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A. SCHOOL DISTRICT ORGANIZATION AND BOARD OPERATIONS

A.1 DISTRICT SCHOOL BOARD'S AUTHORITY

The District Board is a legal body created by the statutes of the State of Alabama. Its members are state officials receiving their responsibilities and powers through State Law.

Board members have no authority over school affairs as individuals. They have complete authority, within State Law, over school affairs when they meet as a legal body.

The Board is, in practice, primarily a policy making body. Although the general administration and supervision of the public schools and educational interest of Roanoke City is vested in the city board of education, the state legislature delegates executive functions to the city superintendent, as chief executive officer of the city board of education.

Acknowledging that executive functions are delegated to the city superintendent, the board remains responsible for evaluating the effectiveness of the execution of the results of its educational policies as well as the effectiveness of the general administration.

State Law specifically grants City Boards of Education all powers necessary and proper for the administration and management of the free public schools within such city and territory adjacent to the city which has been annexed as a part of the school district.\

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

LEGAL REFERENCES: U. S. Const. Amend. XI; LOA §16-11-5; LOA §16-11-2(a);
LOA § 16-12-3(a); LOA § 16-11-9

A.2 DISTRICT SCHOOL BOARD'S LEGAL STATUS

A.2-1 SCHOOL DISTRICT

The school district derives its legal status from Alabama's State Legislature; therefore, education is a state function.

Amendment III, Section 256 of the Constitution of the State of Alabama states:

The legislature may by law provide for or authorize the establishment and operation of schools by such persons, agencies or municipalities, at such places and upon such condition as it may prescribe.....

This section from the Alabama Constitution makes the State Legislature's authority in regard to education clear.

A.2-2 SCHOOL BOARD

The Constitution of Alabama places the responsibility for establishing and maintaining an efficient system of public schools in the State Legislature. At the local level, the legislature has provided for two basic administrative units – a county board of education and a city board of education. Legally, local school boards are instruments of the State Legislature and derive their authority from the Constitution of Alabama, the statutes of the Code of Alabama and rules and regulations of the State Board of Education.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

LEGAL REFERENCES: AL Const. art. XIV, S.256, amend. III (1901); LOA § 16-8-8;
LOA § 16-11-9

A.3 POWERS AND DUTIES OF THE BOARD

The Board shall act as the general agent of the State of Alabama in carrying out the will of the people, within State Laws, of its district in the matter of public education.

The Board shall be responsible for carrying out mandatory State Laws pertaining to education and shall consider and accept or reject the provisions of permissive laws. In all cases where the State Laws do not provide or prohibit, the Board shall consider itself the agent responsible for establishing and appraising the educational activities under its jurisdiction.

In general, the Board shall be responsible for policy making, with the advice of the Superintendent of Schools, and for evaluation of these policies.

The specific duties of the Board shall include, but not be limited to, the following:

To determine, on the recommendation of the Superintendent of Schools, and subject to Constitutional requirements and Alabama Law, the educational policies of the School District.

To require of the administrative staff the necessary reports and information which are necessary for the Board to make appropriate decisions involving the education of the pupils.

To appoint the Superintendent of Schools.

To approve, upon recommendation of the Superintendent of Schools, the appointment of all employees and their salaries.

To suspend or dismiss any employee as provided for by law.

To approve the purchase or sale of all school lands.

To approve all building contracts.

To approve the annual budget.

To make all reports required by the State Board of Education.

To appoint a custodian of public school funds.

To hold in trust all property, real, personal, and mixed, now held or hereafter acquired by the School District.

To require that no fees of any kind be collected from children of any of the first six grades of school during the school term supported by public taxation. Donations from parents and/or interested persons may be accepted for any school within the School District.

To exercise its necessary and proper powers for the administration and management of the schools within the school district.

To designate the superintendent as the secretary to the board

ADOPTED: February 26, 1991

REVISED: September 27, 2005

REA/ESPO consulted

LEGAL REFERENCES: LOA § 16-1-30; LOA § 16-12-3(4); LOA §16-12-1; LOA §16-12-16;
LOA §16-11-12; LOA § 16-11-9; LOA § 16-12-3(e)

A.4 BOARD MEMBERS

Members of the Board constitute the legal body for governing the educational activities of the School District. Members of the Board shall have authority only when acting as a Board legally in session.

The Board shall be composed of five (5) members as set forth by the Alabama School Code.

Members of the Board shall be appointed for five (5) year terms, with the term of one member expiring annually.

The members of the Board shall be appointed by the governing body of the city.

In the event of a vacancy in the membership of the Board by resignation or otherwise, the fact shall be reported to the governing body of the city by said Board, and the governing body shall appoint a person to fill such vacancy for the un-expired term.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.5 RESIGNATION OF BOARD MEMBERS

Board members may submit resignations at any time during their term of office. Such resignations are subject to Board approval. In the event a Board member chooses to resign, a written statement of resignation should be submitted to the Board as far in advance of the effective date of resignation as possible.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.6 SCHOOL DISTRICT ORGANIZATION PLAN

The instructional program is presently divided into three parts, the elementary level (grades K-3), located on Park Avenue, the middle school level (grades 4-8), located on Gilham Road, and the high school level (grades 9-12), located on Tiger Circle. City limits constitute the boundaries of the School District.

REVISED: September 27, 2005

REA/ESPO consulted

A.7 SCHOOL YEAR

The school year shall meet the minimum standards set forth in the Alabama School Code and State Board of Education rules and regulations.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.8 SCHOOL CALENDAR

The Superintendent of Schools shall prepare or cause to be prepared a yearly calendar for the School District. It shall be presented to the Board at the March board meeting. Said calendar shall be reviewed and be subject to approval by the Board.

ADOPTED: February 26, 1991
REVISED: September 27, 2005
REA/ESPO consulted

A.9 EMERGENCY CLOSINGS

A.9-1 Indefinite Closings

The Board of Education shall discontinue the operation of any school within its jurisdiction, indefinitely or for such term as it may determine, if the Board finds, in the manner herein provided, that the continued operation of such school will be accompanied by such tension, friction or potential disorder or ill will within the school as substantially to impair effective standards or objectives of education of its pupils, or by potential impairment of peace, order and good will in the community, school district, or county involved, or that the continued operation of such school is not in the public interest.

The determination to discontinue the operation of any public school on any ground provided in section 61 (13) Alabama School Code shall be made by the Board of Education having jurisdiction thereof only after public hearings, held at a time and place fixed by the Board, which may be invoked by the Board at any time upon the vote of a majority of its members, or upon petition filed with the Board signed by not less than 100 qualified voters of the school district, or upon petition filed by parents, or one of them, or guardians of a majority of the pupils enrolled in the school proposed to be closed.

A.9-2 Temporary Closings

The decision to cancel or close a daily school session because of inclement weather, furnace breakdown, and similar common emergencies shall be at the discretion of the Superintendent of Schools.

In the event a school or schools must be cancelled or closed because of an emergency during the time the Superintendent of Schools is unavailable, the administrative assistant in charge shall have the discretion to cancel or close a daily school session for such emergency.

A.9-3 Procedures

If it becomes necessary to cancel a daily school session caused by an emergency, the following notification procedure will be used:

Every effort will be made to notify parents, students and school personnel at the earliest possible time.

Local radio and area T.V. stations will be requested to announce the cancellation of school during their early morning broadcasts.

The announcement will identify the school or schools that will have daily activities cancelled.

The announcements will identify the reason for cancellation of school.

The announcements, if possible, will identify expected date school or schools will be reopened.

The Superintendent of Schools and/or his assistant will notify local school administrators and transportation officials as soon as possible.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.10 OFFICERS OF THE BOARD

At the first regular meeting, after which the city council has made the appointment for the next 5 year term, the Board shall elect one of its members to serve as president and one to serve as vice-president. Said election shall be by open ballot and in accordance with deliberative rules such as Robert's Rules of Order.

Further, at said meeting, the Board may appoint the Superintendent of Schools as Secretary of the Board.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.11 DUTIES OF THE PRESIDENT

The duties of the president of the board shall include, but not be limited to, the following:

To preside at all meetings of the Board.

To perform all duties imposed by statutes.

To perform such other duties as may be prescribed.

To call all special meetings of the Board.

To sign all official documents that require the signature of this office.

The President shall have the same rights as other members to make, second, or vote on a motion before the board.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.12 DUTIES OF THE VICE-PRESIDENT

The Vice-President shall assume the duties of the President in the event of his absence. The Vice-President shall perform all other duties as may be prescribed by the Board.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.13 DUTIES OF THE SECRETARY

The specific duties of the Board Secretary shall include, but not be limited to, the following:

To keep a full and accurate record of the proceedings of the Board.

To send out notices of Board meetings.

To keep Board members' policy manuals current.

To advise Board members of policies previously adopted which affect items on the agenda requiring policy consideration.

The countersign all warrants for money drawn upon the Board Treasury.

To, in the absence of the President and Vice-President, call the Board meeting to order and conduct the election of the President pro tem.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.14 NEW MEMBER ORIENTATION

The Board realizes the importance of a functional orientation program for new Board members. Under the guidance and direction of experienced Board members and the Superintendent of Schools, orientation will be provided new Board members through activities such as these:

They will be extended an official letter of welcome.

They will be informed as to where they may obtain access to:

The School Code.

Copies of Board policies, rules and regulations.

Copies of school budgets and financial statements.

Information on school enrollments, qualifications of teacher, buildings, instructional programs, etc.

The Superintendent of Schools will help to acquaint the new Board member with his duties and responsibilities.

The Superintendent of Schools and experienced Board members will provide time to meet jointly with the new Board member for orientation purposes.

AASB will provide new members with a Boardsmanship Manual and a subscription to Alabama Association of School Boards magazine.

ADOPTED: February 26, 1991

REVISED: September 27, 2005

REA/ESPO consulted

A.15 BOARD MEMBER DEVELOPMENT OPPORTUNITIES

Members of the Board are encouraged to attend (at Board expense) local, state, and national conventions, and conferences pertaining to educational improvement of Board members, to visit local schools, and to affiliate with and attend conferences and workshops presented by the State and National School Boards Association.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.16 BOARD MEMBER COMPENSATION

Board members may receive compensation for their services as authorized by state statute and approved by the Roanoke City Board of Education. Board members will be reimbursed only for actual expenses incurred in the performance of their duties/functions as Board members. Itemized claims shall be submitted by respective Board members as the basis for reimbursement payment.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

LEGAL REFERENCE: LOA § 16-11-2(D), § 16-1-26

A.17 BOARD'S ATTORNEY

The board has the right to retain and utilize legal counsel at the Board's expense. The Board can also receive counsel from the Attorney General.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.18 ADVISORY COMMITTEES

The Board shall create advisory committees as necessary.

ADOPTED: June 25, 1974

REVISED: September 27, 2005

REA/ESPO consulted

A.19 BOARD MEETINGS

In accordance with the Alabama School Code, the Board shall hold an annual meeting at its first regular meeting in May and hold other such meetings as are necessary for the efficient operation of the School District.

The Board shall hold one regular meeting each month. The time and place will be announced. The Roanoke City Board of Education shall be notified of the most recent reconciliation of the bank statements to the General Ledger when financial information is presented to the Board at each monthly meeting.

Any legal meeting of the Board may be adjourned to a special time and place.

A.19-1 NOTIFICATION OF BOARD MEETINGS

The Board shall direct the Superintendent of Schools to notify or cause to be notified all members of the Board at least forty-eight (48) hours prior to regular Board Meetings. If possible, the Superintendent of Schools shall notify all Board members at least forty-eight (48) hours prior to special meetings of the Board.

A.19-2 PREPARATION FOR BOARD MEETINGS

The Board shall continually be provided with data and back-up information to assist them in reaching sound educational decisions. The Superintendent of Schools shall assume the responsibility for transmitting the necessary data and information to prepare members for Board meetings. The Roanoke City Board of Education shall be notified of the most recent reconciliation of the bank statements to the General Ledger when financial information is presented to the Board at each monthly meeting. Members of the Board shall assume the responsibility for utilizing the information provided them and for contacting the Superintendent of Schools to request additional information needed for their decision-making responsibilities.

Information will be prepared and sent to Board members a few days in advance of the meeting to allow time for members to study and consider the matters to be discussed. The Superintendent, when he prepares the agenda, will include certain specific acts or figures, which would be of assistance to the Board in clarifying any matters to be discussed or considered.

Also, the Superintendent of Schools shall distribute to Board members any additional or supplemental information and materials which he deems important to help clarify, broaden and/or help increase understanding of the School District's business matters for which Board members are duly responsible.

A.19-3 AGENDAS/PUBLIC PARTICIPATION

The Board of Education shall direct the Superintendent of Schools to prepare, or cause to be prepared, an agenda for all regular Board meetings. Individuals or groups desiring additional information about any item on the agenda should direct such inquiries to the office of the superintendent.

The Board wishes to provide an opportunity for citizens to express interests and concerns related to the school district. The public is cordially invited to attend Board meetings. Board meetings are conducted for the purpose of carrying on the official business of the school district. The meetings are not public forum meetings, but are meetings held in the public. All meetings, except executive sessions, will be open to the public.

Orderly conduct of a meeting does not permit spontaneous discussion from the audience. Individuals or organizations will be required to sign in before the start of the school board meeting if interested in speaking before the Board.

In order to speak before the Board, individuals or organizations will be required to sign an official board of education sign-in sheet before the start of the board meeting in which they are requesting to speak. The official sign-in sheets will be available at the board office and at board meetings. The sign-in sheet will require the name of the individual or group submitting the request and the topic(s) to be addressed. A single spokesperson shall be selected by groups or organizations to address the Board. Presentations by speakers shall be limited to three (3) minutes. At the conclusion of the presentation(s) the President of the Board shall immediately proceed to the next item on the approved agenda.

A.19-4 QUORUM

Three members of the Board shall constitute a quorum for the transaction of business at Board meetings. A motion shall be declared not approved unless it receives three or more votes, a majority of the Board.

A.19-5 MINUTES OF THE BOARD

The Secretary of the Board shall be responsible for recording the Board minutes at all Board meetings.

The minutes of each Board meeting shall be prepared by the Secretary of the Board and mailed or delivered to the members at least forty-eight (48) hours before the time of the next regular meeting.

At each regular Board meeting, the minutes of the preceding meeting will be considered for approval by the Board.

A copy of all motions shall be carefully recorded. The names of those who make motions, those who second motions and whether or not the motion is adopted shall be recorded.

The official minutes shall be kept at the office of the Superintendent.

All official records of the Board shall be available to citizens for inspection at the office of the superintendent of schools.

Page 2 of 3
A.19 continued

A.19-6 PUBLIC PARTICIPATION

All Board meetings (except executive sessions) shall be open to the public and news media. The Board shall urge public participation and attendance at Board meetings.

A.19-7 EXECUTIVE SESSIONS

The Board may hold executive sessions at any and all Board meetings. Executive sessions of the Board are closed meetings and may be attended only by members of the Board, the Superintendent of Schools, the Board's Attorney, and persons directly involved in the matter to be considered.

The Board shall call an executive session as needed.

A.19-8 POLICY DEVELOPMENT AND ADOPTION

The development of policy is the responsibility of the Board. However, the Board shall attempt to involve as many people as possible in the development of policy, especially those people being directly affected. The Board will continually seek the advice and guidance of the Superintendent of Schools and his staff when developing policy and will refer decisions concerning legal matters to the Board's Attorney.

The adoption of policy is the responsibility of the Board. For a policy to be adopted by the Board, it must receive a majority vote. At times the Board may postpone policy adoption until a subsequent meeting. This practice will provide the Board members with time to study the proposed policy and give interested parties an opportunity to react.

Temporary approval may be granted by the Board in lieu of formal policy to meet emergency conditions or special events which will take place before normal action can be taken.

A.19-9 POLICY DISSEMINATION

The Board shall direct the Superintendent of Schools to establish and maintain an orderly plan for disseminating Board policies and administrative rules and regulations.

A.19-10 ADMINISTRATION IN POLICY ABSENCE

The Superintendent of Schools shall have the power to act in cases where the Board has not provided policy statements to guide administrative action. However, his decisions shall be subject to review of the Board at its next meeting. It shall be the duty of the Superintendent of Schools to inform

the Board promptly of such action and of the need for policy.

ADOPTED: May 25, 1982

REVISED: September 27, 2005

REA/ESPO consulted