POLICY 1001
BY-LAWS FOR THE BOARD OF EDUCATION

I. Rule One: Responsibilities

The source of authority of the Board of Education is the state acting through the legislature and the state constitution. Although the state maintains, through its State Department of Education, general supervision and control of the schools, the legislature has delegated to local boards of education the legislative and judicial responsibilities of the school district and the Board, in turn, delegates the administrative tasks to the administrative staff (Reference: 70 O.S. §1-115).

II. Rule Two: Officers of the Board

A. Statutory Officers. The Board shall elect from its membership at the first regular, special or emergency meeting following the annual school election and certification of election of new members, a president and vice president, each of whom shall serve a term of one year and until a successor is elected and qualified. The Board shall also elect a clerk and, in its discretion, a deputy clerk (Reference: 70 O.S. §5-119).

B. President. It shall be the duty of the president to preside at meetings of the Board, to appoint any committee whose appointment is not otherwise provided for, and to sign all warrants ordered by the Board to be drawn upon the treasurer for school money (Reference: 70 O.S. §5-120).

C. Vice President. It shall be the duty of the vice president to perform all of the duties of the president in case of his/her absence or disability (Reference: 70 O.S. §5-121).

In the absence or inability to act of both the president and vice president, the remaining members shall select a member to act in that capacity.

D. Clerk and Deputy Clerk. The Board shall elect a clerk and, in its discretion, a deputy clerk, either of whom may be one of the members of the Board. If the Board elects a board clerk who is not one of the members of the Board, the board clerk may also be employed as the encumbrance clerk and the minute clerk. No superintendent, principal, treasurer or assistant treasurer, instructor or teacher employed by the Board shall be elected or serve as clerk or deputy clerk nor as encumbrance clerk or minute clerk; a treasurer or assistant treasurer may serve as a minute clerk (Reference: 70 O.S. §5-119).

It shall be the duty of the clerk to countersign all warrants for school monies drawn upon the treasurer by the Board and perform such other duties as required by law or as the Board or its committees may require (Reference: 70 O.S. §5-122).

The deputy clerk may perform any of the duties and exercise any of the powers of the clerk with the same force and effect as if the same were done or performed by the clerk. Before entering upon the discharge of the duties of the deputy clerk, the deputy clerk shall give a bond in a sum of not less than One Thousand Dollars ($1000.00) with good and sufficient sureties to be approved by the Board conditioned for the faithful performance of the duties of the deputy clerk (Reference: 70 O.S. §5-119).
The clerk and deputy clerk shall hold office during the pleasure of the Board and each shall receive such compensation as the Board may allow (Reference: 70 O.S. §5-119).

E. **Superintendent of Schools.** The Board shall appoint and employ a qualified Superintendent of Schools who shall be the executive officer of said board and the administrative head of the school system and who shall perform such duties as said Board directs (Reference: 70 O.S. §5-106, 1-116; 5-117). The Superintendent may not be a member of the Board.

In the event that any vacancy occurs in the office of Superintendent of Schools, the Board shall promptly fill such vacancy. Such vacancy may either be filled by appointment of an acting Superintendent of Schools or may be filled by appointment of a Superintendent of Schools as specified in this section.

F. **Assistant Superintendent(s).** The Superintendent may appoint, subject to approval of the Board, such assistant superintendent(s) as he/she should deem necessary or expedient, each of whom shall serve at the pleasure of the Superintendent.

G. **Attorney.** The attorney for the Board shall be appointed by the Board and shall serve at its pleasure; he/she shall represent the Board in all litigation and shall render other legal services to the Board upon its request; he/she shall also counsel and advise the Board and the Superintendent with respect to legal questions relating to school matters upon their request; and he/she shall attend all meetings of the Board when reasonably possible.

The attorney shall receive for his/her services such compensation, as the Board shall allow. (Reference: 70 O.S. §5-117) The Board will provide legal counsel at district expense to any members of the Board of Education, or school district officers or employees who are sued in situations relating to and arising out of the performance of their office or employment. (Reference: A.G. Op. Feb., 1973) Judgments will be paid in compliance with regulations of law. (Reference: Governmental Tort Claims Act: 51 O.S. §151 et seq.).

H. **Treasurer and Assistant Treasurer.** The Board will appoint a treasurer for the school district and, in its discretion, an assistant treasurer of the district, each of whom shall serve at the pleasure of the Board for such compensation as the Board may determine (Reference: 70 O.S. §5-114).

The treasurer shall deposit, invest and pay out all monies of the district in accordance with 70 O.S. §5-115. He/She shall prepare and submit in writing a monthly report of the finances of the district and such other reports as may be required by the Board or by law and shall keep ledgers as prescribed by law (Reference: 70 O.S. §5-115).

Before entering upon the discharge of their duties, the treasurer and the assistant treasurer shall furnish a surety bond in an amount fixed by the Board to be approved and paid for by the Board (Reference: 70 O.S. §5-114-115).

I. **Encumbrance Clerk, Minute Clerk, and Deputy Minute Clerk.** The Board shall employ an encumbrance clerk and minute clerk and may designate a deputy minute clerk any of whom may not be a Board member or a Superintendent, principal, instructor or teacher employed by the Board. A treasurer or an assistant treasurer may not serve as an encumbrance clerk.

The encumbrance clerk shall keep the books and documents of the school district and perform such other duties as the Board or its committees may require.
The minute clerk shall keep an accurate journal of the proceedings of the Board and perform such other duties as the Board or its committees may require.

The deputy minute clerk may perform any of the duties and exercise any of the powers of the minute clerk with the same force and effect as if the same were done or performed by the minute clerk.

Before entering upon the discharge of their duties, the minute clerk, the deputy minute clerk and the encumbrance clerk shall each give a bond in a sum of not less than One Thousand Dollars ($1000.00) with good and sufficient sureties to be approved by the board conditioned for the faithful performance of their duties. If both functions of minute clerk and encumbrance clerk are performed by the same person, only one (1) bond in a sum of not less than One Thousand Dollars ($1000.00) shall be required (Reference: 70 O.S. §5-119).

III. Rule Three: Meetings

A. Notification of Board of Education Meetings. The Board of Education shall announce through the news media the date, time, and place of regular and special meetings, and the major agenda items. The agenda will be posted at the Administrative Services Center twenty-four (24) hours in advance of the meeting (Reference: 25 O.S. §301-314). The agenda will be posted on the District website.

B. Regular Meetings. Regular meetings of the Board shall be held as required by law and will be for the purpose of conducting the business of the District. The Norman Board of Education will hold regular meetings on the third Monday of each month or upon such a day as may be fixed by the Board. All such meetings shall be held, commencing at 7:00 p.m., at the Administrative Services Center located at 131 South Flood Avenue, Norman, Oklahoma, 73069.

Items on the agenda may be addressed by the public at the discretion of the Board at the time designated by the Board and the length of the discussion period shall be established by the Board. A time limit of three (3) minutes will be allowed for each speaker. The time limit may be extended by consent of the Board.

The order of business at all regular meetings of the Board shall be as listed below. This order of business may be changed by consent of all members present:

1. **Roll Call**

2. **Special Agenda Items**
   Matters requiring no Board action, such as recognition of outstanding student achievement, declarations of special dates relating to education and introductions of staff members/patrons involved in special activities are presented at this time.

3. **Public Communications - Items Not on the Agenda**
   At the discretion of the Board, patrons may speak to the Board on other items of concern during this section of the Board meeting. The Board may limit the amount of time allocated for Public Communication. A time limit of three (3) minutes will be allowed for each speaker. The time limit may be extended by consent of the Board.

4. **Disposition of Routine Business by Consent**
5. **Unfinished Business**  
The Board will take action on the items which have appeared on previous agendas.

6. **New Business**  
The Board will consider those agenda items which have not been presented at previous meetings.

   To address the Board during this time, a patron must fill out an Information Card prior to the starting time of the meeting. The card should be presented to the Supervisor of Security who will present the card to the Clerk of the Board. The Clerk of the Board will present the card to the Board President. If more than one patron is speaking on an issue, repetitive statements or concerns will not be allowed.

   Should the speaker raise any question requiring Board action it will be deferred for consideration by the Board. The Board President and the Superintendent will determine whether the item shall be placed on a future agenda or handled in another more appropriate manner.

   Comments at special meetings must be related to the reason the meeting was called.

   Allegations against individual employees are personnel matters and will not be discussed at public Board Meetings. Such matters must be presented in writing to the Superintendent and must be signed by the individual or organization submitting the comments.

7. **Administrative Staff Report**

8. **Board of Education Report**

9. **Executive Session (if needed)**  
   Upon motion made, seconded, and carried, the Board, upon compliance with requirements of law, may recess to executive session. When an executive session is scheduled, reasons will be specified.

   Any vote or action thereon must be taken in public meeting with the vote of each member publicly cast and recorded (Reference: 25 O.S. §307).

10. **Adjournment**

C. **Reconvened Regular Meetings.** Reconvened regular meetings may be held at such time and place as the Board may determine in the motion to adjourn. Public notice of such action (date, time, place) shall be given by announcement at the original meetings.

   The order of business at reconvened regular meetings shall be the same as at regular meetings. Only matters appearing on the agenda of the meeting which is continued may be discussed at the reconvened meeting (Reference: 25 O.S. §311).
D. **Special Meetings.** Special meetings of the Board may be called by the Board, or the President or Vice President of the Board, at any time. Public notice will be given at least forty-eight (48) hours prior to said meetings and will be in compliance with requirements of law. At least twenty-four (24) hours prior to said meetings, public notice of date, time, place, and agenda will be posted in the designated place at the Administrative Services Center. Only matters appearing on the posted agenda may be considered at special meetings.

Twenty-four (24) hours prior public posting shall exclude Saturdays, Sundays and holidays legally declared by the State of Oklahoma (Reference: 25 O.S. §304, 311).

E. **Emergency Meetings.** Emergency meetings of the Board may be called by the Board, or the President or Vice President of the Board, for the purpose of dealing with an emergency. An emergency is defined as a situation involving injury to persons, injury or damage to public or personal property or immediate financial loss when the time requirements for public notice of a special meeting would increase the likelihood of injury or damage or immediate financial loss. Should such a meeting be necessary, as much advance public notice as is reasonable and possible by whatever means possible will be given (Reference: 25 O.S. §304, 311).

F. **Executive Sessions.** State statute provides that executive sessions are permitted for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any employee; or for the purpose of confidential communication between the Board and its attorney concerning a pending investigation, claim, or action if the Board, with the advice of its attorney, determines that disclosure will seriously impair the ability of the Board to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest; or for the purpose of hearing evidence and discussing the expulsion or suspension of a student when requested by the student involved or his/her parent, attorney or legal guardian; or for the purpose of discussing matters involving a specific handicapped child or in any other instance where disclosure of information would violate confidentiality requirements of the state or federal law; or for the purpose of discussing negotiations concerning employees and representatives of employee groups; and for the purpose of discussing the purchase or appraisal of real property. An executive session for the purpose of discussing the purchase or appraisal of real property shall be limited to members of the Board, the attorney for the Board, and the immediate staff of the Board; no land owner, real estate developer, or any other person who may profit directly or indirectly by a proposed transaction concerning real property which is under consideration may be present or participate in the executive session. Any vote or action thereon must be taken in public meeting with the vote of each member publicly cast and recorded. An executive session held by the Board for the purpose of discussing the purchase or appraisal of real property shall be limited to such persons as designated by law (Reference: 25 O.S. §307).

IV. **Rule Four: Transaction of Business**

A majority of the full membership of the Board shall constitute a quorum for the purpose of conducting any business of the school district, and the affirmative vote of a majority of the full membership of the Board shall be required for the passage of any motion or resolution. A majority of the full membership of the Board means three (3) members and this is true even if there are one (1) or more vacancies on the Board.

V. **Rule Five: Committees**
A. Standing Committees. The Board shall have no standing committees but shall do its work with the whole Board or a quorum of the Board present at all its deliberations.

B. Special Committees. Special committees may be appointed by the presiding officer for such special purposes as deemed necessary. The authority of the special committees shall be limited to making investigations followed by reports or recommendations to the Board.

VI. Rule Six: Voting

The vote of each member shall be publicly cast and recorded. (Reference: 25 O.S. §305) An affirmative vote of a majority of the full membership of the Board shall be required for the passage of any motion or resolution. If a member does not wish to vote on a motion or resolution, he may answer “abstain” or “present” and it shall be so recorded. However, if a member announces a conflict of interest with regard to a motion or resolution before the Board, leaves the meeting until the motion or resolution is disposed of, and abstains from voting thereby, the member shall not be counted as having voted on the motion or resolution.

VII. Rule Seven: Parliamentary Procedure

Matters of parliamentary procedure not covered by these rules nor by statute, the current edition of Robert’s Rules of Order shall govern insofar as they may be applied.

VIII. Rule Eight: State Laws

No provision of these by-laws or amendments thereto shall be operative if it is in conflict with any law of the State of Oklahoma or of the United States of America.

IX. Rule Nine: Amendments

These by-laws may be amended at any meeting of the Board subject to compliance with 25 O.S. §301-314.

X. Rule Ten: Temporary Suspension of Rule

These by-laws may be temporarily suspended by unanimous consent of the members present at any meeting attended by a majority of the qualified members of the Board.

XI. Rule Eleven: Purpose and Scope of Rules

These by-laws and any amendments thereto are mere rules of procedure and are promulgated and established solely for the use and benefit of the Board of Education for the orderly conduct of its meetings. These rules do not and are not intended to create any right or benefits for any persons transacting business or dealing with the Board of Education.