

Board Policy B-1: Board of Education Legal Status, Responsibilities, and Ethics



REFERENCES

[Student Board Member Application Process](#)
[Board of Education Handbook](#)
[Utah Code §20A-1-201 through 201.5](#)
[Utah Code §20A-1-511](#)
[Utah Code §20A-14-201 through 206](#)
[Utah Code §52-2-1](#)
[Utah Code §52-4](#)
[Utah Code §53A-1-202.2](#)
[Utah Code §53A-3](#)
[Utah Code §53A-16-106 through 111](#)
[Utah Code §67-16](#)

RECEIVED
OCT 15 2013
Office of
J. Michael Clara

? 53A-17a-102 (from USBE)

THE POLICY

It is the policy of the Salt Lake City School District Board of Education to establish, protect, and promote student learning and school success; exercise all its statutory powers; obey all relevant laws and regulations; and conform to the highest ethical standards.

The purpose of this policy is to guide the board in fulfilling its core responsibilities; and to inform the public of the board's intentions and procedures.

Legal Status: The Utah State Legislature assigns to each locally elected board of education control of the public schools in its district. Therefore, the Salt Lake City School District Board of Education is a political subdivision of the state and derives its powers from the state constitution and acts of the legislature.

Responsibilities: The board has all of the powers assigned to it by law and regulation to meet its statutory responsibilities. It may perform all of the following duties, as well as others legally prescribed and permitted:

- Prepare and adopt policies, procedures, rules, regulations, or bylaws, as appropriate, for the governance of the district and its schools.
- Establish tax rates each year and submit them to the county legislative body according to statutory procedures.
- Prepare and adopt a budget for each fiscal year and file it with the county legislative body as required by statute.
- Acquire, hold, lease, sell, and manage the use of real and personal property in the name of the district.
- Sue and be sued in the name of the district.
- Employ by contract and set salary schedules for the superintendent **and** business administrator **and approve the contracts and salary schedules for** principals, teachers, and other employees of the district.
- Evaluate the effectiveness of the district and its programs by developing and monitoring the progress of the district-wide Student Achievement Plan, by approving and monitoring the progress of individual School Improvement and LAND Trust plans, and by distributing available funds through the annual budgeting process.
- Evaluate the performance of the superintendent and business administrator, and approve evaluation methods for other district employees.

Election of Members: A qualified individual may become a candidate for the board by filing a statement of candidacy with the Salt Lake County Clerk. All elections must be held in accordance with general election code.

Appointment of Members: The board may fill midterm vacancies in its membership by appointment as outlined in statute.

Student Board Member: Each year, the board may appoint a non-voting student board member to represent the views of students in board discussions. Nominations must be made in accordance with the ~~associated administrative procedures~~ **Student Board Member Application Process associated with this policy.**

Compensation of Members: The district must provide board members compensation and expenses in accordance with Utah law.

Election of Officers: The board must elect a president and a vice president whose terms of office are two years, and until successors are elected.

Board Leadership Responsibilities and Authority: Elected officers of the board set meeting agendas in collaboration with the superintendent and business administrator, conduct meetings of the board, assign board members to sub-committees, and sign documents and some contracts on behalf of the board. Board leadership is also responsible for answering, or referring to the appropriate administrator, questions and requests from individual board members about district governance. The president and vice president are also responsible to ensure that administrative decisions are appropriately communicated to the board as a whole.

Appointment of the Superintendent and Business Administrator: The board must appoint a district superintendent and business administrator, as directed by Utah law.

The board expects these appointed officers to work together, with district employees and members of the board, to promote student learning. The board further expects that the business administrator and superintendent will exemplify the highest standards of professional competence and ethical conduct.

Board's Relationship with the Superintendent: The board expects the superintendent to discharge all of his or her statutory duties and to consult with and inform the board about school operations and problems in timely, accurate, and appropriate ways.

The board delegates executive powers to the superintendent and relies on his or her expertise in matters of district administration and educational best practice. The board holds the superintendent responsible for administering its policies, executing board decisions, operating central office support for school programs, and implementing the Student Achievement Plan. The superintendent is accountable to the board for his or her performance.

Board's Relationship with the Business Administrator: The board expects the business administrator to discharge his or her statutory duties and to keep accurate records of all district revenues and expenditures, all meetings of the board, and all legal and fiscal obligations of the board.

The board relies on the business administrator for advice and expertise on financial matters affecting the operation of the schools. The board holds the business administrator responsible for insuring the accuracy, integrity, and timely communication of such information to the board and superintendent. The business administrator is accountable to the board and superintendent for his or her performance.

Policy Development: The board accepts sole responsibility for preparing and adopting new policies and revising existing policies. Without diluting its authority to determine policies for the public schools, the board may seek the counsel of citizens, students, and staff members in policy development.

The formal adoption of policies must be recorded in the minutes of a business meeting of the Salt Lake City School District Board of Education. Only those written statements so adopted and so recorded may be regarded as official board policy. The board must maintain a set of written policies for the operation of district schools as well as online access to those policies on the school district's website. Exception to a policy may be made by majority vote of board members in a duly authorized meeting. Each policy remains in force until altered or superseded by action of the board.

Document and Information Requests From Board Members: Questions about documents or other information provided as part of board meeting agendas may be directed to individual presenters as specified in the superintendent's memos or in small group meetings set up for this purpose. Individual members of the board should not unilaterally ask staff to create new documents or perform new analyses to avoid diverting employees from their assigned duties and priorities. Board members should make requests for documents or detailed information through board leadership. Board leadership will work with members to obtain any information that is reasonably required to make decisions within the scope of board responsibility and to share such information with the whole board. If an individual board member feels his or her request is reasonable and has not been granted, he or she may persuade two other members to join in placing the issue on a board meeting agenda. If a member of the board chooses to file a Government Records Management Act (GRAMA) request for information, such a request will be treated the same as any other GRAMA request from a member of the public.

Bringing Documents for Discussion in a Board Meeting: Any member of the board may send or bring a document or article of general interest to the superintendent, who will forward it to all board members. If a board member wishes to bring a specific document or piece of information to inform an item on the board's meeting agenda, he or she must provide the document at least 48 hours in advance of the meeting so that it can be duplicated for distribution to the whole board and so that the superintendent, business administrator, and board president may assess its contents prior to the meeting.

Statement of Ethics for the Salt Lake City Board of Education: Members of the Salt Lake City School District Board of Education are elected officials obliged to monitor, evaluate, and work to improve educational opportunities for children and families in the district. These responsibilities require that members of the board adhere to the highest standards of ethical conduct. Key standards are found in the Utah Public Officers and Employees Ethics Act and common-law principles defining

ethical duties. To this end, board members subscribe to the following statements and assurances, which will be reviewed and agreed to annually in a public meeting.

- I will represent the board with dignity and integrity.
- I will treat fellow board members with respect and consideration, through civil discourse, exhibiting both honesty and decorum when we disagree.
- I will keep confidential all issues discussed in executive sessions, including legal action, negotiations, personnel, and property.
- I will avoid conflicts of interest or the seeking of inappropriate personal advantage as a result of serving on the board.
- I will represent the needs of all students in the district while balancing the concerns of individual precincts and constituents.
- I will endeavor to attend all board meetings, be prepared, and listen to others' opinions.
- I will guard the public trust by spending school funds to benefit all children.
- I will function as part of a policymaking body, recognizing that authority rests with the board in open session, not with individual members of the board.