meetings or for other communications or business properly confined to board meetings.
2. Board members shall be aware that e-mail attachments received or prepared for use in board business or containing information relating to board business may be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by law.
3. Board members shall avoid reference to confidential information about employees, students or other matters in e-mail communications because of the risk of improper disclosure. Board members shall comply with the same standards as school and cooperative employees with regards to confidential information.

Adopted: 8/3/2017

COOPERATIVE BOARD STUDY SESSIONS AND WORK RETREATS

The Board is tasked with a constant flow of governance issues that require action and is determined to expedite the business of the District. The Board is also mindful of the importance of planning, brainstorming and thoughtful discussion.

At its discretion, the Board may schedule study sessions or working retreats in order to provide the governance team an opportunity to deliberate without taking action. Generally study sessions and work retreats are not open to public input. However, the Board may solicit input at the discretion of the Board Chair.

Legal References

SDCL 1-25-1	Meetings of public agencies to be open
SDCL 1-25-1.1	Notice of meetings of public bodies
SDCL 1-27	Public records and files
SDCL 13-8-35	Publication of minutes of board

Description

Policy References

BD	Cooperative Board Meetings
BDDA	Notification of Board Meetings
Bddb	Agenda Format
BDDC	Agenda Preparation and Dissemination
BDDG	Minutes

Adopted: 8/3/2017

EXECUTIVE SESSIONS

All official meetings of the cooperative board are open to the public unless SDCL 1-25-2 and the appropriate subdivision of that statute is cited in a motion to close the meeting to the public.

As permitted by law, the cooperative board may discuss some matters in executive (closed) session. An executive or closed meeting may be held only for the purposes of:

1. Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term "employee" does not include any independent contractor;
2. Discussing the expulsion, suspension, discipline, assignment of or the educational program of a student;
3. Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters, or pertaining to matters to which the attorney-client privilege attaches;
4. Preparing for contract negotiations or negotiating with employees or employee representatives;
5. Discussing marketing or pricing strategies by a board or commission of a business owned by the state or any of its political subdivisions, when public discussion may be harmful to the competitive position of the business;
6. Discussing information pertaining to the protection of public or private property and any person on or within public or private property specific to:
 - a. Any vulnerability assessment or response plan intended to prevent or mitigate criminal acts;
 - b. Emergency management or response;
 - c. Public safety information that would create a substantial likelihood of endangering public safety or property, if disclosed;
 - d. Cyber security plans, computer, communications network schema, passwords, or user identification names;
 - e. Guard schedules;
 - f. Lock combinations;
 - g. Any blueprint, building plan, or infrastructure record regarding any building or facility that would expose or create vulnerability through disclosure of the location, configuration, or security of critical systems of the building or facility; and
 - h. Any emergency or disaster response plans or protocols, safety or security audits or reviews, or lists of emergency or disaster response personnel or material; any location or listing of weapons or ammunition; nuclear, chemical, or biological agents; or other military or law enforcement equipment or personnel.

An executive or closed session may be held only upon a majority vote of the members of the Board present and voting. Discussion during the executive/closed session is limited to the purpose(s) specified in the closure motion(s). Nothing in state law or this policy prevents an executive or closed meeting if the federal or state Constitution or the federal or state statutes require or permit it.

All official actions concerning the matters discussed will be made only at an open official meeting.

By the very nature of the matter discussed in executive/closed session, the matters discussed shall be kept confidential by the Board and individual Board members (and the administration, as agents of the

Board) unless and until allowed to be disclosed publicly by the individual(s) to whom the discussion relates or unless and until authorized or required by law.

It is therefore the policy of the Board that the Board and Board members shall respect the right of privacy of cooperative employees and students, and neither the Board nor individual Board members shall disclose nor convey confidential information regarding cooperative employees or students, the knowledge of which was acquired during executive/closed sessions unless authorized or required by law to disclose the information.

Notes: Violation of the "Open Meeting Law" can result in personal liability and potential criminal charges.

Policy References: Legal references indicate the basis or authority for the board to enact this policy, and policy cross-references identify additional policies related to the subject matter of the above policy.

State	Description
SDCL 1-25-1	<u>Official meetings open to the public</u>
SDCL 1-25-1.1	<u>Notice of meetings of public bodies</u>
SDCL 1-25-11	<u>Recording of meeting permitted</u>
SDCL 1-25-12	<u>Definitions</u>
SDCL 1-25-2	<u>Executive or closed meetings</u>
SDCL 1-27-1.5(17)	<u>Emergency or disaster response plans</u>
SDCL 1-27-1.5(8)	<u>Information pertaining to the protection of persons or property</u>
SDCL 19-19-502	<u>Lawyer-client privilege</u>

Adopted: 8/3/2017

Amended: 11/5/2025

NOTIFICATION OF COOPERATIVE BOARD MEETINGS

Notice of all regular meetings of the Board will be given to the press, the public and all Board members. Dates of regular meetings of the Board will be provided in annual announcements made available in printed form to the news media and the public, following the setting of the dates, times and place of Board meetings at the annual meeting.

Public notice shall be given by posting the proposed agenda in a place that is visible, readable and accessible at least 24 hours prior to any meeting. The notice shall be posted at the building in which the Cooperative Board holds its meeting. Local news media that have requested notice will be notified in person, by mail, email or telephone. Meetings conducted via telephone or internet conference call are subject to the public notice law.

Except in rare emergencies, notification for all special, rescheduled meetings will be sent to the media in time for the public to be notified at least 24 hours in advance. When 24 hours printed notice of a special meeting cannot be given to the public, the business manager will make every effort to make the meeting known to the public through other channels.

All Board members will be personally notified by the business manager of special meetings in sufficient time to allow each member's presence.

Legal References	Description
SDCL 1-25-1.1	Notice of meetings of public bodies
SDCL 1-27-1.16	Material relating to open meeting agenda
SDCL 13-8-10	Meetings of board

Adopted: 8/3/2017

BOARD MEETING AGENDAS AND FORMAT

The Cooperative Board is committed to conducting the public's business in public and providing community members an opportunity to observe and participate. In keeping with those commitments, and to provide for the orderly conduct of the Cooperative's business, the Director in cooperation with the Board President, will prepare board meeting agendas that outline matters to be brought to the Cooperative Board's attention at meetings.

The Cooperative will attempt to accommodate anyone who may request to have an item placed on a board meeting agenda, provided the request is reasonable, timely and made in a manner consistent with board policy and board meeting procedures. Each agenda will reflect that the board reserves suitable time at each meeting to allow citizens to address the board.

The Board will follow the order of business established by the agenda unless the order is altered or items amended by a vote of the board.

CONSENT AGENDA

To encourage efficiency during Cooperative Board meetings, the Cooperative Board may elect to use a consent agenda for items which usually do not require discussion or explanation. A consent agenda allows the board to consider and vote on certain items as a group with a single motion.

Any Cooperative Board member may request to remove any item from the consent agenda. The request does not require a second or a vote by the Cooperative Board. An item removed from the consent agenda will be discussed and acted upon immediately following the consideration of the consent agenda.

Legal References	Description
SDCL 1-25-1	Official meetings open to the public
Policy References	Description
BD	Cooperative Board Meetings
BDC	Executive Sessions
BDDA	Notification of Board Meetings
BDDH	Public Participation at Board Meetings

Adopted: 8/3/2017

AGENDA PREPARATION AND DISSEMINATION

The agenda for all meetings of the Board will be prepared by the Director.

Items of business may be suggested by a Board member, staff member or citizen of the district's services by the cooperative.

The Board will follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. Items of business not on the agenda may be discussed and acted upon if a majority of the Board agrees to consider the item. The Boards, however, may not revise Board policies, or adopt new ones, unless such action has been scheduled.

The agenda together with supporting materials, will be distributed to Board members at least 24 hours prior to the Board meeting to permit them time to give items of business careful consideration. The agenda will also be made available for public inspection in the business office 24 hours in advance of the meeting upon request.

Legal References

SDCL 1-25-1.1

SDCL 1-27-1.16

Description

Notice of meetings of public bodies

Material relating to open meeting agenda

Adopted: 8/3/2017

AGENDA RELATED SUPPLEMENTAL INFORMATION

The cooperative board is committed to making informed decisions on behalf of the district served by the cooperative and to conducting business in a transparent and responsible manner.

To ensure the board has the information necessary to make informed decisions, the director may prepare and disseminate information to supplement items on the board's meeting agenda. All members of the board will receive the agenda and any related supplemental information in advance of the board meeting and with ample time to review the material.

To ensure the public has access to information that the board may use to make decisions, agenda-related supplemental information provided to all board members in advance of the meeting will be available for public inspection in the cooperative office 24 hours in advance of the meeting and during the cooperative board meeting. However, any information protected from disclosure by state or federal law shall not be disclosed to the public.

Legal References

SDCL 1-27- 1

§§ 1-1.16

Title 20 US Code

§1232g

Description

Public Record Laws

FERPA

Adopted: 8/3/2017

QUORUM

A majority of the Governing board membership constitutes a quorum for the transaction of cooperative business.

A majority of the voting members of the Governing Board shall constitute a quorum for the transaction of official business. A majority vote of all board members present is required for the passage of any business.

State Reference	Description
SDCL 13-8-10	Meetings of board
SDCL 2-14-15	Majority exercising joint authority

Policy Reference	Description
BDDF	VOTING METHOD

Review Date: December 8, 2016

Adopted: 8/3/2017

MINUTES

The minutes of the meetings of the Cooperative Board are the written permanent records of the cooperative. The business manager will keep minutes of all the official actions of the Board. The minutes will include:

1. A record of all actions taken by the Board, with the vote of each member recorded except in the cases of unanimous votes.
2. Resolutions and motions in full. This will include a detailed statement of all expenditures of money, with names of persons to whom payment is made and service rendered or goods furnished; a detailed statement of receipts, and balance on hand; and expenditures and receipts of trust and agency funds.
3. A record of the disposition of all matters on which Board considered, but did not take action.
4. The salaries of employees will be published after the July organizational meeting.

The unapproved minutes will be available for inspection by any person within 10 business days after the meeting.

Within 20 days after a Board meeting, "unofficial minutes" of the meeting will be published in the Cooperative's official newspaper, as in accordance with law.

The Board will approve the minutes of every meeting within 45 days after that meeting. The presiding officer and the business manager will sign the minutes of all regular and special meetings after approval by the Board. Any change or correction in the minutes will be reflected in the minutes of the meeting at which the changes are made.

All minutes will be open to inspection by the public during the regular hours of the business manager.

Legal Reference

SDCL 1-27-1.17

SDCL 6-1-10

SDCL 13-8-34

SDCL 13-8-35

SDCL 13-8-43

Description

Draft of minutes of public meeting to be available

Publication of payroll information

Approval and signing of minutes of school board

Publication of minutes of board

Records of business manager open to public inspection

Adopted: 8/3/2017

PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board welcomes the public to attend its sessions so they may become better acquainted with the operation and programs of the cooperative.

In order to assure that citizens who wish to appear before the Board may be heard, and, at the same time, conduct its meetings properly and efficiently, the following procedures have been adopted:

1. Any individual who desires to speak about an item on the agenda, is asked to contact the Director, the business manager or the Board President. The request may be communicated orally prior to the meeting or in written form.
2. Persons, who wish to speak about an item that is not on the agenda, are asked to present such requests to the Director or the Board President, prior to the beginning of the meeting. Persons who present such a request will be allowed to speak about the topic before the meeting is adjourned.
3. Citizens, who desire Board action on an item not on the agenda, will submit the item to the Director's office, at least 10 days prior to the meeting of the Board, at which they wish for the item to be considered.
4. Presentations should be as brief as possible. Unless an extension of time is granted, a speaker will be limited to five minutes.

The Board vests in its President or other presiding officer, authority to terminate the remarks of any individual when they do not adhere to the rules established above, or if the individual becomes disruptive or inflammatory in his or her remarks.

Adopted: 8/3/2017

BOARD POLICY DEVELOPMENT AND ADOPTION

Cooperative policies approved by the Board have the full force and effect of law, and legally bind the cooperative.

Adoption of new policies or changing existing policies is solely the responsibility of the Board. It is through the adoption of written policies that the Board exercises its legal responsibility for the operation of the cooperative. Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the Board.

Proposals regarding new and amended school district policies may originate at any of several sources including but not limited to: a parent, a student, a school district patron, an employee, a member of the Board, the Director, a consultant, a civic group.

The Board may:

- Approve the new policy or policy amendment,
- Amend the new policy or policy amendment and then approve as amended,
- Reject the new policy or policy amendment, or
- Defer action on the new policy or policy amendment until a later date.

Policies will be effective upon adoption by the Board. The Board will review cooperative policies on a continuing basis.

The Board's policies are a public record. Policies are available for reviewing and copying in the administrative offices of the cooperative during regular office hours. Policies may also be viewed on the cooperative's website.

Reviewed: 10/6/2022

Repealed: 10/6/2022

ADMINISTRATION IN POLICY ABSENCE

In the absence of Board policy specifically covering any action that the Superintendent feels he or she must take for the orderly execution of the Director duties, he or she may take temporary action that he or she feels will be in harmony with the overall policy of the Board. However, the Director will not be free to act when the action involves a duty of the Board that by law cannot be delegated.

In each case in which the Director must take such action, he or she will present the matter to the Board for its consideration at its next meeting.

Adopted: 8/3/2017

SUSPENSION OF POLICIES

Board policies may be suspended only upon a majority vote of all the members of the Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of all members of the Board when no such written notice has been given.

Policies regarding Board operation will be suspended only upon a majority vote of all members of the Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of all members of the Board when no such written notice has been given.

Adopted: 8/3/2017

POLICY REVIEW AND EVALUATION

In an effort to keep its written policies up to date so that they may be used consistently as a basis for Board action and administrative decision, the Board will review its policies on a regular basis.

The Board will evaluate how the policies have been executed by the cooperative staff and will weigh the results. It will rely on the staff and the community for providing evidence of the effect of the policies, which it has adopted.

1. The Director is given the continuing commission of calling to the Board's attention all policies that are out of date or for other reason appear to need revision.
2. Each Board policy that is reviewed by the Director shall be presented to the Board as part of the Cooperative's effort to continually review board policy.
3. The Board directs the Director to recall all policy and regulation manuals periodically for purposes of administrating updating and Board review.

Adopted: 8/3/2017

BOARD MEMBER COMPENSATION AND EXPENSES

The per diem for each meeting will be set at the annual meeting in July. A board member may receive the per diem only for each meeting actually attended.

Board members will receive a travel allowance as authorized by the State Board of Finance.

Legal Reference	Description
SD Constitution, Art. XXI, Sec. 2	Salary of constitutional officers
Governor's Budget Report	
Attorney General Opinion #85-27	
SDCL 4-7-10.4	Budgeting and appropriations for compensation
SDCL 13-8-10.2	Attendance at association meetings
SDCL 12-8-27	Compensation of board members
SDCL 13-8-38	Travel allowance of school board members

Adopted: 8/3/2017