

### **South Dakota Board of Education--General**

**1.0** The South Dakota Board of Education (SDCL 1-45-6.1) shall consist of nine members appointed by the Governor, with the advice and consent of the Senate, to four year terms expiring on December 31 of the fourth year. Vacancies arising from reasons other than the natural expiration of a term shall be filled and served only through the unexpired portion of the term.

**1.1** New Board members shall be provided access to copies of the Board policies, administrative rules and statutes pertaining to education, Board minutes, and the current Educational Directory. A tour and orientation of department facilities shall be arranged at the convenience of new Board members as requested.

**1.2** The Board may maintain membership in the National Association of State Boards of Education (NASBE). The membership and payment of membership dues shall be reviewed on an annual basis. Members of the Board are encouraged to attend the meetings of NASBE as appropriate.

**1.3** The law provides for the maximum salary or per diem compensation and allowable expense reimbursement that may be paid to members of State Board (SDCL 4-7-10.4).

**1.4** Board members shall be eligible for per diem for all Board meetings, committee assignments or educational events when representing the Board. The President must authorize such assignments and attendance at events. All out-of-state travel requests must be approved in advance by the Secretary of the Department of Education (“Secretary”). Per diem payments shall be made as long as budgetary considerations will allow.

**1.5** The Board shall comply with all open meetings and public records requirements of South Dakota law.

### **Board Officers**

**2.0** The officers of the Board shall be the President and Vice President. The Secretary shall be the executive officer of the Board.

**2.1** At the meeting prior to December 31 of each year, the members of the Board shall elect from their members a President and Vice President to serve for a term of one year.

**2.2** The Secretary shall chair the meeting during the election of officers.

**2.3** The President shall preside at meetings of the Board. The President shall supervise all business and affairs of the Board unless otherwise delegated to another member or members or to personnel in the Department. The President shall sign such instruments as the Board has

authorized to be executed and shall perform all other duties as may be prescribed by the Board.

**2.4** The President or a designee shall be the spokesperson for the Board. The President may direct the Secretary to issue information or press releases on behalf of the Board.

**2.5** A majority (five) of Board members shall be a quorum for the transaction of business. To take any official action, the affirmative vote of five members of the Board shall be required.

**2.6** In the absence of the President, or inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting shall have all the powers of the President. In the absence of the President and the Vice President, the members present shall elect an acting president from the members present to conduct the meeting. The Secretary shall preside over the election.

**2.7** In the event that an officer cannot serve or is removed from office, the following actions shall occur to assure continuity of leadership of the Board:

**a.** In the event of a vacancy in the Board presidency, the Vice President fills the unexpired term.

**b.** In the event of a vacancy in the Board vice-presidency, an election is held at the next meeting of the Board to fill the unexpired term.

**c.** In the event of vacancies in both the presidency and vice-presidency, the Board shall elect officers at the next meeting to fill the unexpired terms of those offices.

**d.** A two-thirds majority vote of the Board may remove the President, Vice President, or both from office. The office(s) shall be filled in accordance with the provisions of this section.

### **Board Meetings**

**3.0** Meetings of the Board shall be conducted pursuant to Robert's Rules of Order Newly Revised (11<sup>th</sup> ed.) or the most up to date edition, whichever is later, to the extent that these rules are applicable and not inconsistent with Board policies. Regular meetings shall be held no less than four times per calendar year. Special meetings may be held at the call of the President, or in the President's absence a majority of the Board, or at the call of the Secretary.

**a.** The President, Vice President, or other such member of the Board as may be presiding, may discuss any subject and vote on motions. If the presiding officer wishes to place a motion, the officer must relinquish the chair to another member.

**b.** Every member desiring to speak shall be recognized by the presiding officer before speaking.

**c.** A member, once recognized, may not be interrupted while speaking unless it is to call the member to order. If a member is called to order, that member may not speak until the question of order is determined; if found to be in order, the member may proceed.

- d. Members may request to have the reason for their votes entered in the minutes.
  - e. While the Board is in session, the members shall preserve order and decorum, and no member shall by conversation or otherwise delay or interrupt the proceedings of the Board. The members shall observe the rules of procedure specified above.
  - f. The Secretary or the Secretary's designee shall be the parliamentarian.
  - g. The above procedures shall apply to all committees of the Board, if any.
- 3.1** The Board year shall begin January 1 and end on December 31. At the last meeting of each year, the Board shall schedule the regular Board meetings for the coming year. At the first meeting of each year, the Board shall organize by installing officers.
- 3.2** All official acts of the Board relative to motions or rules shall become effective at the time of such passage unless otherwise expressly provided therein.
- 3.3** The amendment of Board policy requires an affirmative vote of at least six Board members.

**Executive Officer**

- 4.0** The Secretary shall be the executive officer of the Board. The Secretary or the Secretary's designee shall keep accurate minutes of all meetings of the Board and maintain all the records necessary to operate and administer the business of the Board.
- 4.1** The Secretary or the Secretary's designee shall attest to the minutes as a record of the Board meeting.
- 4.2** Notice of all meetings of the Board shall be made by the Secretary or the Secretary's designee by written notice to the media and other persons who have requested such information.
- 4.3** The Secretary or the Secretary's designee shall record all official actions taken at the meetings of the Board.

**Procedure For Preparing The Agenda For State Board Meetings**

- 5.0** Prior to final preparation of the proposed agenda, items for the agenda and the order of the items on the agenda shall be cleared with the President. The order of the agenda may be rescheduled or added to by action of the Board.
- 5.1** At least seven days prior to the date of the meeting, the proposed agenda, with supplementary material, shall be made available to the members of the Board. Nothing herein shall prevent the amendment of the agenda or addition of supplementary materials within the time limits allowed in SDCL Chapters 1-25 and 1-27.