

Section B contains policies, regulations, and exhibits about the School Board - how it is elected; how it is organized; how it conducts meetings; and how it operates. Included in this section are policies establishing the Board's internal operating procedures as well as policies on Board communications and policy adoption.

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## **School Board Powers and Responsibilities**

Powers and mandatory duties of the Board are defined in state statutes.

This Board considers that its most important functions fall into the following categories:

1. **Legislative or policymaking.** The Board is responsible for the development of policy and for the employment of a superintendent who will carry out its policy through the development and implementation of regulations.
2. **Educational planning and appraisal.** The Board is responsible for acquiring reliable information from responsible sources which will enable it to make the best possible decisions about the scope and nature of the educational program. The Board is responsible for requiring appraisal of the results of the educational program.
3. **Staffing and appraisal.** The Board is responsible for employing the staff necessary for carrying out the instructional program and establishing salaries and salary schedules and other terms and conditions of employment, as well as for personnel policies district-wide in application. The Board is responsible for appraising the effectiveness of its staff by providing for regular evaluation.
4. **Financial resources.** The Board is responsible for adopting a budget that will provide the financial basis for buildings, staff, materials and equipment which will enable the district to carry out the educational program. The Board is responsible for exercising control over the finances of the district to ensure proper use of, and accounting for, all district funds.
5. **School facilities.** The Board is responsible for determining school housing needs, for communicating these needs to the community, for purchasing sites, and for approving building plans that will support and enhance the educational program.
6. **Communication with the public.** The Board is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself informed about the wishes of the public.
7. **Judicial.** The Board is responsible for acting as a court of appeal for school staff members, students and the public when issues involve Board policies and their fair implementation.

The Board may exercise the above powers and duties only when convened in a legally constituted meeting.

All powers of the Board lie in its action as a group. Individual Board members exercise authority only as they vote at a legal meeting of the Board and when the board has lawfully delegated authority to them.

Adopted: February 25, 1985

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REFS.: C.R.S. 22-9-101 *et seq.* (*licensed personnel evaluations*)  
C.R.S. 22-32-109 through (*specific duties of boards*)  
C.R.S. 22-32-110 (*specific powers of boards*)

## **Board Member Qualifications**

A candidate for the office of school director shall be:

- a resident of the school district and a registered voter, as shown on the books of the county clerk and recorder, for at least 12 consecutive months prior to the election.
- 18 years or older by the date of the election.
- a citizen of the United States.

If the school district has a director district plan of representation or a combined director district and at-large plan of representation, the candidate must be a resident of the director district in which he or she is a candidate.

No candidate may run representing a political party.

In addition, any person who has been convicted of, pled guilty or *nolo contendere* to, or received a deferred judgment or sentence for commission of a sexual offense against a child is ineligible for election to a school district board of education. Similarly, any board member who is convicted of, pleads guilty or *nolo contendere* to, or receives a deferred judgment for a sexual offense against a child while serving on a board shall become ineligible to serve and a vacancy shall be created. Any person who is the subject of a pending charge of commission of a sexual offense against a child at the time of election is ineligible for election to a school district board of education.

It is important that the candidate be sincerely and honestly interested in serving the whole school district for the best interests of all children. Board members shall be nonpartisan in dealing with school matters. The Board does not wish to subordinate the education of children and youth to any partisan principle, group interest or personal ambition.

Adopted: August 27, 2001

Revised: August 24, 2011

Revised: October 7, 2020

LEGAL REFS.: C.R.S. 1-2-101,102 (*qualification and registration of elections*)  
C.R.S. 1-4-803 (*petitions for nominating school directors*)  
C.R.S. 22-31-107 (*qualifications and nomination of candidates for school director*)

## **School Board Member Conduct**

Public office is a trust created by the confidence which the public places in the integrity of its public officers. To preserve this confidence, it is the desire of the Board to operate under the highest ethical standards.

In carrying out his/her fiduciary duties, a Board member shall not:

1. Disclose or use confidential information acquired in the course of official duties to further substantially the member's personal financial interests.
2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the Board member's public duties or which the member knows or should know is primarily for the purpose of a reward for official action taken.
3. Engage in a substantial financial transaction for the member's private Business purposes with a person whom the member supervises in the course of their official duties.
4. Perform an official act which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the member has a substantial financial interest or is engaged as a counsel, consultant, representative or agent.

It shall not be considered a breach of conduct for a Board member to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates.
2. Accept or receive a benefit as an indirect consequence of transacting school district business.

Adopted: September 13, 1993

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REFS.: C.R.S. 1-45-101 *et seq.* (Fair Campaign Practices Act)  
C.R.S. 22-32-110 (1)(k) (specific powers of boards)  
C.R.S. 24-6-201 *et seq.* (Public Official Disclosure Law)  
C.R.S. 24-18-104 (rules of conduct for all public officers, general assembly, local government officials and employees)  
C.R.S. 24-18-109 (rules of conduct for local government officials and employees)

## **Code of Ethics for School Board Members**

As a member of my local Board of Education, I will strive to improve public education and to that end I will:

- Attend all regularly scheduled Board meetings insofar as possible and become informed concerning the issues to be considered at those meetings.
- Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings.
- Render all decisions based on the available facts and my independent judgment and refuse to surrender that judgment to individuals or special interest groups.
- Encourage the free expression of opinion by all Board members and seek systematic communications between the Board and students, staff and all elements of the community.
- Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the superintendent.
- Communicate to other Board members and the superintendent expressions of public reaction to Board policies and school programs.
- Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations.
- Support the employment of those persons best qualified to serve as school staff and insist on a regular and impartial evaluation of all staff.
- Avoid being placed in a position of conflict of interest and refrain from using my Board position for personal or partisan gain.
- Take no private action that will compromise the Board or administration and respect the confidentiality of information that is privileged under applicable laws.
- Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

**Issued: March 23, 1998**

**Revised: March 4, 2020**

## Board Member Code of Ethics

According to the Colorado Revised Statutes 24-18-105, the following ethical principles for school board members "are intended as guides to conduct and do not constitute violations as such of the public trust of office..."

1. A board member "should not acquire or hold an interest in any business or undertaking which that member has reason to believe may be directly and substantially affected to its economic benefit by official action to be taken by an agency over which the member has substantive authority."
2. A board member "should not, within six months following the termination of office..., obtain employment in which the member will take direct advantage, unavailable to others, of matters with which the member was directly involved during the term of [office]. These matters include rules, other than rules of general application, which the member actively helped to formulate and applications, claims or contested cases in the consideration of which the member was an active participant."
3. A board member "should not perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when the member has a substantial financial interest in a competing firm or undertaking."
4. A board member is discouraged "from assisting or enabling members of [the board member's] immediate family in obtaining employment, a gift of substantial value, or an economic benefit tantamount to a gift of substantial value from a person whom [the board member] is in a position to reward with official action or has rewarded with official action in the past."

Issued: March 23, 1998

Revised: October 7, 2020



## **School Board Member Conflict of Interest**

Public office is a trust created in the interest of the common good and for the benefit of the people. A conflict of interest can arise when a public officer is unable to devote himself/herself with complete loyalty and singleness of purpose to the general public interest.

It is the intent of this policy to protect the public trust placed in directors of this school district. For purposes of this policy, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite and demonstrable and which is or may be in conflict with the public interest.

A Board member who has a personal or private interest in a matter proposed or pending before the Board shall disclose such interest to the Board, shall not vote on it and shall not attempt to influence the decisions of other Board members in voting on the matter.

However, if a Board member has complied with statutory disclosure requirements by notifying the secretary of state of an interest in the matter, the member may vote if their participation is necessary to obtain a quorum or otherwise enable the Board to act. If a member votes under these circumstances, that member shall state for the record the fact and summary nature of the potential conflict of interest.

The written disclosure to the secretary of state shall list as applicable the amount of the member's financial interest, the purpose and duration of any services rendered, compensation received for services or such other information necessary to describe the interest.

The Board considers it a conflict of interest for a Board member to also be employed by the district. Therefore, the Board shall not hire any of its members as an employee of the district nor shall the Board approve any compensation for a member for services rendered to the district as an employee except for services rendered to the Board as provided by law. *[State law allows the Board to compensate certain officers of the Board for services rendered in the course of their official Board duties, including the Board secretary, assistant secretary, treasurer and assistant treasurer.]* Therefore, an employee elected to the Board shall be required to relinquish employment with the district prior to taking office. Employees are encouraged to consider this prior to running for the Board.

Members may be reimbursed for authorized expenses in carrying out Board duties as provided by law.

The Board shall not enter into any contract with any of its members or with a firm or corporation in which a member has a financial interest unless one or more of the following apply:

1. The contract is awarded to the lowest responsible bidder based on competitive bidding procedures.
2. The merchandise is sold to the highest bidder at a public auction.
3. The transaction involves investing or depositing money in a financial institution which is in the business of loaning money or receiving money.
4. If, because of geographic restrictions, the district could not otherwise reasonably afford the contract because the additional cost to the district would be greater than 10 percent of the contract with the interested member or if the contract is for services that must be performed within a limited time period and no other contractor can perform the services.
5. If the contract is one in which the Board member has disclosed a personal interest and is one on which the member has not voted or has voted as allowed in state law following disclosure to the secretary of state and to the Board.

Except as described above, a Board member shall not be a purchaser at any sale or a vendor for any district purchase made with non-federal funds.

### **Conflict of interest – federally funded transactions**

Separate from state law and the Board's policies concerning the Board's standards of conduct and conflict of interest, federal law imposes restrictions on the conduct of Board members whenever the transaction in question is supported by federal funds subject to the Uniform Grant Guidance (UGG).

Under the UGG, a Board member shall not participate in the selection, award or administration of a contract supported by a federal award if the Board member has a conflict of interest as defined by the UGG.

A conflict of interest arises under the UGG when the Board member, any member of his or her immediate family, his or her business partner, or an organization which employs or is about to employ any of the aforementioned parties has a substantial financial or other interest in or would obtain a substantial tangible personal benefit from a firm considered for a contract.

In addition, the UGG prohibits Board members from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or parties to subcontracts that are federally funded, unless the gift is an unsolicited item of nominal value.

For purposes of this policy section only, "immediate family" means the Board member's spouse, partner in a civil union, children and parents. In determining whether a financial or other interest is "substantial," or whether anything solicited or accepted for private benefit is of "nominal value," the Board shall follow the standards of conduct and corresponding definitions applicable to local public officials under state law.

These minimum federal requirements are not waivable in connection with any transaction or contract to which they apply.

A Board member who violates the standards of conduct set forth in this policy's section may be subject to censure or other disciplinary action, in accordance with the Board's authority and state law.

Adopted: November 7, 1988

Reviewed: March 23, 1998

Revised: August 24, 2011

Revised: March 4, 2020

LEGAL REFS.: 2 C.F.R. 200.318 (c) (*Uniform Grant Guidance – written standards of conduct covering conflicts of interest required concerning the selection, award and administration of contracts supported by federal funds*) Colorado Constitution Article X, Section 13  
C.R.S. 22-32-109 (1)(y) (*duty of board to adopt bylaws on conflicts of interest*)  
C.R.S. 24-18-109 (*government rules of conduct*)  
C.R.S. 24-18-110 (*voluntary disclosure*)  
C.R.S. 24-18-201 (*standards of conduct – interests in contracts*)  
C.R.S. 24-18-202 (*standards of conduct – interests in sales*)

CROSS REFS.: BC, School Board Member Conduct  
BCA-E-1, Code of Ethics for School Board Member  
BEDF, Voting Method  
BID/BIE, School Board Member  
Compensation/Insurance/Expenses/ Liability  
DJE, Bidding Procedures  
DKC, Expense Authorization/Reimbursement (Mileage and Travel)

## **School Board Member Financial Disclosure**

Board members are required by law to disclose certain items received in connection with serving on the Board. If Board members receive such items, they must file a report with the secretary of state on forms prescribed by the secretary of state. Such report must be filed on or before January 15, April 15, July 15 and October 15 of each year, and shall cover the period since the last report. The report must contain the name of the person from whom the reportable item was received, its value and the date of receipt. Board members who do not receive any items that must be reported are not required to file a report.

Items which must be reported include the following:

1. Any money received, including a loan, pledge, advance, guarantee of a loan or any forbearance or forgiveness of indebtedness from any person with a value greater than \$65.
2. Any gift of any item of real or personal property other than money with a value greater than \$65.
3. Any loan of real or personal property if the value of the loan is greater than \$65. "Value of the loan" means the cost saved or avoided by the Board member by not borrowing, leasing or purchasing comparable property from a source available to the general public.
4. Any payment for a speech, appearance or publication.
5. Tickets to a sporting, recreational, educational or cultural event with a value greater than \$65 for any single event.
6. Payment of or reimbursement for actual and necessary expenses for travel and lodging for attendance at a convention, fact-finding mission or trip, or other meeting if the board member is scheduled to deliver a speech, make a presentation, participate on a panel or represent the school district unless the payment for such expenditures is made from public funds or from the funds of any association of public officials or public entities such as the Colorado Association of School Boards (CASB).
7. Any gift of a meal to a fund-raising event of a political party.

To avoid misunderstandings about the value of an item, the donor must furnish the Board member with a written statement of the dollar value of the item when it is given.

Approved: October 7, 2020

Revised: November 18, 2020

LEGAL REF.: C.R.S. 24-6-201 *et seq.* (*Public Official Disclosure Law*)

## **Board Organizational Meeting**

Within 15 days after the school district receives the official abstract of votes, the Board shall meet in an organizational session at a regular or special meeting for the purpose of selecting officers.

The incumbent president of the Board shall preside until a successor is elected, whereupon the successor will assume the chair.

Following the swearing in of the newly-elected Board members, or members, the following officers, in order, shall be elected or appointed: president, vice president, secretary and treasurer.

Nominations for president and vice president shall be made from the floor and voting shall be by roll call or secret ballot. Should no nominee receive a majority vote of Board members, the election shall be declared null and void, further nominations may be made and the roll call or secret ballot vote shall be retaken.

The president and vice president shall serve two-year terms and shall hold office until their successors are elected.

The Board shall then appoint a secretary and treasurer who may or may not be members of the Board. The secretary and treasurer shall hold their offices for terms at the pleasure of the Board.

Following election and appointment of the officers, the Board shall appoint the staff members who will fill the offices of secretary to the Board and assistant treasurer.

Then such other items of business shall be considered by the Board as are scheduled on the agenda.

### **Officer resignation**

Should one or more officers of the Board resign, the Board shall select another member or members to fill the vacant office or offices as provided by law, using the procedures described above. A newly-selected officer shall assume the duties immediately upon selection. Inasmuch as the selection of a new officer on a four-officer, five-member board frequently requires a shifting of officers it shall be permissible for a member to be nominated for another office without resigning the current office. Upon acceptance of the nomination and election to the new office, the former office shall be declared vacant and another member elected to fill that position.

Adopted: September 13, 1993

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REFS.:      C.R.S. 22-31-104 (3) (*biennial school elections*)  
                         C.R.S. 22-32-104 (1),(2),(3),(4) (*organization of the board*)  
                         C.R.S. 22-32-108 (5) (*meetings of the board*)  
                         C.R.S. 22-32-108 (6) (*meetings of the board – voting procedure*)

## School Board Officers

### President and vice president

The president of the Board, in addition to the duties prescribed by law, shall exercise such powers as properly pertain to the office. In carrying out the responsibilities, the president shall:

1. Preside at all meetings of the Board.
2. Serve as the main point of contact between the Board and the superintendent.
3. Consult with the superintendent in planning agendas.
3. Bring before the Board such matters as in the president's judgment may require the attention of the Board.
5. Be responsible for the orderly conduct of Board meetings.
6. Confer with the superintendent on crucial matters which may occur between Board meetings.
7. Call special meetings of the Board when necessary.
8. Appoint special committees, subject to the approval of the Board.
9. Sign any written contracts approved by the Board to which the school district may be a party.
10. Sign all official reports of the district except as otherwise provided by law.
11. Appear in behalf of the Board in all actions brought by or against it, unless individually a party in which case the duty shall be performed by the vice president.

In the absence of the president, the vice president shall have and perform all of the powers and duties of the president.

### Secretary

The secretary of the Board shall perform the following duties:

1. Ensure that a record is kept of all business transacted by the Board at either regular or special meetings.

2. Cause written notice to be given to each Board member of all special meetings of the Board.
3. Be custodian of the seal of the district.
4. Cause all notices of school elections to be published and posted, and perform such other duties in the conduct of school elections as required by law.
5. Attest any written contract approved by the Board to which the district may be a party and affix the district seal thereto.
6. Perform such other duties as may be assigned by the Board.

**Treasurer**

The treasurer shall perform or cause to be performed the following duties:

1. Account for all moneys belonging to the district.
2. Report to the Board as required for all moneys of the district.
3. Sign either by written signature or facsimile all warrants or orders drawn on the county treasurer or checks drawn on a district depository. The Board may require the countersignature of another person.
4. Deposit to the credit of the district all moneys withdrawn from the custody of the county treasurer and all other moneys belonging to the district in one or more depositories designated by the Board.
5. Perform such other duties as may be assigned by the Board.

Adopted: September 13, 1993

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REFS.: C.R.S. 22-32-104 (3) and; 22-32-105 (*president and vice president*)  
C.R.S. 22-32-104; 22-32-106 (*secretary*)  
C.R.S. 11-10.5-111; 22-32-104 (4); 22-32-107 (*treasurer*)

CROSS REFS.: DG, Banking Services (and Deposit of Funds)  
DH, Bonded Employees and Officers



## **Advisory Committees**

The Board encourages the participation of citizens of the district in decision making processes. However, the legal responsibility for decision making in all matters of policy and operation rests with the Board.

1. Board-appointed advisory committees, both district-wide and at the school level, shall function within organizational frameworks approved by the Board. A staff member or members will be assigned to each group to help it develop an appropriate constitution and/or bylaws, carry out its functions and coordinate its work with other advisory and staff groups. Only the Board shall have the authority to dissolve committees it has created.
2. School- and district-level advisory committees that are required under federal and state programs shall be formed and shall function in accordance with the requirements pertaining to each specific federal or state program. The Board shall grant to those bodies the advisory responsibilities relevant to the planning, implementation and evaluation of such program or project as required by and in accordance with applicable law.
3. Community groups that are neither appointed by the Board nor formed as required under federal or state programs are encouraged to offer suggestions and advice to the Board in order to assist it in the decision-making process. The final responsibility for all decisions, however, rests with the Board of Education alone.

Appointments of citizens to advisory committees shall be approved by the Board. An advisory committee member shall be removed from office by the Board if that member does not attend three consecutive meetings unless the committee by resolution approves any additional absences or unless such absences are due to temporary disability or illness. In addition, the committee by majority vote may request the removal from office of any member. Such removal shall require subsequent Board approval.

If required by state law, advisory committee meetings shall be open to the public and meeting notices shall be posted. If notice of the meeting is legally required, such notice shall be posted in the same place and manner as notices of Board meetings.

Adopted: September 13, 1993  
Revised: March 23, 1998  
Revised: August 14, 2000  
Revised: March 4, 2020

LEGAL REFS.: C.R.S. 22-9-107 (*licensed personnel performance evaluation-council*)  
C.R.S. 22-11-301,401 (*accountability committees*)  
C.R.S. 22-32-109.1 (2) (*community consultation on safe school plan, including student conduct and discipline code*)  
C.R.S. 24-6-402 (*open meetings law*)

CROSS REFS.: AE, Accountability/Commitment to Accomplishment BDFA\*,  
District Personnel Performance Evaluation Council  
BDFB\*, Vocational Career and Technical Advisory Council  
(Career and Technical Program Advisory Committees)  
BEDA, Notification of School Board Meetings  
CBI, Evaluation of Superintendent  
GCO, Evaluation of Licensed Personnel  
JIC, Student Conduct  
JK, Student Discipline  
KCB, Community Involvement in Decision-Making

## **District Personnel Performance Evaluation Council**

In accordance with state law, the Board of Education shall appoint an advisory district licensed personnel performance evaluation council which shall, as a minimum, consist of one (1) teacher, one (1) administrator, one (1) principal, one (1) parent/guardian and one (1) person who does not have a child in school.

The council shall consult with the Board as to the fairness, effectiveness, credibility and professional quality of the licensed personnel performance evaluation system and its processes and procedures and shall conduct a continuous evaluation of the system.

Adopted: September 13, 1993

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REF.: C.R.S. 22-9-107 (*licensed personnel performance evaluation council*)

CROSS REFS.: CBI, Evaluation of Superintendent  
GCO, Evaluation of Licensed Personnel

**Career and Technical Advisory Council**  
(Career and Technical Program Advisory Committees)

The Board of Education shall appoint a career and technical advisory council which shall assist the Board and administration in overall promotion, planning, coordination and evaluation of all district career and technical education programs. The council shall study issues, offer advice and make recommendations regarding:

1. Current job needs
2. Relevance of current training programs
3. Reduction, deletion or expansion of programs
4. Initiation of new programs
5. Financial and legislative support
6. Promotion of career and technical education in the schools and in the community

The advisory council shall provide for input from career and technical program advisory committees.

The council shall represent a cross-section of the community in terms of sex, race, age, occupation, socioeconomic status, geographical location and other appropriate factors. The district accountability committee may fulfill this function.

The Board also shall appoint an advisory committee for each career and technical education program provided by the district. Program advisory committees shall assist career and technical instructors and administrators in establishing, operating and evaluating programs to serve the needs of students, business and industry and shall provide expertise pertaining to technological change.

Each program advisory committee shall be representative of the occupations in the community for which training is provided. The career and technical instructor shall serve as an *ex officio* member of the committee.

The Board shall approve written guidelines or operational procedures (bylaws) for the advisory council and each program committee which shall specify its composition, length of terms, responsibilities and rules for conducting business

Adopted: March 4, 2020

LEGAL REFS.: C.R.S. 23-8-103 (2)(c) (*career and technical education  
program school grant eligibility*)  
C.R.S. 23-60-303 (*occupational education*)

CROSS REF.: AE, Accountability/Commitment to Accomplishment

## **Preschool Council**

The superintendent shall appoint an advisory council that provides assistance and makes recommendations in implementing and coordinating a preschool program funded through the Colorado Preschool Program Act.

### **Membership**

At a minimum, membership on the advisory council will include, but not be limited to, the following:

1. The superintendent or designee.
2. Two parents of children in the preschool program appointed by the superintendent.
3. Two members of the business community appointed by the superintendent.
4. Representatives from the following agencies:
  - a. Weld County Department of Health
  - b. Weld County Department of Social Services
  - c. A charter school located in the school district that has a preschool program

Appointed members will serve for two-year terms. Any vacancy among the appointed members will be filled by appointment by the superintendent for the unexpired term.

### **Officers**

Members of the council will elect a chair for a one-year term, who may be elected to a second term.

The council shall have those duties prescribed by state law.

No action taken by the council will be final unless approved by the Board of Education.

### **Meetings**

The council will meet a minimum of six times per year.

In addition, members of the council will make at least two on-site visits per year to all Head Start agencies and public and private child care facilities with which the district has contracted to monitor overall program compliance and make recommendations for any needed improvements.

Adopted: August 27, 2001

Revised: March 4, 2020

LEGAL REFS.:      C.R.S. 22-28-105 (*preschool program council duties*)  
                         C.R.S. 22-28-107 (*ongoing training available*  
                         *from CDE*)

CROSS REF.:      IHBIB, Primary/Preprimary Education

## **Legislative Liaison**

### **Appointment**

The position of legislative liaison for Weld County School District RE-5J shall be appointed by a majority vote of the Board of Education. The appointee may be a member of the Board if there is an interest in serving in this capacity expressed by a member, or the liaison may be appointed from outside the Board. However, in order to best represent the Board and Weld County School District RE-5J, the liaison must reside within the district. The appointment shall be for a one (1) year term, August through July, and may be extended on an annual basis. There shall be no limit on the number of term reappointments, and in order to provide consistency and continuing rapport between the liaison and the legislators, it is desirable to reappoint this position for continuing terms whenever possible.

### **Responsibilities**

The legislative liaison shall be responsible to the Board of Education, and shall strive to represent the Board's position on legislative issues which may affect the district. He/she shall report to the Board on proposed and potential legislation which might impact the district, and shall solicit the Board and administration's input on concerns and/or position statements. The liaison shall attend meetings of the CASB Legislative Resolutions Committee, meet and/or lobby with legislators as deemed necessary and appropriate, and maintain contact with the Board, administration, C.A.S.B, and other legislative liaisons across the region and/or state.

### **Compensation**

This is a volunteer position, and there shall be no salary paid for serving as legislative liaison. However, neither shall the liaison be held personally liable for any expenses incurred in carrying out the duties of this position. Therefore, the district will pay or reimburse reasonable expenses incurred in carrying out the responsibilities of this position. These expenses include, but are not necessarily limited to, duplicating expenses, correspondence stationary and postage, mileage at the applicable Internal Revenue Service rate at the time of travel, local- or state-level workshop/conference registrations as required when legislative meetings or informational sessions are held as a part of the workshop or conference program, housing and meals. Expenses deemed necessary by the appointee, which are not included in the aforementioned list, must be approved in advance by the Board or administration as circumstances require. Expenses which are to be reimbursed to the liaison must be requested in writing with receipts attached.

Adopted: January 10, 1994

Reviewed: March 23, 1998

Revised: March 4, 2020



## **School Board Meetings**

All meetings of three or more members of the Board at which any public business may be discussed or any formal action taken shall be open to the public at all times except for periods in which the Board is in executive session. All such meetings will be properly noticed and minutes will be taken and recorded as required by law.

No business may be conducted unless a quorum is present. A quorum shall consist of a simple majority (more than half) of the members serving on the Board.

A recording shall be made of regular and special meetings as required by law and at a minimum, shall be an audio recording. Recordings shall be maintained for 90 days.

### **Regular meetings**

Regular meetings of the Board of Education shall be held in the Board room of the administration building unless otherwise announced.

Meetings of the Board shall be held on the first and third Wednesday of each month at 6:00 p.m. unless otherwise established by the Board.

### **Special meetings**

Special meetings of the Board may be called by the Board president at any time and shall be called by the president upon the written request of a majority of the members.

The secretary of the Board shall be responsible for giving a written notice of any special meeting to each Board member at least 72 hours in advance of the meeting if mailed and 24 hours in advance if delivered. The notice must contain time, place and purpose of the meeting and names of the members requesting the meeting.

Any member may waive notice of a special meeting at any time before, during or after such meeting, and attendance at a special meeting shall be deemed to be a waiver.

No business other than that stated in the notice of the meeting shall be transacted unless the item is reasonably related to the subject matter on the notice or an exigency exists. In addition, all members must be present and cast a unanimous vote to amend the agenda.

### **Work sessions and retreats**

The Board, as a decision-making body, is confronted with a continuing flow of problems, issues and needs which require action. While the Board is determined to expedite its business, it is also mindful of the importance of planning, brainstorming and thoughtful

discussion without action. Therefore, from time to time the Board may schedule work sessions or retreats, which shall be open to the public. No action shall be taken during such sessions. Public notice of the session, including the topics for discussion and study, shall be provided.

Adopted: February 23, 1998

Reviewed: March 23, 1998

Revised: August 25, 2008

Revised: January 24, 2018

Revised: March 22, 2018

Revised and recoded: March 4, 2020

LEGAL REFS.: C.R.S. 22-32-108 (*board meetings*)  
C.R.S. 24-6-401 *et seq.* (*open meetings law*)

CROSS REFS.: BEAA\*, Electronic Participation in School Board Meetings  
BEC, Executive Sessions  
BEDA, Notification of School Board Meetings

## **Electronic Participation in School Board Meetings**

Board members may attend and participate by electronic means in regular or special meetings of the Board in accordance with this policy and state law. For purposes of this policy, “electronic means” shall be defined as attendance via telephone, video or audio conferencing, or other electronic device.

Board members may attend and participate by electronic means in a regular or special Board meeting only when extenuating circumstances prevent the Board member from physically attending the meeting. For purposes of this policy, “extenuating circumstances” means the Board member’s job or military service requires the member to be outside of the district at the time of the meeting or inclement weather and/or unsafe driving conditions prevent the Board member from physically attending the meeting, or other personal circumstances which prevent the Board member from physically attending the meeting.

A meeting at which one or more Board members attend and participate by electronic means shall be open to the public, except for periods in which the Board is in executive session. A quorum of the Board shall be physically present at the meeting for a Board member to attend and participate by electronic means.

The electronic means used shall allow the public to hear the comments made by the Board member(s) participating by electronic means and allow the Board member(s) to hear the comments made by the public. A Board member participating by electronic means will be included in the recording of the Board meeting.

A Board member who seeks to attend and participate by electronic means in a Board meeting shall notify the Board president and superintendent at least three business days prior to the meeting and shall explain the extenuating circumstances that prevent the Board member from physically attending the meeting. If such notification is not possible, the Board member shall notify the Board president and superintendent as soon as is reasonably possible of the request to attend by electronic means.

If the request is approved, a Board member who attends and participates by electronic means shall identify the location from which he or she is participating, those present, and the extenuating circumstances that prevented the Board member from physically attending the meeting. If the Board convenes in executive session, the Board member attending and participating by electronic means shall ensure confidentiality during that portion of the meeting.

A Board member may attend and participate by electronic means in a maximum of two Board meetings per calendar year. Unless otherwise approved by the Board, additional requests to attend and participate by electronic means will be denied. In accordance with state law, the Board shall declare a vacancy if a Board member fails to attend three consecutive regular Board meetings, unless the Board member’s absence is otherwise

excused by the Board.

A Board member's failure to comply with this policy may result in the Board's refusal to allow the member to participate by electronic means in Board meetings.

Adopted: January 24, 2018

Revised: March 4, 2020

LEGAL REFS.: C.R.S. 22-31-129 (*board vacancies*)  
C.R.S. 22-32-108 (7)(a) (*board must adopt policy allowing board members to attend and participate electronically in regular or special board meetings, if the board wishes to allow this practice*)  
C.R.S. 24-6-401 *et seq.* (*open meetings law*)

CROSS REF.: BE, Board Meetings

## **Executive Sessions**

All meetings of the Board shall be open to the public except that at any regular or special meeting the Board may proceed into executive session upon affirmative vote of two-thirds of the quorum present.

The Board shall not make final policy decisions nor shall any resolution, policy, or regulation be adopted or approved nor shall any formal action of any kind be taken during any executive session.

Prior to convening in executive session, the Board shall announce the topic of the executive session which shall be reflected in the minutes. The Board shall include the specific citation to statute authorizing it to meet in executive session when it announces the session and identify the particular matter to be discussed in as much detail as possible without compromising the purpose for which the executive session is authorized.

The Board may hold an executive session for the sole purpose of considering any of the following matters:

1. Purchase, acquisition, lease, transfer, or sale of any real, personal or other property. However, no executive session shall be held to conceal the fact that a member of the Board has a personal interest in such property transaction. C.R.S. 24-6-402 (4)(a).
2. Conferences with an attorney for the purpose of receiving legal advice on specific legal questions. C.R.S. 24-6-402 (4)(b). The mere presence or participation of an attorney at an executive session shall not be sufficient to satisfy this requirement.
3. Matters required to be kept confidential by federal or state law or regulations. C.R.S. 24-6-402 (4)(c). An announcement will be made indicating the specific citation to state or federal law which is the reason the matter must remain confidential.
4. Specialized details of security arrangements or investigations. C.R.S. 24-6-402 (4)(d).
5. Determination of positions relative to matters that may be subject to negotiations, development of strategy for negotiations, including strategy for negotiations relating to collective bargaining or employment contracts, and instruction of negotiators. Discussion of negotiations relating to collective bargaining or employment contracts shall occur in a public meeting, unless an executive session is otherwise allowed. C.R.S. 24-6-402 (4)(e).

6. Personnel matters except if an employee who is the subject of an executive session requests an open meeting. C.R.S. 24-6-402 (4)(f). If the personnel matter involves more than one employee, all of the employees must request an open meeting. Discussion of personnel policies that do not require discussion of matters specific to particular employees is not considered “personnel matters.”

The Teacher Employment, Compensation, and Dismissal Act shall prevail in teacher dismissal hearings. (It provides that a dismissal hearing shall be open unless either the administration or employee requests that the hearing be closed.)

Discussions concerning a member of the Board, any elected official, or the appointment of a Board member are not considered “personnel matters.”

7. Consideration of any documents protected under the mandatory nondisclosure provision of the Open Records Act, except that consideration of work product documents and documents subject to the governmental or deliberative process privilege must occur in a public meeting, unless an executive session is otherwise allowed. C.R.S. 24-6-402 (4)(g).
8. Discussion of individual students where public disclosure would adversely affect the person or persons involved. C.R.S. 24-6-402 (4)(h).
9. Negotiations concerning the terms of an employment contract with one or more superintendent finalists if the Board has named more than one candidate as a finalist and has held a forum open to the public to conduct interviews with each of the finalists. C.R.S. 24-6-402 (4)(i)(I).

In addition to interviewing finalists in a public forum, the Board may interview finalists in executive session. C.R.S. 24-6-402 (4)(i)(II).

The Board may also instruct personnel and representatives to begin contract negotiations with one or more superintendent candidates in executive session, including the necessary process to prioritize, for the purposes of negotiation, one or more finalists after public forums have been completed. C.R.S. 24-6-402 (4)(i)(III).

Prioritizing among the finalists and beginning negotiations with one or more of the finalists shall not constitute formal action or adoption by the board or governing body. Such formal action occurs only when the board or governing body comes into public session and casts votes on their preferred next chief executive officer. No formal adoption is deemed to have taken place until a public vote has occurred.

Only those persons invited by the Board may be present during any executive session regardless of the topic of the session (including personnel matters).

The Board shall cause an electronic recording to be made of the executive session in accordance with applicable law. Such record shall be retained by the Board for 90 days following the session.

Adopted: September 13, 1993

Reviewed: August 12, 1996

Reviewed: March 23, 1998

Revised: September 13, 1998

Revised: August 27, 2001

Revised: June 12, 2006

Revised: February 11, 2015

Revised: March 4, 2020

Revised: November 18, 2020

Revised: July 17, 2024

LEGAL REFS.: C.R.S. 22-32-108 (5) (*meetings of the Board*)  
C.R.S. 22-32-108 (5)(d) (*executive session minutes*)  
C.R.S. 22-32-109.4 (4) (*Board meeting "at which a collective bargaining agreement is discussed" must be open to the public*)  
C.R.S. 24-6-402 (*open meetings law*)

CROSS REFS.: BEDG, Minutes  
KDB, Public's Right to Know/Freedom of Information

## **Notification of Board Meetings**

The Board shall give full and timely notice to the public of any meeting of three or more Board members at which public business may be discussed or any formal action taken, including special, regular and work session meetings and retreats.

At its first regular meeting of the calendar year, the Board shall designate the public place or places at which notice of all Board meetings shall be posted if the Board is unable to post notice of a Board meeting online due to exigent or emergency circumstances such as a power outage or an interruption in Internet service. In the event such action is not taken annually, the designated public place(s) used in the previous year shall continue as the official posting sites.

At a minimum, the Board shall cause notice of regular and special meetings and work sessions to be posted on the district's website no less than 24 hours prior to the meeting. This notice shall include specific agenda information where possible.

The district shall maintain a list of persons who, within the previous two years, have requested notification of all meetings or of meetings when certain specified policies will be discussed. These individuals will be provided reasonable advance notification of such Board meetings.

### **Notice to the Board**

The superintendent shall provide the agenda, together with meeting materials and the minutes of the last regular meeting, to Board members no later than 72 hours before the next regular meeting.

Adopted: September 13, 1993

Revised: August 12, 1996

Reviewed: March 23, 1998

Revised: March 4, 2020

Revised: November 18, 2020

LEGAL REFS.: C.R.S. 22-32-108 (2), (3) (*meetings of the board*)  
C.R.S. 24-6-402 (2)(c) (*notice of meeting "shall include specific agenda information where possible"*)  
C.R.S. 24-6-402 (2)(c)(III) (*"full and timely notice" requirement is met if district posts notice of meeting on the district's website no less than 24 hours prior to meeting*)  
C.R.S. 24-6-402 (7) (*district must keep list of persons who have requested notification of meetings when specified policies are discussed and provide reasonable advance notice to such persons*)



CROSS REFS.: BE, School Board Meetings/Regular Meetings/Special  
Meetings  
BEDB, Agenda

## **Agenda**

To expedite the Board's proceedings and provide a framework for the orderly conduct of business, the superintendent in cooperation with the Board president shall prepare an agenda outlining the matters to be brought to Board attention at meetings.

The Board shall follow the order of business set by the agenda unless the order is altered or new items are added in accordance with this policy. At regular and special meetings, the Board may add to or take action on matters not appearing on the posted agenda if the item is reasonably related to the subject matter on the posted agenda or if an exigency exists. Amending the agenda of a regular meeting requires a majority vote of Board members present. All Board members must be present and cast a unanimous vote to amend the agenda of a special meeting.

### **Consent grouping**

A consent grouping on the agenda shall be used for those items which usually do not require discussion or explanation as to the reason for Board action. Any Board member may request the withdrawal of any item under the consent grouping for independent consideration.

Adopted: September 13, 1993

Reviewed: March 23, 1998

Revised: January 24, 2018

Revised: March 4, 2020

LEGAL REFS.: C.R.S. 22-32-108 (4) (*board meetings*)  
C.R.S. 22-32-108 (7)(a) (*a board member who participates electronically in conformance with the board's policy on electronic meeting participation is considered "present"*)  
C.R.S. 24-6-402 (2)(c) (*notice of meeting "shall include specific agenda information where possible"*)

CROSS REFS.: BEAA\*, Electronic Participation in School Board Meetings  
BEDA, Notification of School Board Meetings  
BEDH, Public Participation at School Board Meetings

## **Agenda Format**

The order of business at regular meetings of the Board shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Citizens Comments on Agenda Items
6. Celebrations and Recognitions
7. Reports and Comments from Board Members
8. Reports from the Superintendent's Office
9. Personnel Items
10. Old Business
11. Special Business
12. New Business
13. Citizens Comments on General Topics
14. Other Items as Deemed Necessary by the Board
15. Executive Session
16. Adjournment

Adopted: September 13, 1993  
Reviewed: March 23, 1998  
Revised: January 24, 2018  
Revised and recoded: March 4, 2020

## **Rules of Order**

Except as otherwise specified by state law or Board policies pertaining to its own operating procedures, the Board shall operate by the rules prescribed in *Robert's Rules of Order, Newly Revised* as those rules can reasonably be applied to the conduct of school board business.

It shall be the responsibility of the Board president to utilize such rules when appropriate to do so.

Adopted: September 13, 1993

Reviewed: March 23, 1998

Revised: March 4, 2020

## Voting Method

All voting shall be by roll call with each member present voting "Aye" or "No" alphabetically. However, election of the president and vice president may be by secret ballot. If a vote is taken by secret ballot, the outcome of the vote shall be recorded contemporaneously in the minutes.

A member may abstain from voting only if excused by the Board for good cause.

To pass, any motion must be approved by a majority of the members present except as state law or policies of this Board may require a majority of full membership or a two-thirds majority.

Adopted: August 8, 1988

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REFS.: C.R.S. 22-32-104 (3) (*president and vice president must be elected by majority of the entire membership*)  
C.R.S. 22-32-108 (6) (*voting by roll call, excused for good cause*)  
C.R.S. 22-32-108 (7)(a) (*a board member who participates electronically in conformance with the board's policy on electronic meeting participation is considered "present"*)  
C.R.S. 24-6-402 (2)(d)(IV) (*outcome of a secret ballot vote must be recorded contemporaneously in the minutes*)  
C.R.S. 24-6-402 (4) (*a two-thirds majority of the quorum present is required to go into executive session*)  
C.R.S. 24-18-109 (3) (*conflict of interest and voting*)  
C.R.S. 24-18-110 (*voluntary disclosure of conflict of interest*)

CROSS REFS.: BCB, School Board Member Conflict of Interest  
BE, School Board Meetings  
BEAA\*, Electronic Participation in School Board Meetings

## **Minutes**

Minutes of any Board meeting at which the adoption of any policy or formal action occurs or could occur shall be taken and promptly recorded. Such records shall be open to public inspection.

Official minutes of the meetings of the Board of Education constitute the written record of all proceedings of the Board. Therefore, the minutes shall include:

1. The nature of the meeting, whether regular or special; time and place; members present; approval of the minutes of the preceding meeting or meetings.
2. A record of all actions taken by the Board, the motion, the name of the member making the motion and seconding it; the record of the vote, with the vote of each member recorded. If a vote is taken by secret ballot, the outcome of the vote shall be recorded contemporaneously in the minutes. Reports and documents related to a formal motion may be omitted if they are referred to by title and date.
3. A record of all business that comes before the Board through reports of the superintendent and others and through communications from the staff and the public.
4. The names of all persons who speak before the Board and the topic of their remarks.
5. A record that an executive session was held (if the Board convened in executive session), including the names of those present and the topic of discussion, unless including names of individuals would reveal information that should remain confidential, the specific citation to the statute that authorizes the Board to meet in executive session, and the amount of time the topic was discussed.
6. The record of adjournment.

The official minutes shall be signed by the secretary. Following their approval, the official copy also shall be signed by the president of the Board of Education.

The official minutes shall be in the custody of the Board secretary and shall be made available to the public in accordance with the requirements of applicable state law.

Adopted: February 25, 1985

Revised: August 12, 1996

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REFS.: C.R.S. 22-32-106 (*duties of the secretary*)  
C.R.S. 22-32-108 (5)(d) (*board meetings - executive session minutes*)  
C.R.S. 22-32-109 (1)(e) (*specific duties of the board*)  
C.R.S. 24-6-402 (2)(d)(II) (*open meetings law – minutes*)  
C.R.S. 24-6-402 (2)(d)(IV) (*outcome of a secret ballot vote must be recorded contemporaneously in the minutes*)

## **Public Participation at School Board Meetings**

All regular and special meetings, including worksessions, of the Board shall be open to the public. Because the Board desires to hear the viewpoints of all citizens throughout the district and also needs to conduct its business in an orderly and efficient manner, it may schedule one or more periods time during some Board meetings for brief comments and questions from the public. Some public comment periods may relate to specific items on the agenda. The Board shall set a time limit on the length of the public participation time and a time limit for individual speakers.

A maximum of 15 minutes will be permitted for individuals who wish to address the Board a public comment period on any items listed on the Board meeting agenda or on other topics concerning school district matters. The Board may extend the 15 minute period to a maximum of 30 minutes at its discretion.

Individuals will be limited to three minutes each.

Comments and questions at a regular Board meeting may deal with any topic related to the Board's conduct of the schools. Comments at special meetings must be related to the call of the meeting. During times of public comment on specific agenda items, comments shall be confined to the topic of the agenda item being considered by the Board. Speakers may offer such criticism of school operations and programs as concern them, but are encouraged to exercise their speech rights responsibly. The Board encourages the discussion of all personnel matters to be conducted in executive session.

The Board president shall be responsible for recognizing all speakers who shall properly identify themselves, for maintaining proper order and for adherence to any time limits set. Questions asked by the public that require further investigation may be referred to the superintendent or superintendent's designee for consideration and later response.

Members of the public will not be recognized by the president during Board meetings except as noted in this policy.

In addition to public participation time during Board meetings, the Board is committed to engaging members of the community on an ongoing basis regarding community values about education during times other than the Board's regular meetings.

Members of the public wishing to make formal presentations before the Board must make arrangements in advance with the superintendent so that such presentations, when appropriate, may be scheduled on the agenda.



Adopted: February 25, 1985  
Reviewed: July 28, 2003  
Revised: January 24, 2018  
Revised: September 16, 2020

LEGAL REF.: C.R.S. 24-6-401 *et seq.* (*open meetings law*)

CROSS REF.: KE, Public Concerns and Complaints

## **Public Participation at School Board Meetings**

Any person desiring an agenda item to be placed on the Board agenda for consideration shall follow the procedures outlined below:

If an individual desires to place a topic on the agenda, he/she must write to the superintendent of schools no later than five days prior to the Board meeting. The letter must state the following:

- The topic to be considered.
- The personal concern and/or complaint of the individual.
- What remedies he/she has taken to correct the situation beforehand such as contact with building principals, other school district administrators or appropriate school district supervisors or program directors.
- Recommendations of the individual for improvement of the situation.

Based upon the information presented by the individual; the efforts or lack of efforts made to resolve the issue at the administrative level; the significance of the issue for other students, parents/guardians and members of the school community, and the amount of items scheduled for such meetings, the Board may place the matter on the agenda for consideration.

The five-day advance notice requirement has been established to permit school officials time to assemble data concerning the proposed item and allow the more efficient resolution of concern.

Approved: February 25, 1985

Revised: July 28, 2003

Revised: January 24, 2018

Revised and recoded: October 7, 2020

## **School Board Policy Process**

The Board considers policy development its chief responsibility. The Board strives to reflect the community's values in its policies and commits itself to an ongoing effort to engage the community regarding policy-level concerns. The Board develops policies and puts them in writing to provide for the successful, consistent and efficient operation of the district's schools and the high achievement of district students. Policy development shall be aimed primarily toward the continual formation and evaluation of goals and desired end results for students, rather than toward daily district operations.

The Board uses the policy development and codification system of the National Education Policy Network/National School Boards Association (NEPN/NSBA), as recommended by the Colorado Association of School Boards.

This system, while it may be modified to meet needs, is to serve as a general guideline for such tasks as policy research, drafting of preliminary policy proposals, reviewing policy drafts with concerned groups, presenting new and revised policies to the Board for consideration and action, policy dissemination, policy monitoring and the continuous maintenance of the Board policy manual.

The policies of the Board shall be interpreted in accordance with state and federal laws and regulations.

### **Policy adoption**

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Board of Education. However, proposals regarding policies may originate with a Board member, the superintendent, staff members, parents, students, consultants, civic groups or other residents of the district. A careful and orderly process shall be used in examining such proposals prior to action upon them by the Board.

The Board shall adhere to the following procedure in formally considering and adopting policy proposals to ensure thoughtful examination of the issues prior to final adoption.

1. First meeting—the proposal shall be presented for a first reading, discussion and first vote.
2. Second meeting—the proposal shall be presented for a second reading, discussion and final vote.

During discussion of a policy proposal, the Board shall seek the views of the community and staff. The Board shall take action only after hearing recommendations

of the superintendent and viewpoints of persons and groups affected by the policy.

Amendments may be proposed by Board members. An amendment shall not require that the policy go through an additional reading except when the Board determines that further study is needed or that an additional reading would be helpful.

Under unusual circumstances, the Board may temporarily approve a policy to meet emergency conditions. However, the above procedure is required before the policy shall be considered permanent.

The Board shall establish procedures to waive policies to facilitate attainment of district- level or school-level goals.

### **Policy revision and review**

In an effort to keep its written policies up-to-date, the Board shall review its policies on a continuous basis.

The superintendent is given the continuing responsibility of calling to the Board's attention all policies that are out of date or for other reasons appear to need revision. Policy revision shall be accomplished in the same manner as policy adoption, except that revisions mandated by changes in law shall not require a second reading and may be adopted upon final vote at the first meeting.

Additionally, from time to time, the Board may undertake a process to review and revise all of the policies in its manual. At the Board's discretion, it may utilize an outside facilitator to conduct this review and revision process. Such process shall be in accordance with a schedule developed by the Board and the outside facilitator, if applicable. The process shall include opportunities for staff, parent and community involvement. In addition, any changes to policy that affect the benefits, rights, responsibilities or expectations of students or staff shall be provided in writing to the affected group with sufficient time to make any necessary arrangements prior to the effective date of the change. Once the review and revision process is complete, the Board may choose to adopt the revised policy manual in its entirety by approval of a resolution. In this event, the above policy adoption process, including any readings, shall not apply.

### **Board review of regulations**

The Board reserves the right to review regulations issued by the administration at its discretion, but it shall revise or veto such regulations only when, in the Board's judgment, they are inconsistent with policies and regulations adopted by the Board. The Board shall be provided with copies of all district-wide regulations issued by the administration.

Regulations shall be officially approved by the Board when required by state or federal law or when strong community, staff or student attitudes make it advisable.

Before issuance, regulations shall be properly titled and coded.

**Policy communication**

The superintendent is directed to establish and maintain an orderly plan for preserving and disseminating district policies and regulations. Staff will be informed of policy changes on a regular basis.

The Board's policy manual is a public record and shall be open for inspection at the administrative offices of the district and on the district's website.

**Monitoring policy implementation**

The Board of Education shall continuously monitor the implementation of its policies to ensure that reasonable progress is being made toward achieving the Board's goals and that operation of the school district is consistent with its policies.

**Suspension/repeal of policy**

In the event of special circumstances, the operation of any Board policy, including those governing its own operating procedures, may be temporarily suspended by a majority vote of Board members present at any regular or special meeting. This, however, shall not apply to any Board policy established by law or by contract.

Policy repeal shall be accomplished in the same manner as policy adoption.

Adopted: September 13, 1993

Revised: March 23, 1998

Revised: August 27, 2001

Revised: April 4, 2018

Revised: March 4, 2020

LEGAL REF.: C.R.S. 22-32-109 (1)(a-c), (y)(l) (*specific duties of board*)

## **Policy Adoption** (Waiver Requests)

School-level accountability committees may request a waiver of Board policy to facilitate attainment of a school-level goal by submitting a written application to the Board of Education. The request for waiver or renewal of an existing waiver must be supported by a majority of committee members and the building principal.

Waivers will be good for two years and may be renewed without limit for additional two-year periods after review by the Board.

The waiver or waiver renewal request must include:

1. Coding and title of the policy to be waived.
2. Specific documentation demonstrating how the policy prohibits the school from achieving a school goal.
3. Expected outcome of the waiver or waiver renewal.
4. Duration requested for the waiver or waiver renewal.
5. Explanation of how the waiver or waiver renewal would assist the school in reaching its goal.
6. Financial impact of the waiver.

The written request for a waiver or waiver renewal must be received by the Board at least 30 days prior to proposed implementation.

The waiver or waiver renewal will be granted if the Board determines that the school has clearly demonstrated that the waiver or waiver renewal will result in the school-accomplishing its goal.

The Board will provide a written response to the waiver or waiver renewal request within 20 days of receipt of the request.

Approved: September 13, 1993

Reviewed: March 23, 1998

Revised: April 4, 2018

Revised and recoded: March 4, 2020

## **Electronic Signatures**

An electronic signature is an automated function which replaces a handwritten signature with a system generated signature statement. Electronic signatures will be utilized for records as a means for authentication of transcribed documents and/or electronic entries. According to Colorado UETA (Uniform Electronic Transactions Act) system generated electronic signatures are considered legally binding and enforceable. District employees and persons conducting business with the district will be allowed to utilize an electronic signature in accordance with this policy and state and federal regulations regarding such. The Colorado UETA defines an electronic signature as follows:

“Electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

Electronic signatures may be used if the following conditions are met:

1. Where policies, laws, regulations, and rules require a signature, that requirement is met if the document contains an electronic signature.
2. Where policies, laws, regulations, and rules require a written document, that requirement is met if the document is an electronic record.
3. When each party to a transaction agrees to conduct the transaction electronically. Consent may be implied from the circumstances, except with respect to the electronic records used to deliver information for which consumers are otherwise entitled by law to have received in writing.
4. If a law prohibits a transaction from occurring electronically, the transaction must occur in the manner specified by law.
5. If a law requires an electronic signature to contain specific elements, the electronic signature must contain the elements specified by law.
6. If a law requires that a record be retained or retained in its original form, that requirement is satisfied by retaining an electronic record of the information in the record that accurately reflects the information set forth in the original record and remains accessible for later reference.

Adopted: March 4, 2020

LEGAL REF.:           C.R.S. 24-71.3-101 (*Uniform Electronic Transaction Act*)  
                              18 U.S.C. 2510 (*Electronic Communications Privacy Act*)

## **Board Member Development Opportunities**

The Board of Education places a high priority on the importance of a planned and continuing program of in service education for its members. The central purpose of the program is to enhance the quality and effectiveness of public school governance. The Board shall plan specific in service activities designed to assist Board members in their efforts to improve their skills as members of a policymaking body; to expand their knowledge about trends, issues and new ideas affecting the continued welfare of local schools; and to deepen their insights into the nature of leadership in a modern, democratic society.

Funds shall be budgeted annually to support the program. Individual Board members shall be reimbursed for out-of-pocket costs incurred through participation in approved activities. The Board as a whole shall retain the authority to approve/disapprove the participation of members in planned activities.

The Board regards the following as the kinds of activities and services appropriate for implementing this policy:

1. Participation in school board conferences, workshops and conventions held by the state and national school boards associations.
2. District-sponsored training sessions for Board members.
3. Subscriptions to publications addressed to the concerns of Board members.

Adopted: September 13, 1993

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REF.: C.R.S. 22-32-110(1)(n), (u) (*power to provide necessary expenses*)

CROSS REF.: BID/BIE, School Board Member  
Compensation/Insurance/Liability



## **Board Member Development Opportunities**

The Board and district staff shall assist each new member-elect to understand the Board's functions, policies and procedures before the new member takes office. The following methods may be employed:

1. The member-elect shall be given selected material on the role of a school board member and responsibilities of the Board.
2. Before being sworn in and officially taking office, the member-elect shall be invited to attend Board meetings and to participate in its discussions.
3. The secretary shall supply material pertinent to meetings and shall explain its use.
4. The incoming member shall be invited to meet with the superintendent and other administrative personnel to discuss services they perform for the Board.
5. A copy of the Board's policies *Weld County School District RE-5J Board Policy Manual* and a copy of the *Colorado School Laws* shall be assigned to the new member by the secretary.

In order to facilitate continuing in service training, the following procedures will apply:

1. All Board members will be encouraged to attend all in-state conferences, conventions and workshops of the Colorado Association of School Boards.
2. Attendance at conferences, conventions, workshops and/or other meetings conducted by the Colorado Association of School Boards will be brought to the Board for action, with the primary purpose being representation by the Board at these meetings.
3. Out-of-state conferences such as the National School Boards Association convention held each year may be attended by representatives of the Board.
4. The superintendent is directed to establish within the budget funds to cover the costs of Board member participation in such conferences, conventions and workshops as stated above. This will be reviewed annually in the budget presentation.

Approved: September 13, 1993

Reviewed: March 23, 1998

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## **School Board Member Compensation/Expenses/Insurance/Liability**

Board members shall receive no compensation for their services. However, upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Board, Board members may be reimbursed from district funds in accordance with the Board's policy on expense authorization and reimbursement.

The Board shall purchase liability insurance and errors-and-omissions insurance to protect its members individually and collectively for claims made against them as a result of their membership on the Board.

The Board shall rely on the Colorado Governmental Immunity Act, C.R.S. 24-10-101 *et seq.* (the Act) as the statement of its obligation to defend and indemnify Board members. If the Board elects to provide for the defense of a Board member in a claim which alleges willful and wanton conduct by the Board member, the Board may require the Board member to post a reasonable bond to ensure reimbursement of any amounts advanced, in accordance with the Act.

Adopted: August 8, 1988

Reviewed: March 23, 1998

Revised: March 4, 2020

LEGAL REFS.: 20 U.S.C. 7941 through 7948 (*Coverdell Teacher Protection Act limits the liability of school board members*)  
C.R.S. 22-12-101 *et seq.* (*Teacher and School Administrator Protection Act also limits liability of school board members*)  
C.R.S. 22-32-104 (5) (*board member compensation*)  
C.R.S. 22-32-109.1 (9) (*immunity provisions in safe schools law also apply to school board members*)  
C.R.S. 22-32-110 (1)(n), (u) (*power to provide necessary expenses*)  
C.R.S. 24-10-~~102~~101 *et seq.* (*Colorado Governmental Immunity Act*)  
C.R.S. 24-18-104 (3)(d), (e) (*reimbursements are not considered gifts*)

CROSS REFS.: DKC, Expense Authorization/Reimbursement (Mileage and Travel)  
EI, Insurance Program/Risk Management