

SECTION 100
SCHOOL BOARD POLICIES

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POLICIES APPROVED:
April 4, 2024**

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1.01 SCHOOL LEGAL STATUS

The Organization, composed of members of the Oglala Sioux Tribe who are residents of the *Wounded Knee District*, shall be known hereafter as *Wounded Knee District School Board* ("Board"). The *Wounded Knee District School Board* service are as defined and established in the Constitution and Bylaws which supersedes and are incorporated into the *Wounded Knee District School's Policies & Procedures Manual* (hereinafter "Manual"). In the event that the *Wounded Knee District School Board* are inconsistent with the areas established by any ordinance of the Oglala Sioux Tribe, the Tribe's ordinance shall supersede these policies and procedures.

1.02 BOARD LEGAL STATUS

The Wounded Knee District School Board is a democratically elected group of members of the Oglala Sioux Tribe established by several resolutions of the Oglala Sioux Tribe to provide direction to the community it serves within the Pine Ridge Indian Reservation, and particularly within the Wounded Knee District School service area. The Board is a non-profit Tribal entity which provides a variety of educational services primarily to the enrolled Tribal members of the Wounded Knee District, and surrounding service area, as established by tribal law. The Wounded Knee District School Board receives federal government funds under the authority of the Indian Self-Determination and Education Assistance Act, the Tribally Controlled Schools Act of 1988, and other federal statutes. The Wounded Knee District School is not funded by the State of South Dakota. The Wounded Knee District School is a chartered entity of the Oglala Sioux Tribe and entitled to all of the rights and sovereignty accorded the Tribe.

1.03 BOARD AUTHORITY

The Board authorities are detailed in the Constitution and By-Laws and this Manual. The Board can exercise power only in its official capacity and upon a majority vote by the Board when a quorum is present.

1.04 BOARD PURPOSES & LIMITATIONS

The purpose of the Board is to derive and develop educational policy which shall be developed through conferences, committees, projects, and school visitations. This Board shall be non-commercial, non-sectarian, and non-partisan. No commercial enterprise and no political candidate shall be endorsed by the Board.

The Board members, as individuals, shall not seek to direct the administrative activities or to control policies of the school. As members of the Board, they shall carry out such powers as Board members when in session, unless the Board has delegated specific powers to an individual to act on its behalf. Otherwise, an individual Board member has legal status only in her/his official capacity as part of *Wounded Knee District School Board*.

This Board and its members may cooperate with other organizations or agencies active in child welfare and citizenship, such as, conference groups, coordinating councils or others, provided they make no commitments that bind the Board or school, without formal action by a quorum of the Board.

The powers of the Board shall be those granted in the Constitution, and By-Laws of the *Wounded Knee District School Board* and as follows:

1. The *Wounded Knee District School Board* shall serve as a governing school board for the *Wounded Knee District School*. All programs and proposals relating to curriculum, instructional services, personnel, food services, fiscal and budgetary matters, transportation, janitorial and routine maintenance and pupil personnel service of the *Wounded Knee District School* shall be submitted to the Board for its consideration and decision. The board shall have the authority to make a final decision on all such matters, unless delegated to the Administrator by the Board.
2. The Board shall have the authority to hire and discharge personnel of the *Wounded Knee District School* in accordance with *Wounded Knee District School prescribed policies and procedures*.
3. The Board shall consider programs and problems of significance to the students it serves.
4. The Board shall plan such activities for the *Wounded Knee District School* that are required in order that the school may carry out its mission.
5. The Board shall be authorized to work with parental advisory groups. The Board shall recommend to the Oglala Sioux Tribal Council such resolutions, ordinances, or council actions as may be required to implement the intent of these policies.
6. The Board may establish any other advisory organization such as PTA, provided that they are legally organized under tribal law and not in conflict with the Constitution, By-laws, or this Manual. Such organization shall function in conjunction with the Board and administration in an advisory capacity only.
7. Funds may be appropriated or obtained by WKDS in fulfillment of the Board's duties.

1.05 BOARD POWERS & DUTIES

The Board of Directors Powers and Duties are established pursuant to the Constitution, and By-Laws of *Wounded Knee District School*. The School Board has the following powers:

1. General powers to manage the affairs of the corporation.
2. The authority to call a special meeting.
3. The authority to fill a School Board position that may become vacant prior to the expiration of such Board member's term.
4. The duty to act pursuant to the law.
5. The power to act formally without a meeting if all School Board members have consented in writing, through E-mail, or through teleconference to the action which will be taken. The action shall be ratified and made a part of the minutes at the next regular Board meeting.
6. The power to elect or remove an officer of the Board and to fill an officers' position when vacant.
7. The authority to designate and appoint committees and to appoint a committee chairperson.
8. The authority to enter into contracts.
9. The power to issue checks, drafts, or orders for the payment of money, notes or other indebtedness issued in the name of the corporation.
10. The authority to deposit funds received.
11. The power to accept gifts, donations, or contributions of any kind for Wounded Knee District School.
12. The power to pass a resolution which would give the School Board members a fixed stipend and expenses for attendance at regular, finance, work sessions or special meetings.
13. The duty to keep correct and complete books and records and conduct audits.
14. The authority to amend the Constitution, By-laws, and the Policies and Procedures of the *Wounded Knee District School*.

1.06 NUMBER AND TERM OF BOARD MEMBERS

Wounded Knee District School Board establishes the following terms and number of Board members. There shall be seven (7) voting members with four-year terms, which shall be staggered so that in the first term four (4) positions shall be up for election and in the next election two (2) years following, the other remaining three (3) positions shall be up for election. The elections shall be held every two years thereafter for each set of staggered terms. The election shall be held in conjunction with the general elections of the Oglala Sioux Tribe.

1.07 BOARD CANDIDATE AND MEMBER QUALIFICATIONS

Any eligible member of the Oglala Sioux Tribe who resides in the *Wounded Knee District*, who is willing to take the oath of office, and is otherwise qualified pursuant to the Manual is eligible to become a Board member at-large.

Board candidates and Board members shall be subject to an alcohol and drug test, at the candidate's expense, which shall be negative prior to being certified as a Board candidate and a criminal background check. Convicted felons, except for those who have been pardoned by the appropriate jurisdictional authority or have had their cases reversed by an appellate court, shall not be certified as a candidate and may not be seated as a Board member. Board candidates shall have fully reimbursed the *Wounded Knee District School* for any money, travel, rent, or any other debts owed to *Wounded Knee District School* prior to being certified as a candidate. Any individual who owes a debt or reimbursement to *Wounded Knee District School* or any other Tribal entity may not be certified or seated as a Board member.

Board candidate eligibility is determined by the current Policies and Procedures Manual. The Election Committee is responsible for the administering of all background checks including Tribe-State-Federal criminal background checks, alcohol and drug testing, and review of all other candidate requirement. Candidates shall be responsible for all costs associated with these tests and background checks.

1.08 BOARD MEMBER METHOD OF ELECTION

Elections for *Wounded Knee District School* Board shall be in accordance with the Policies and Procedures Manual. Elections shall take place in the same year and at the same time as regular Tribal elections.

The Election Commission shall elect a chairperson and secretary from its members at its first meeting. The first meeting shall be held no later than one (1) week prior to the issuance of candidate petitions. At that time, the form of the petition and dates for issuance and deadlines for receipt of petitions shall be established. The Election Commission shall continue to meet as is required, but the number of such meetings shall not be excessive. The School Board shall set the amount of stipends and expenses to be paid to the Election Commission immediately prior to the first Election Commission meeting. The Election Commission shall be disbanded and have no more authority after the election results have been certified and all valid and legal challenges have been ruled upon. All ballots and records shall be preserved until the election has been certified, then they may be disposed of. (*Wounded Knee District School policies election code*)

Any eligible voter of the Oglala Sioux Tribe who is eighteen (18) years of age or older and resides in the Wounded Knee District may take out a nominating petition and be placed on the ballot upon certification of the petition by the duly appointed Election Committee. Petitions shall be issued no later than four (4) weeks prior to the first election, whether primary or general, by the election board through its Chairperson or Secretary, or by *Wounded Knee District School* officials or employees designated by the Election Commission to distribute such petitions. The petitions shall be delivered to the election Commission Chairperson or Secretary only, no later than 5:00 p.m. two (2) weeks prior to the election.

Any eligible voter of the Oglala Sioux Tribe who is eighteen (18) years of age or older and resides in the *Wounded Knee District* or is a parent or legal guardian of a *Wounded Knee District School* student for at least one year prior to the election, and who is otherwise eligible under the laws of the Oglala Sioux Tribe to vote in tribal elections, shall be eligible to vote in the *Wounded Knee District School* Board election. Voters shall be allowed to vote once in each election, at polling places designated by the Election Commission. The Election Commission or election officials may require proof of current residence or that the individual is a parent or legal guardian of a *Wounded Knee District School* student.

Newly-elected Board members shall be seated at the next regular Board meeting following the general election. Outgoing Board members are urged to attend the first Board meeting in an advisory capacity to share information with new Board members.

1.09 BOARD MEMBER UNEXPIRED TERM FULFILLMENT

Any vacancies occurring in the membership of the Board shall be filled pursuant to this Manual.

A vacancy on the Board may be deemed to have occurred when a member:

1. Is deceased
2. Resigns,
3. Ceases to reside within the Wounded Knee District.
4. Has a mental illness which renders her/him unfit for membership, as determined by a qualified mental health professional,
5. Fails to discharge the duties of her/his office,
6. Fails to qualify as provided by federal or tribal law,
7. Is convicted of a felony, any offense involving moral turpitude, or any offense which renders the Board member ineligible under the *Wounded Knee District School's* election policies and procedures in this Manual,
8. Fails to attend three (3) consecutive regular Board meetings without being excused,
9. Accepts any position of employment within the Wounded Knee District School system,
10. Attends a Board meeting under the influence of alcohol, illegal drug(s), or inhalant(s),
11. Substantially violates any provision of the School Board Code of Ethics.
12. Violates any Tribal Ordinance pertaining to School Board members.

Any School Board vacancy occurring shall be declared by majority vote or the board at a regular school board meeting. If any Board vacancy occurs within the first ninety (90) days of the term, the next highest vote getter shall fill the vacancy. If the vacancy occurs after the first ninety (90) days of the term and before the last year of the term then the vacancy shall be filled by a special election. If the vacancy occurs in the last year of the term, then the vacancy shall be filled at the discretion of the school board by a majority vote. In the event a vacancy occurs, the vacancy shall be filled for the unexpired term of the board member who was replaced.

1.10 BOARD MEMBER RESIGNATION, DISCIPLINE, SUSPENSION AND REMOVAL

Members may resign at any time in writing. A retiring member shall furnish the new member replacing her/him with her/his accumulated materials.

Official materials given to a Board member remain the property of the Board and shall be returned when a member leaves the Board.

Board members may be disciplined, suspended, or removed by the Board, upon receipt of a written complaint setting forth one or more of the grounds for removal, discipline or suspension from a community member present at a Board meeting, or upon motion by a member of the Board or upon receipt of a complaint signed by 10% of the voters of the community. The Board shall make an initial determination whether there is any merit in the complaint and in order to proceed with a hearing on the matter, the Board must make a motion to proceed, that is seconded, and then passed by a 2/3rds vote of the remaining Board members.

No Board member may be disciplined, suspended, or removed unless he/she is first given notice of the grounds for the disciplinary action and a meaningful opportunity to be heard as described herein. Complaints by community members not otherwise made in person at a Board Meeting, shall be delivered to the principal, who shall then deliver the complaint to the Board.

The grounds for Board member discipline include, but are not limited to, the following:

1. Conviction of a Board member for any drug or alcohol related incident on or off the Pine Ridge Indian Reservation.

In the event that a Board member is convicted for any drug or alcohol related incident on or off the Pine Ridge Indian Reservation, then the Board member shall be immediately removed from the Board by a majority vote of the remaining Board members at the next regular or special Board meeting after a judgment of conviction has been entered by a Court of competent jurisdiction. Further, any Board member convicted of a misdemeanor drug or alcohol offense shall not be eligible for election to the Board for a period of five (5) years from the date of the guilty verdict.

2. Any reason as stated in the Vacancy section of this Manual.
3. Failure to follow School Board financial or travel and expense policies.
4. Felony convictions or misdemeanor convictions involving crimes of theft, embezzlement, conversion, forgery, falsification of records, receiving stolen property, misuse of tribal funds or school funds, crimes against

children, sexual assault, or prostitution.

Disciplinary Hearing

The Board has (5) business days from the date of any complaint against a Board member to accept the complaint by motion that is seconded and passed by a 2/3 vote of the board. The Board thereafter has 5 business days to notify the Board member of all known facts underlying the complaint, and the Board member shall be provided with all documents and evidence available to the Board, and a hearing be scheduled for the next regular board meeting or a special board meeting called for this purpose and where the Board member will be given an opportunity to be heard. The Board member may present witnesses and evidence and may cross-examine any witnesses against him/her. The Board member is entitled to be represented by an attorney or personal representative. The complaining community member or complaining member of the Board must prove by clear and convincing evidence, that the accused Board member violated a policy of the *Wounded Knee District School*, or committed some other act worthy of removal, suspension or discipline pursuant to the Policy and Procedures Manual.

The Board may announce its decision at the end of such hearing, or may choose to issue its decision in writing, no later than three (3) working days after the Board hearing/meeting. The decision of the Board is a final decision for the *Wounded Knee District School*. If the decision of the Board is for removal of the Board member, the vacancy shall be filled in the usual manner as prescribed in the Manual.

1.11

SCHOOL BOARD GOALS

1. To raise the standards of education for *Wounded Knee District School* service area.
2. To promote the welfare of children in the home, school and community.
3. To bring parents and the school into a closer relationship.
4. To develop programs to benefit the people of the community.
5. To ensure that the community is informed of major education issues.
6. To develop united efforts between educators and the community that will secure the highest advantages in education for every child.
7. To maintain an atmosphere and curriculum in the school that will install knowledge and pride in the Lakota culture.
8. To carry-out the goals expressed in the *Wounded Knee District School* Constitution and By-laws.

1.12 BOARD OFFICERS

The following Officers shall be elected at the first regular meeting after the school Board election. All Board members must be present in order to proceed with the election of its officers.

1. President
2. Vice-President
3. Secretary
4. Treasurer

1.13 BOARD OFFICERS - METHOD OF ELECTION

Once elected, the new President shall immediately assume the position of President and shall preside over the election of the Vice-President, Secretary, and Treasurer, and any remaining business. Officers previously elected shall serve until the new officers are elected.

1.14 DUTIES OF BOARD PRESIDENT

The President shall preside at all meetings, author reports and perform all other duties required by law.

In addition, the President as presiding officer shall:

1. Call the meeting to order at the appointed time,
2. Conduct business to come before the Board in its proper order,
3. Assign the floor to members, who wish to speak and protect the speaker from any interference,
4. Explain the effect of a motion if not clear,
5. Restrict discussion to the question before the Board,
6. Sign all acts or orders necessary to carry out the will of the Board,
7. Put motions to a vote, state definitely and clearly the vote and the result thereof,
8. Appoint committees as the Board finds necessary,
9. Be spokesperson for the Board at all times except when this responsibility is delegated to others,
10. Participate as a regular voting member of the Board.
11. Serve as the delegates of *Wounded Knee District School* to OLNEC meetings, provided that any vote at OLNEC obligating the *Wounded Knee District School* shall first be ratified by the *Wounded Knee District School* Board before such vote is officially-sanctioned and a legal vote of the *Wounded Knee District School* at OLNEC.

1.15 DUTIES OF BOARD VICE-PRESIDENT

The Vice-President shall assist the President and shall perform the duties of the President in her/his absence.

In the absence of the President and Vice-President, the Secretary shall preside over official meetings, shall keep an accurate record of all meetings of the Board and shall perform other duties as designated.

1.16 TREASURER

The treasurer or his/her designee shall receive all monies of the Wounded Knee District School Board, keep an accurate record of receipts and expenditures, pay out funds authorized by *Wounded Knee District School Board* and present a statement of accounts at the monthly finance meeting.

Shall review monthly financial reports and certify after the school board review and approval.

Shall authorize and direct preparation of the annual audit of the school and its programs.

1.17 DUTIES OF BOARD SECRETARY

In the absence of the President and Vice-President, the Secretary shall preside over official *Wounded Knee Board School* meetings and perform such duties as assigned by the *Wounded Knee District School Board*.

The Secretary or their appointed designee shall provide Wounded Knee District School Board members with packets of the minutes from previous meetings and supervisor reports at least five (5) business days in advance of the regular meeting.

Minutes shall be kept in a secure file at the *Wounded Knee District School Board*

In the absence of the President, Vice-President, or Secretary, the Treasurer shall preside over official *Wounded Knee Board School* meetings and perform such duties as assigned by the *Wounded Knee District School Board*.

1.18 SCHOOL BOARD MEMBER

Individual Board members or groups of Board members shall not have independent authority to speak for the Board and shall not make out-of-meeting commitments or conduct Board business unless directed to do so by the Board. The Board is not bound in any way by any statement or action made by an individual Board member or employee, except when such statement or action is pursuant to specific Board instruction, directive or authorization.

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1.19 NEW BOARD MEMBER ORIENTATION

Each Board member shall be provided with a copy of the Wounded Knee District School Bylaws and Constitutions, Policies and Procedural Manual, the budget compilation, and the last annual grant report of the school and other documents the current Board deems necessary.

Following the election, a training session for the newly elected Board member will take place no later than ninety (90) days after the swearing in of the new Board member.

Training sessions for the entire Board shall be held at such times as deemed appropriate by the Board. However, the Board shall be required to have forty (40) hours of training (one training session annually).

1.20 BOARD MEMBER DEVELOPMENT OPPORTUNITY

Board members are encouraged to participate in meetings, conferences, and workshops of state and national education associations and to take part in other activities which will help them become better informed and able to perform their duties. Participants shall share the information, recommendations, and materials acquired with the Board and appropriate staff, in a written or oral report.

Funds for participation at such meetings and activities will be budgeted annually. When funds are limited, the Board shall designate which members may attend such meetings or activities.

Allowable expenditures in the use of federal funds designated for training Board members (in accordance with 2 CFR 200 Subpart E) are:

1. Contracting with individuals and organizations for training services;
2. Membership fees in Board associations and purchase of their materials and publications;
3. Board members reimbursed for subsistence and travel expenses incurred while participating in training activities;
4. Cooperative contracts with other Boards for joint training or technical assistance activities.

Federal funds shall not be used for lobbying efforts.

1.21 BONDED BOARD MEMBERS

All Board members signing checks shall be bonded or insured and included under the school's blanket bond or insurance which shall provide coverage against all errors, omissions, intentional, and negative acts of the Board members in the execution of their financial and fiduciary duties.

1.22 BOARD COMPENSATION AND EXPENSES

Reimbursement to Board members for official travel shall follow travel expense procedures established within Manual and in accordance with 41 CFR 301.

All \$150.00 stipends increase to \$200.00

The Board shall annually establish rates for attendance at all meetings and officially sanctioned conferences, workshops and work sessions. Board members shall receive two hundred dollars (\$200.00) for one regular, one fiscal, and 3 specials or/as deemed necessary, 3 work sessions per year.

In the event a Board member owes outstanding travel or other reimbursement to the school, that Board member's stipends shall be withheld and applied to the Board member's outstanding debt until paid-in-full in accordance with the Fiscal Management Policy. (See, also, Fiscal Management policies.)

1.23 BOARD COMMITTEES

The Board may appoint standing committees composed of at least one Board member, community members, *Wounded Knee District School* staff and students as deemed appropriate. Standing committees shall not conduct official business but shall report to and recommend action to the Board.

Only the Board has authority to dissolve committees it establishes and may set compensation for committee members.

The committees established are limited only by the requirements of the Constitution and By-laws of *Wounded Knee District School*.

1.24 SCHOOL ATTORNEY

The Board shall contract an attorney for legal counsel who shall represent the Board and any designee of the Board including other administrative officials. The attorney will be required to attend such meetings where her/his services are needed.

Attorney's services are also available to the Principal, Business Manager, Human Resource Manager. The Wounded Knee District School Board President and Vice President will be informed prior to contact of the Attorney. This permission may be revoked by the Board at any time, in the event of a conflict of interest.

1.25 AWARDS, RECOGNITIONS, CERTIFICATES

The Board shall recognize outstanding achievement and service to the educational community with award of certificates of appreciation to Board members, staff, students, and community members.

1.26 REGULAR BOARD MEETING

Regular meetings of the Board shall be held the first Tuesday of every month at 5:30 p.m.

Finance meetings of the Board shall be held the third Tuesday of every month at 5:30 p.m.

The Principal or Business Manager shall attend all meetings of the Board, including the finance meeting. Supervisors shall attend Board meetings at the request of the Principal, or the Board President.

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1.27 SPECIAL BOARD MEETINGS

Special meetings will be called whenever deemed necessary by the President, or in the absence of the President, then the Vice-President.

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1.28 RECESSED MEETING

The Board, by a majority vote, can recess an official meeting or personnel hearing until a later time, and continue the recessed meeting or personnel hearing at the point where the previous meeting or personnel hearing adjourned. Public notice shall be given of the time and place for the reconvened meeting, but not for the personnel hearing.

1.29 PUBLIC HEARING

The President, or another member approved by the Board, shall preside at public hearings required by law and shall inform the public at the beginning of the hearing about the procedures that will be followed regarding questions, remarks, rebuttals, time limitations and other rules.

To remark, citizens must be recognized by the president, and all remarks must be addressed to the chair and be germane to the topic. The president will recognize persons who have not commented previously before recognizing persons who wish to remark a second time.

An audio recording and minutes shall be kept of all public hearings.

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1.30 WORK SESSIONS

The Principal may conduct informal work sessions with Board members that may be open to the public to discuss issues and to keep them better informed about the progress and needs of the school.

Rates for work sessions shall be established by the Board annually. No official Board action shall be taken during such work sessions.

1.31 BOARD MEETING NOTIFICATION

Notice to the public shall be given of the date, time and place of all Board meetings, except special Board meetings, by posting in open public locations. Notice to Board members shall be made in advance of the meeting, in writing or orally.

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1.32 BOARD MEETING PREPARATION

The Principal or her/his designee shall provide the Board members with information to assist them in reaching sound and objective decisions consistent with established goals prior to any Board action.

Board members are expected to study the information and contact the Principal to request any additional information necessary to assist them in their decision-making responsibilities.

1.33 BOARD MEETING AGENDA

The Board shall follow the order of business on the printed agenda or the notice of special meetings, unless altered by consent of the Board members present at the beginning of the meeting.

The Board Chair, with assistance from the Principal, will be responsible for putting the agenda together with input from the administration and staff. The typical agenda for a Regular Board Meeting will include: Invocation, Roll Call, Approval of Agenda, Approval of Previous Minutes, Reports (Principal, Business Manager, etc.), Community Comment (3-minute limit), Old Business, New Business.

At the start of the Board meeting, the Board may amend the agenda by a majority vote. Community members may petition the Board to add an item to the agenda at any time prior to a Board meeting. The Principal shall forward requests for items to be placed on the Board agenda in a timely fashion. Staff members may request of Board members that educational matter, other than personnel grievances or matters, be placed on the agenda. Such requests may be made through administration or through a Board member.

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1.34 DISTRIBUTION OF BOARD MEETING MATERIALS

The Principal is responsible for preparing and disseminating an agenda and report to all Board members at the regular and finance meetings on a monthly basis. The report may include supervisor monthly reports, minutes of previous meetings that require Board approval, and any other information that will need advance study.

Publicly available Board meeting materials may be picked-up from the Business Office prior to a Board meeting.

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1.35 RULES OF ORDER

Robert's Rules of Order (Modified, Abbreviated Version) shall guide the Board, except where such rules are in conflict with the Constitution and By-laws and the policies and procedures of *Wounded Knee District School*. The Board or Board's attorney shall decide when such rules are in conflict with the above-mentioned authorities, or in the absence of the attorney, the President shall decide.

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1.36 QUORUM

A quorum for purposes of conducting official Board business, requires that Four (4) voting members of the Board be present.

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1.37 AMENDMENTS TO THE CONSTITUTION

The Constitution and By-Laws may be amended by an affirmative vote of 2/3rds of the entire Board at a regularly scheduled Board meeting. Amendments to this policies and procedure manual require an affirmative vote of 2/3rds of the entire Board.

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1.38 VOTING METHOD AT BOARD MEETINGS

Voting at all meetings of the Board shall be by roll call vote unless otherwise established by a majority vote of the Board members present and the results shall be duly recorded in the minutes.

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1.39 MINUTES OF BOARD MEETINGS

The Board or an administrator it designates shall appoint a recording secretary to keep the minutes of all official Board meetings. Minutes of Board meetings are a written record of the proceedings, must be approved at a regular board meeting by a majority vote of the Board, signed by the Board Chairperson and may be published. The recording secretary's name shall be noted on each set of finally approved minutes. Minutes of Board meetings are not an official record of the meeting until approved.

An official record of the minutes shall be kept on file in the Business Office and are open to public inspection during the working day. The Board may also post the minutes in other public places.

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1.40 PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board encourages advice or input from the community it serves. In order to affect this, the Board may schedule a period of time prior to the start of each regular Board meeting for brief comments and questions from the public. This period shall be conducted as follows:

- a. Members of the public wishing to make formal presentations before the Board shall be placed on the agenda in advance by writing to either the Principal, a designated administrator, or Board Chairperson requesting to be placed on the agenda;
- b. Comments or questions at a regular meeting may relate to any topic concerned with Board conduct of the schools. Comments or questions at special meetings can only deal with the agenda topic;
- c. Speakers may offer criticism of school operations and programs, but complaints against school personnel will not be allowed. Personnel matters shall not be discussed in public session because the Board cannot publicly discuss or respond to personnel matters.
- d. People who speak are urged to limit their remarks to a maximum of three (3) minutes and groups are urged to designate a spokesperson.
- e. The Board President shall call on all speakers who shall properly identify themselves, maintain order, and adhere to the time limits set and the item(s) on the agenda.
- f. Questions shall be answered immediately by the President or referred to staff members present for a reply. Those questions which require further examination shall be referred to the Principal or Lead Administrator for consideration and a later response.

The Board President or Vice-President may require any person who is disruptive to leave the meeting.

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1.41 BOARD MEETING NEWS COVERAGE

A copy of the agenda will be sent in advance of all official Board meetings to members of the news media who request it. Representatives of the news media who are unable to attend a Board meeting may be provided with approved Board minutes upon their written request to the Principal.

Individual Board members shall refer requests from news media representatives for information about Board meetings to the Board President.

1.42 EXECUTIVE SESSION

All meetings of the Board shall commence as a public meeting. The Board may enter into executive session upon the approval of a motion to declare an executive session for the following purposes as specified by law:

- a. To discuss acquisition of real property on behalf of the School
- b. To discuss any pending litigation brought by or against the school;
- c. To consider information regarding the appointment, employment, disciplinary action or dismissal of a board member or employee;
- d. Any discussion related to a student disciplinary action;
- e. Any Attorney/client privileged discussion as recognized by tribal, federal, or state law(s);
- f. To take any other action where state, tribal or federal statute require a closed session;
- g. To protect the privacy of students or employees.

Violation of the confidentiality of executive session by a Board member or employee may be grounds for suspension or termination/removal.

Section 100-School Board Policies

1.43 POLICY DEVELOPMENT

The Board is the policy making body for the school and shall exercise leadership in the operation of the school through the development and adoption of written policies. Changes in the needs, conditions, purposes, and objectives of the school will require revisions, deletions and additions to Board policies.

Proposal(s) for new policy or change(s) to existing policy may be initiated in writing to the Principal, Human Resource Manager or Board President by any resident of the school service area. The proposals shall be considered by the Board prior to the revision of any related policies.

1.44 POLICY DRAFT WRITER

The Principal shall oversee the drafting of policy recommendations into acceptable written form for further deliberation or action by the Board.

Section 100-School Board Policies

1.45 POLICY DRAFTING

All written policies of the Board shall comply with tribal and federal laws. The Principal shall seek the counsel of the school attorney for an opinion on all proposed policy revisions.

Section 100-School Board Policies

1.46 POLICY ADOPTION

Final policy-making authority shall be exercised by the *Wounded Knee District School* Board through utilization of the following procedures:

- a. A policy may be modified or amended by a majority vote of two-thirds (2/3's) of the full Board at any regular meeting following a 30-day review period.
- b. A new policy introduced may be adopted by the Board following a 30-day review period. The text of the new policy shall be posted for public review and comment at the next regular scheduled Board meeting.
- c. The recommendations of the Principal and viewpoints of persons or groups affected by the policy shall be considered by the Board.
- d. The Board may, for a period of 90 days, temporarily approve a policy to meet emergency conditions. Regular policy making procedures shall be followed before a temporary policy may become permanent. A temporary policy shall not be in effect in excess of ninety (90) days.

Section 100-School Board Policies

1.47 POLICY DISSEMINATION

The Principal shall develop and maintain a plan for preserving and making accessible to the public the policies adopted by the Board and the rules and regulations needed to put them into effect.

The Principal and/or designee shall provide access to an updated Policy Manual for members of the Board and all employees of the school.

The Board Policy Manual is a matter of public record and shall be open for public inspection at the School's front office during the working day and may also be posted at the District Office.

Section 100-School Board Policies

1.48 POLICY REVIEW

Wounded Knee District School policies shall be reviewed annually at a working session of the Board and appropriate administrative staff. The Board shall consider the success of existing policies in achieving the educational and student developmental goals of *Wounded Knee District School* and shall revise the policies to conform to these goals. Working sessions will be advertised to the community and held in January through February so the Board can meet to review and revise the Policy Manual in March of each year. The Board shall annually, before the start of each school year (July 1) ratifies the complete Policies and Procedures Manual, with all modifications, deletions, and amendments contained therein.

Section 100-School Board Policies

1.49 REVIEW OF ADMINISTRATIVE DIRECTIVES

The Board may review directives issued by the administration and veto such rules at its discretion, if the Board concludes it is in conflict with Board policy.

Section 100-School Board Policies

1.50 ADMINISTRATION IN POLICY ABSENCE

The Board intends that written policies serve as mandatory guidelines for the discretionary action of those in authorities and as a source of information and guidance for persons who are interested in or affected by the policy.

The Principal has the authority to act in the event the policies and procedures or the Board has provided no guidance for required administrative action. Such decisions shall be subject to Board review at the next regular Board meeting. The Principal shall promptly inform the Board of such action and of the need for policy guidance.

Section 100-School Board Policies

1.51 SCHOOL BOARD RECORD

The Secretary or/the Treasurer of the Board is the legal custodian of all official records of the Board. S/he shall also be responsible for the safekeeping of all official papers and other documents which belong to the Board or that pertain to its business. The Secretary or/the Treasurer shall designate the location of all official records, so long as they are maintained on *Wounded Knee District* School property. The recording secretary may retain physical custody of such records at the direction of the Secretary or/the Treasurer.

The official minutes of the Board, the written policies and financial records shall be open for inspection in the Business Office by any citizen desiring to examine them during regular working hours. The Principal may be designated as the physical custodian of the official records of the Board.

Confidential files pertaining to individual students or staff will not be released for inspection by any unauthorized persons. The Board attorney shall be provided with and shall retain copies of all such records.

Section 100-School Board Policies

1.52 MEMBERSHIP IN SCHOOL BOARD ASSOCIATIONS

The Board shall participate as a group and on an individual basis as fully as possible in educational associations and may join any organization by resolution. The dues for such membership shall be paid out of administrative cost funds and may not violate federal law or any agreements between the School and the United States government. Membership cannot be in a body which conducts lobbying of any Federal agency or of the United States Congress.

Section 100-School Board Policies

1.53 SCHOOL BOARD CODE OF ETHICS

Education at *Wounded Knee District School* rests on firm commitments to the dignity and worth of the individual; to the preeminence of enlightenment and reason over force and coercion; and to government by the consent of the governed. Schools prosper to the extent they merit the confidence of the people. In judging schools, society is influenced to a considerable degree by the character and quality of their School Board. To meet these challenges, School Boards have an obligation to exercise leadership.

School Board Members shall comply with the following code of ethics:

1. Commit to a high quality of education for each student and make this the basis for every decision.
2. Have the bravery to vote their convictions and beliefs.
3. Carry out the responsibilities of Board members as outlined in the (Constitution & By-Laws), and this Manual.
4. Attend meetings, discuss items on agenda and vote and act on motions and resolutions for the good of the School.
5. Maintain confidentiality of privileged information, including but not limited to matters discussed in Executive Session and information described in Section 3.75 herein.
6. Accept the will of the majority of the Board and support the resulting policy or action.
7. Become familiar with and follow school plans, policies and procedures, and relevant laws and regulations.
8. Represent the Board and School to the community in a manner that promotes respect and support.
9. Refer all complaints and suggestions to the proper school authority or Board meeting and abstain from individual action.
10. Exercise no administrative responsibility with respect to the School, except in declared emergencies.
11. Refrain from directing any school employee.
12. Exemplify high moral standards by not engaging in or becoming a part to fraud, embezzlement, deceit, physical or sexual harassment, illegal drugs, abuse of alcohol, or use of misleading or false statements.
13. Not allow Board decisions to be impaired or influenced by personal gain, gifts, favors, or services.
14. Avoid preferential treatment and conflicts of interest.
15. Respect the civil rights of those with whom the school board member has contact in the performance of her/his duties.
16. Develop, interpret, and accurately represent School Board policies as opposed to personal politics, attitudes, and opinions.

17. School Board members applying for employment or extra duty or other contracts at *Wounded Knee District School* shall first resign from their position on the board.
18. Former employees must wait a period of two years before running for Wounded Knee District School Board.
19. No Board Member must participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the Board member, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The board members must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts.

Section 100-School Board Policies

1.54 BOARD CONFLICT OF INTEREST-SEE CONSTITUTION AND BYLAWS

When a person applying for employment is a member of the immediate family of a Board or Committee member which by rule or practice regularly nominates, recommends or screens candidates, that Board Member shall be disqualified from participation in any selection procedure or subsequent personnel action. The requirements of this section shall include service contracts. The Board Member shall not participate in the nomination of the candidate, the selection of the candidate or the administration of the candidate if they are selected.

Further, any Board member so related shall abstain from any Board action involving a member of that Board members immediate family. If less than a quorum is remaining, due to such Board member conflicts of interest, the remainder of the Board may make the selection anyway, even if it does not represent a quorum.

"Immediate family member" is as defined in the Oglala Sioux Tribe's nepotism/personnel policies. Immediate Family Member shall mean an individual's spouse, child (including biological, legally adopted, and stepchildren), parent (including biological, legally adopted, and stepparents), grandparent (including biological, legally adopted and step grandparents). This also includes siblings and 'Hunka - adopted' relatives.

Section 100-School Board Policies

1.55 INVESTMENTS

The Board on behalf of *Wounded Knee District School* is prohibited from authorizing the School to engage in Bingo or gambling activities as a form of investment. The School and Board are also prohibited from using federal funds to engage in these types of activities, or any other investments prohibited by federal law.

Any interest or investment income that accrues on funds received pursuant to 25 U.S.C. §2507(a) after the funds are paid to the School, but before the School has expended the funds, is the property of the School and shall not be taken into account when determining whether future assistance will be provided to the School as a "tribal organization."

Funds received pursuant to 25 U.S.C. § 2507(a) may only be invested in obligations of the United States or obligations or securities that are guaranteed or insured by the United States or mutual (or other) funds registered with the Securities and Exchange Commission and which only invest in obligations of the United States or securities that are guaranteed or insured by the United States. Funds received pursuant to 25 U.S.C. § 2507(a) may only be deposited into accounts that are insured by an agency or instrumentality of the United States or are fully collateralized to ensure protection of the funds, even in the event of a bank failure.

Section 100-School Board Policies

1.56 LOANING OF FEDERAL FUNDS

The Board is prohibited from loaning any federal funds received by the School to employees, consultants, school board members, other individuals, and the Board may not transfer federal funds to unrestricted programs.

Section 100-School Board Policies

1.57 BOARD PLANNING AND OVERSIGHT

It shall be the responsibility of the board to assure that *Wounded Knee District School* has a three to five-year plan that emphasizes student achievement. Whether the Plan is called a Consolidated School Reform Plan under Every Student Succeeds Act (ESSA), or a Strategic Plan or Education Plan, the Board is responsible for the development, financing, implementation, and monitoring of the Plan.

Section 100-School Board Policies

1.58 PLAN OVERSIGHT

The Board shall make a calendar of reporting on the School Plan that includes, at a minimum, a verbal update at each Regular Meeting and a written report no later than one month after the end of each school term.

Section 100-School Board Policies

1.59 BOARD ANNUAL RETREAT

The Board shall hold an Annual Retreat with representatives of key stakeholder groups to review progress on the School Plan and to set timelines and to develop objectives for the coming year based on achievement data, accomplishments of the previous year, and input from stakeholder groups through surveys and other methods.

Section 100-School Board Policies

1.60 BOARD ANNUAL REPORT TO THE COMMUNITY

The Board is responsible for assuring that an Annual Report to the district service areas are developed and disseminated. The Report shall contain the Annual Report Card and other data that shows student academic progress, as well as an update on progress made during the year toward the goals and objectives of the School Plan.

Section 100-School Board Policies

1.61 SCHOOL ACCREDITATION

Until such time as the Oglala Sioux Tribe implements a separate accreditation process for its Schools, the Board shall pursue and maintain accreditation by the North Central Accreditation (NCA) as an alternative to state accreditation. This will provide an accreditation process more relevant to *Wounded Knee District School*.