

The School Board of Gadsden County

Bylaws & Policies

Unless a specific policy has been amended and the date of the policy was revised is noted at the bottom of that policy, the bylaws and policies of The School Board of Gadsden County were adopted on June 25, 2013, and were in effect beginning June 26, 2013.

0140 - MEMBERSHIP

0141

Number

The School Board shall consist of five (5) members.

All members shall be elected by single member districts.

Each member of the Board shall serve as the representative of the entire District, rather than as the representative of a district school board member residence area.

0141.2

Conflict of Interest

A School Board member shall not have any direct financial interest in a contract with the School District nor shall s/he furnish directly any labor, equipment, or supplies to the District.

In the event a Board member is employed by a corporation or business or has a secondary interest in a corporation or business which furnishes goods or services to the School District, the Board member shall declare his/her interest and refrain from debating or voting upon the question of contracting with the company.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment may conflict even though such conflict may not exist.

F.S. 112.311, 1001.42

0141.3

Conflicting Employment or Contractual Relationship

Subject to the exemptions provided in F.S. 112.313(12), no School Board member shall have or hold any employment or contractual relationship with any business entity or any agency which is doing business with the District, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining

contract with the District, nor shall a member of the Board have or hold any employment or contractual relationship that will create any conflict whatsoever between his/her private interests and the performance of his/her duties or that would impede the full and faithful discharge of his/her duties.

Lastly, pursuant to F.S. 112.313(14), no Board member may personally represent before the Board for compensation another person, business entity, or agency which is doing business with the District for a period of two (2) years following vacation of office or termination of employment.

F.S. 112.313(7)

0142 **Qualifications**

Each member of the School Board shall meet the qualifications specified by F.S. 1001.34.

0142.1 **Oath**

Before entering upon the duties of office after election, or within ten (10) days of appointment if appointed, members shall take the prescribed oath of office. F.S. 1001.37.

0142.3 **Orientation**

The School Board believes that the preparation of each Board member for the performance of Board duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools, and learn Board procedures. Accordingly, each new Board member, when his/her election is certified, shall receive for use during his/her term on the Board:

- A. a copy of the Florida Ethics Law;
- B. a copy of the Board policy manual;
- C. a copy of each current collective bargaining agreement;
- D. the current budget statement, audit report, and related fiscal materials;
- E. Florida School Laws, current edition; and
- F. State Board of Education rules.

The Chairperson of the Board shall be responsible for providing an

orientation program for newly elected Board members to commence as soon as possible after their new term begins. This orientation shall reflect, among other things, the purpose and role of the Board, the conduct of individual Board members, an overview of educational programs, and a review of Board rules and policies. Each new Board member shall be invited to meet with the Superintendent and members of the Superintendent's leadership team to discuss District functions, policies, and procedures.

The Board shall encourage the attendance of each new Board member at orientation and training meetings.

0143 **Election**

The county shall be divided into five (5) residence areas approximately equal in population.

Members of the School Board shall be elected by the residents of that member's residence area and once elected shall represent the entire District.

F.S. 1001.362

0143.1 **Residence Areas**

As provided by law, the School Board may make any changes it deems necessary in the boundaries of any Board member residence area in odd-numbered years, provided that such a change shall not disqualify an incumbent member during his/her elected term.

F.S. 1001.36(2)

0144 **Term**

School Board members shall be elected at the general election in November for staggered terms of four (4) years arranged so that, of five (5) members, three (3) members shall be elected at one general election and two (2) members shall be elected at the ensuing general election.

The term of office shall begin on the third Tuesday after the first Monday in November of the year in which the member is elected.

F.S. 1001.35, 1001.371

0145 **Filling a Board Vacancy**

A vacancy occurs on the School Board when one (1) of the following events occurs:

- A. death of the incumbent
- B. failure to maintain the residence required
- C. failure of the person elected to qualify as an elector of the School District and a resident of the residence area from which the member was elected before taking office, or failure of the person appointed to qualify as an elector of the School District and a resident of the residence area for which the member was appointed within ten (10) days of said appointment
- D. resignation
- E. removal from office
- F. unexplained absence for sixty (60) consecutive days

Vacancies shall be filled by appointment by the Governor.

F.S. 1001.38, Fla. Const. Art. X, Section 3

0146

Removal

The Governor is empowered to suspend or remove for cause an elected or appointed School Board member. Convictions of certain offenses and failure to adhere to prescribed standards of conduct as defined by statute are grounds for removal from office.

F.S. Const. Art. IV, Section 7

0147

Compensation

Pursuant to State law, each School Board member shall receive a salary based on the population of Gadsden County, Florida, and as adjusted by Florida statute.

F.S. 1001.395

The Board may authorize all approved expenses for membership of its Board members in recognized school board associations. Expenses of a Board member incurred in the performance of his/her duties will be paid by the District, provided that each such member submits a written statement of his/her expenses consistent with Board policy and within the constraints of budgeted resources.

A Board member shall receive term life insurance in an amount equal to

their annual salary and medical insurance coverage with an option to purchase additional coverage at prescribed rates. Board members are eligible to participate in the Florida Retirement System as specified by law. Board members shall not receive sick leave or vacation pay.

0148

Use of Equipment and Services

The Superintendent is authorized to make available to School Board members for their official use the following equipment and services routine office supplies, computer, printer, fax machine, desk, chair, filing cabinet, wireless communication device, business cards, official District stationary, and software compatible with District systems.

Any additional non-budgeted items desired by members must have Board approval. Equipment and services shall be acquired in accordance with District purchasing and property accounting procedures and shall be accounted for by the Superintendent. Equipment must be returned on the last day of the Board member's term of service.

F.S. 1001.41

0149

Access to Records

Individual members of the School Board do not possess the powers that reside in the Board, but no member of the Board shall be denied documents or information to which s/he is legally entitled and which are required in the performance of his/her duties as a Board member.

Access to District personnel records shall be subject to Board policy and State statute.

Information obtained from employee personnel records by members of the Board shall be used only for the purpose of aiding the members to fulfill their legal responsibilities in making decisions on such matters as appointments, assignments, promotions, demotions, remuneration, discipline, and dismissal, or to aid the development and implementation of personnel policies, or for such other uses as are necessary to enable the Board to carry out its legal responsibilities.

0149.1

Public Expressions of Members

The School Board Chairman shall function as the official spokesperson for the Board.

From time-to-time, however, individual Board members may make public statements on school matters to local media and/or to local or State officials.

Board members should, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the

Board.

Under no circumstances shall Board members use e-mail to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

There should be no expectation of privacy for any messages sent by e-mail. Messages that have been deleted are still accessible on the hard drive, if the space has not been occupied by other messages. Messages, deleted or otherwise, are subject to disclosure under the Public Records Act, unless an exemption would apply.

0149.2

Board Member Participation at District Committee Meetings

The School Board believes that the involvement of stakeholders in the formulation of recommendations to the Superintendent and the Board is essential to good decision-making. Board members may participate in committee discussions. Statements by Board members that reflect personal opinion will be clearly identified as such to committee members.

0149.3

Board-Staff Communications

The School Board is a policy making body and its individual members do not have authority to direct the day-to-day operations of the District or its employees. Nevertheless, the Board believes that open channels of communication between itself and the staff will benefit the District. The preferred line of official District communication should, however, be through the Superintendent.

A. Staff Communications to the Board

All communications regarding official business of the District from staff members to the Board or its committees should be preferably submitted through the Superintendent. The Superintendent should forward such communications received from staff members to the Board no later than seven (7) days following receipt.

If a staff member chooses to communicate directly with the Board regarding District business, then that communication should be sent to all members of the Board and the Superintendent should be copied as well.

This communication protocol is not intended to deny any staff member his/her constitutional right of free speech or the right to appeal to or otherwise address the Board on important matters through established procedures.

B. Board Communications to Staff

All official communications, policies, and directives of the Board of staff interest and concern to the staff will generally be communicated through the Superintendent, who should also keep staff members informed of the Board's concerns and actions.

C. Social Interaction

Both staff and Board members share an interest in the schools and in education generally, and it is to be expected that when they interact at social affairs and other functions, they will informally discuss such matters as educational trends, issues, and innovations, and general activities of the District. However, since individual Board members are not authorized to act on behalf of the Board unless in open public session or when specifically vested with such authority, it will be considered to be unacceptable conduct for individual Board members to discuss with members of the staff personnel grievances or other complaints if procedures to seek remedy for such grievances or complaints have been established in Board policy or in the collective bargaining agreement.

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