



Organizing the Board

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NDSBA 2021 Annual Convention

Annual Meeting Requirements



What is the Annual Meeting?

- State law requires each school board to hold an organizational meeting each year in July following the annual election
- A.k.a. “annual meeting”
- Term of office for newly-elected school board member **begins** at the annual meeting
- Term of any board member who is transitioning off the board **ends** as of the annual meeting

Annual Meeting Requirements

- ✓ Seating of new board members
- ✓ Election of officers
- ✓ Board President duties and responsibilities
- ✓ Appointment of committees

Annual meeting policy

- Boards should adopt policy that addresses procedure for annual meeting
- **BCAB-BR** (Procedure for Seating New Board Members)
- Directs that the annual meeting be called to order by either most senior board member remaining on the board or the superintendent.
- This individual will serve as chair pro-tem until a new president is elected.
- The chair pro-tem will then acknowledge all new board members who will be seated immediately after the call to order.
- The chair pro-tem will then follow the order of business delineated in the agenda.
- Election of officers should be considered a special order and acted upon ***before*** addressing unfinished business and new business.

Election of Officers

- ✓ North Dakota law requires, at a minimum, all boards to elect from among themselves a president to serve for **one year**.
- ✓ *May* elect a vice president to serve in absence of president
- ✓ When selecting officers, keep responsibilities in mind, so let's review....

- NDCC 15.1-09-30
- School board president
- Any two board members
- Written notice must be provided to each member

Who may
call a
special
meeting?

Who determines meeting agenda?

- Board president with assistance from superintendent
- Board policy BCAA
- Requests from other board members?
- Adding to agenda at meetings?

Who presides over meetings?

- Board president
- If board president absent or conflict exists, then vice president
- If vice president absent or conflict exists, then most senior board member present
- Board policy BBBA

Board President's Duties at Meetings

Calls meeting to order

Keep board on track with agenda

Maintain decorum and order

Follow Robert's Rules of Order

Make sure board members and others are speaking in turn

Make motions, second and vote??

1. Call meetings as prescribed by law
2. Along with the superintendent, prepare the agenda (See Section IV)
3. Review pertinent materials before meeting
4. Call meetings to order
5. Recognize members wishing to speak
6. Limit or extend the time of debate
7. Oversee debate (discussion) on motions
8. Clearly state items being considered or voted upon
9. Announce the results of all votes
10. See that agenda and procedural rules are followed
11. Rule when persons or procedures are out of order
12. Coordinate authorized public discussion
13. Control general tone and direction of meeting
14. Recess the meeting if necessary
15. Appoint committees with approval of board
16. Authorize payment of bills
17. Declare the meeting adjourned when appropriate
18. Review draft of minutes with business manager

Removal of Officers

- When a board-elected officer exhibits behavior that reflects negatively on the board, the Board may remove the officer from the elected office through an affirmative vote.
- The board may remove an elected officer by simple majority vote.
- The removal from the elected office, however, does not remove the individual from the board.
- In addition, board officers may voluntarily resign from their position as an officer..

Appointment of Committees

- ✓ BBBB policy
- ✓ Standing committees (e.g., personnel, transportation, curriculum, facilities, finance, etc.)
- ✓ Board president typically makes recommendations for committee assignments, then board approves
- ✓ Serve for one year
- ✓ Committee members?
- ✓ Less than a quorum of board member recommended
- ✓ Removal by majority vote

Keep in mind. . .

- Gather information and make recommendations to the board for action; should generally not delegate any final decision-making authority to a board committee
- Board committees/subcommittees must comply with open meeting requirements just like full board - includes public access, notice and minutes
- Doesn't need to be called a "committee" or require specific board action in order for committee to be created
- Any time board assigns a task or any responsibility to 2 or more people, committee is created
- Non-committee member attendance at committee meetings?

What it is not

- Only elected school board members are permitted to make motions, second motions, debate and vote
- No other person has a right to participate except when the board has solicited and scheduled such participation on the agenda or if the board calls upon someone for information on a particular item
- The only thing a non-board member may do is speak to an issue as prescribed by board policy and when recognized by the president.
- The public is permitted to attend, listen to and record proceedings; but participate only when properly scheduled.
- Board may allow them to participate, but in accordance with established procedural policies set by the board
- Cannot speak out of turn or be disruptive
- Board has discretion to choose issues on which to seek public input
- Do not get to harass administration, staff on school property, by phone or electronically

Public participation at board meetings

- ❑ Controlled by board policy (BCBA, BCBA-BR)
- ❑ **Requests to be placed on agenda** (should be submitted in advance and identify topic)
- ❑ **General public comment period** on agenda (state name/address, time limit, only comment on agenda items)
- ❑ Board president or presiding officer manages public comment period
- ❑ Common for boards to have public comment period on regular meeting agendas (usually determined by policy)
- ❑ However, board generally has discretion to determine when and if appropriate for a given meeting (some exceptions relating to public hearings, such as planning meeting, safety plan, or budget tax hearing)
- ❑ Board may respond or ask questions, but generally recommend just receiving public comment; can respond or ask follow up questions outside of meeting.

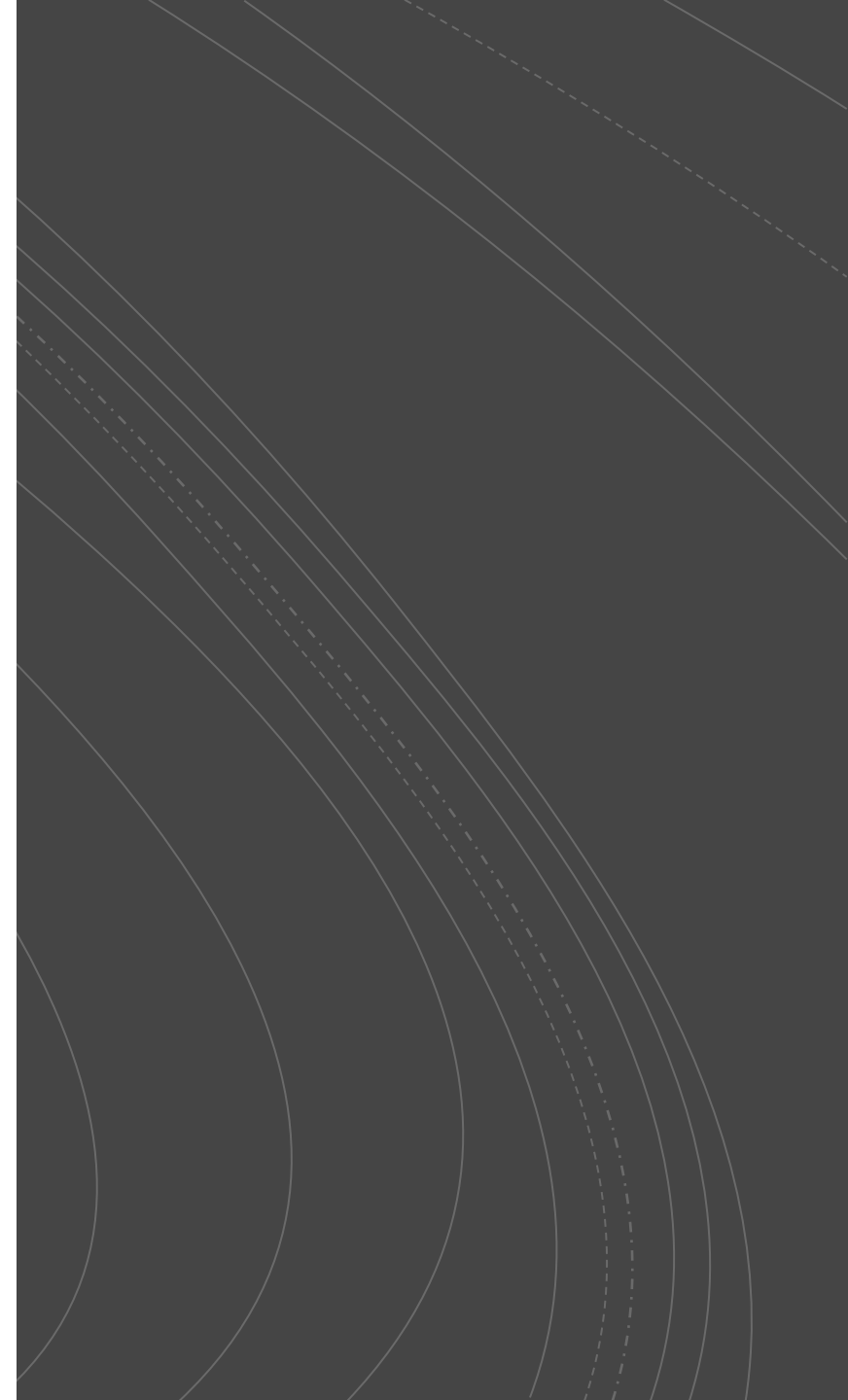
Conduct or Remarks Out of Order

- Undue interruption or other interference with the orderly conduct of board business cannot be allowed
- Defamatory or abusive remarks are always out of order
- Board president or presiding officer may terminate the speaker's privilege if, after being called to order, they persist in improper conduct or remarks
- Any individual who is persistently disruptive of a school board meeting may be removed from that meeting by order of the presiding officer (usually give warning first)
- Law enforcement may be contacted to assist if necessary

Rules of Decorum for Audience

- Clapping, applauding, heckling or verbal outburst in support or in opposition are discouraged
- Board president or presiding officer has authority to recess the board meeting when such behavior becomes disruptive to order of meeting
- Signs, placards, banners, or items used to display an audience member's message must not dispute meeting or interfere with others' visual rights
- Audience members must be prohibited from approaching board table unless directed to do so by board president or presiding officer

Questions?



Next NDSBA Lunch & Learn

When: September 15, 2021 at 12 p.m. CT

What: Evaluation of Business Manager

Who: KrisAnn Norby-Jahner, Attorney, Vogel Law Firm

More info/
register: www.ndsba.org/resources/lunchlearn





NDSBA

**NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION**