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DEFINITIONS

The bylaws of the Board of Education of this District incorporate quotations from the laws and administrative code of the State of Wisconsin. Such quotations may be substantively altered only by appropriate legislative, judicial, or administrative action.

Whenever the following items are used in these bylaws and policies, they shall have the meaning set forth below:

**Administrative Guideline**

A statement, based on policy, usually written, which outlines and/or describes the means by which a policy should be implemented and which provides for the management cycle of planning, action, and assessment or evaluation.

**Agreement**

A collectively negotiated contract with a recognized bargaining unit.

**Board**

The Board of Education also commonly referred to as the School Board.

**Bylaw**

Rule of the Board for its own governance.

**Clerk**

The chief clerk of the Board of Education. (See Bylaw 0170)

**District**

The School District.
Due Process

Procedural due process requires prior knowledge (a posted discipline code), notice of offense (accusation), and the opportunity to respond. Specific due process requirements are dependent upon the circumstances and may vary depending on such circumstances.

Full Board

Authorized number of voting members entitled by law to govern the District. The full Board is the total number of Board members authorized by law regardless of the number of current sitting members.

May

This word is used when an action by the Board or its designee is permitted but not required.

Medical Advisor

The School District is required to appoint a Medical Advisor. The medical advisor shall be a licensed physician and will participate in the annual review of the District emergency nursing services plan. The School District may also have the medical advisor fulfill other roles. (PI 8.01(g)(3))

Meeting

Any gathering which is attended by or open to all of the members of the Board, held with the intent on the part of the members of the body present to discuss or act as a unit upon the specific public business of that body. Wis. Stat. 19.82(2).

Parent

The natural, adoptive, or surrogate parents or the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise.
Policy

A general, written statement by the governing Board which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

President

The chief executive officer of the Board of Education. (See Bylaw 0170)

Principal

The educational leader and head administrator of one (1) or more District schools. In policy and administrative guidelines, implies authority to delegate responsibilities to appropriate members of his/her staff.

Professional Staff Member

District employees that are either certified teachers employed in a position for which certification is a requirement of employment or administrative employees that are responsible for oversight or supervision of a component or components of the District's operation, or serve as assistants to such persons, regardless of whether they hold an administrative contract or are required to have administrator certification, but excluding the Superintendent.

Relative

The mother, father, sister, brother, spouse, parent of spouse, child, grandparents, grandchild, or dependent in the immediate household.

Shall

This word is used when an action by the Board or its designee is required. (The word "will" or "must" signifies a required action.)

Student

A person who is officially enrolled in a school or program of the District.
Superintendent

The chief executive officer of the School District. In policy, implies delegation of responsibilities to appropriate staff members.

Support Staff

Any employee who provides support to the District’s program and whose position does not require a professional certificate. This category includes special education paraprofessionals.

Treasurer

The chief financial officer of the District. (See Bylaw 0170)

Vice-President

The Vice-President of the Board of Education. (See Bylaw 0170)

Voting

A vote at a meeting of the Board of Education. The law requires that Board members must be present in order to have their vote officially recorded in the Board minutes, and to be available for a roll call vote. A Board member may be present at a meeting if attending by telephone or other manner of remote access, provided that the meeting is properly held. No voting by Proxy may be recorded or counted in an official vote of the Board.

Citations to Wisconsin statutes are shown by the Section Number (e.g., 120.11, Wis. Stats.). Citations to the Wisconsin Administrative Code are prefaced P.I. (e.g., P.I. 11). Citations to the United States Code are noted as U.S.C., Federal Register are noted as F.R., and the Code of Federal Regulations as C.F.R.

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OFFICIAL DESCRIPTION

0111 Name

The Board of Education of this District shall be known officially as the Unified School District of Marshfield Board of Education.

0112 Purpose

The Board of Education exists for the purpose of providing a system of free, public education for children in grades Pre-K - 12.

0113 Boundaries

The Unified School District of Marshfield is comprised of the area in the description on file in the Board of Education office.

0114 Classification

The Unified School District of Marshfield shall be classified as a unified school district.

0115 Address

The official address of the Unified School District of Marshfield Board of Education shall be 1010 East Fourth Street, Marshfield, WI, 54449.
POWERS AND PHILOSOPHY

0121 Authority

The supervision of this District shall be conducted by the Board of Education, hereinafter sometimes referred to as the "Board", which is constituted and is governed by the laws of the State of Wisconsin.

Chapters 118 and 120, Wis. Stats.

0122 Board Powers

The power of this Board of Education extends to those matters expressly or implicitly granted by constitution, statute, local charter or ordinance, or other law, including the power to do all things reasonable to promote the cause of education.

120.13, Wis. Stats.

The Board shall be a body corporate, and, as such, capable of suing and being sued, levying and collecting taxes, contracting and being contracted with, acquiring, holding, possessing and disposing of real and personal property, and taking and holding in trust for the use and benefit of the District, any grant or devise of land and any donation or bequest of money or other personal property.

The Board shall also authorize the development and promulgation of rules and guidelines by the Superintendent for the proper operation and management of the District, including the conduct of students while in school or enroute on school buses.
Philosophy of the Board

A Board of Education is a legal entity for providing a system of public education within a geographic area of the State of Wisconsin. The system was created by, and is governed by, State statutes. Members of a Board are chosen by citizens to represent them and the State in the governance of the local schools.

The Board has the dual responsibility for implementing statutory requirements pertaining to public education and for meeting the desires of residents. While the Board has an obligation to determine and assess citizen desires, it is understood that when the voters elect delegates to represent them in the conduct of specified educational programs, they, at the same time, are endowed with the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The Board declares and, thereby, reaffirms its intent to:

A. Maintain two-way communications with citizens of the District. The Board shall keep them informed of the progress and problems of the School District, and the citizens shall be urged to bring their aspirations and concerns about the District to the attention of this body.

B. Establish policies and make decisions on the basis of declared educational philosophy and goals.

C. Act as a truly representative body for citizens in all matters related to programs and operations. The Board recognizes that ultimate responsibility for public education rests with the State, but the Board of Education has been assigned specific authority through statute, and the Board shall not relinquish or fail to exercise that authority.
FUNCTIONS

0131 Legislative

0131.1 Bylaws and Policies

The Board of Education shall adopt bylaws and policies for the organization and operation of this Board. Such policies are to include those needed to meet the education standards established by Wisconsin Statute.

Those bylaws and policies which are not dictated by the statutes or rules of the Department of Public Instruction or ordered by the State Superintendent of Public Instruction or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board, provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected, except that the Board may, upon a vote and where compelling reasons exist, cause to adopt, amend, or suspend bylaw or policy contained herein, provided the amendment, adoption, or suspension does not conflict with law. Any resolution adopting, amending, or suspending a bylaw or policy under this provision shall expire automatically at the next public meeting of the Board unless the Board moves to adopt the resolution in final form.

Bylaws and policies shall be adopted, amended, repealed, or suspended by a majority vote of the Board.

The Board may adopt, amend, or repeal rules of order for its own operation by simple resolution of the Board passed by an affirmative vote of five (5) Board members present and voting.

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

The Superintendent is authorized to review and make technical corrections to policies that have already been adopted through normal rulemaking procedures. The Superintendent shall inform the Board of any such changes at the next regular Board meeting.
0132 Executive

0132.1 Selection of Superintendent

The Board of Education shall exercise its executive power in part by the appointment of a Superintendent who shall enforce the statutes of the State of Wisconsin, rules of the Department of Public Instruction, and the policies of this Board. (118.24, Wis. Stats.)

0132.2 Administrative Guidelines

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the school will be operated. These detailed arrangements shall constitute the administrative guidelines governing the schools which are not inconsistent with statutes or regulations of the Department of Public Instruction or the policies of this Board. (See Policy 1230.01)

Such administrative guidelines shall be binding on the employees and the students of this District when issued.

The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action.

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0141 **Number**

The Board of Education shall consist of seven (7) members.

0142 **Election/Appointment**

0142.1 **Electoral Process**

Members of the Board shall be elected annually at the Spring election on the first Tuesday in April in a manner that is consistent with State law.

120.06 (1), 10.68 (5)(2b), Wis. Stats.

**Declaration of Candidacy**

If an incumbent fails to file a Declaration of Candidacy by the 5:00 P.M. deadline on the first Tuesday in January, candidates may file a declaration of candidacy within seventy-two (72) hours of the Tuesday deadline.

**Declaration of Non-Candidacy**

If an incumbent files a Declaration of Non-Candidacy no later than 5:00 P.M. on the 2nd Friday preceding the Tuesday deadline, there is no extension of the Tuesday deadline.

When the first Tuesday in January is a holiday the deadline becomes 5:00 P.M. the next day.

120.06 (6)(b), Wis. Stats.

0142.2 **Qualifications**

A school elector in the School District is eligible to be a Board member.

120.06(2), Wis. Stats.
0142.3 Term

The term of each Board member shall be three (3) years commencing on the 4th Monday in April and shall continue until a successor is elected and qualified or until a vacancy occurs.

120.06(4), Wis. Stats.

0142.4 Oath

Each newly-elected Board member shall file the oath of office with the Clerk and shall take an oral oath of office administered by the Clerk.

120.06 (10), Wis. Stats.

0142.5 Vacancies

The office of a Board member shall become vacant immediately upon the occurrence of any one (1) of the following events:

A. the death of the incumbent, or the incumbent's being found mentally incompetent by the proper court

B. the incumbent's resignation

C. the incumbent’s removal from office

D. the incumbent's conviction of a felony or imprisonment for one (1) or more years

E. the incumbent’s election or appointment being declared void by a competent tribunal

F. the incumbent’s neglect or failure to file the oath of office or to give or renew an official bond, if required

G. the incumbent's ceasing to possess the legal qualifications for holding office
H. the incumbent moving his/her residence out of the District

I. the incumbent is absent from the territory of the District for a period of sixty (60) continuous days, unless such absence is due to active duty in the armed forces, in which case the vacancy shall be temporary for the remainder of the term or until the incumbent returns and files a notice of his/her intent to return to his/her unexpired term

A vacancy shall be filled by the remaining members of the Board in accordance with 17.26.

17.03 et seq., Wis. Stats.

Filling a Board Vacancy

The vacancy shall be filled by the Board using the following procedure:

A. Appointment by the Board to fill a vacancy shall be by the majority vote of the existing Board. All votes shall be recorded, preserved and open to public inspection to the extent prescribed in Wis. Stat. Chapter 19. Secret ballots may only be used when Board members are electing officers.

B. The Board shall seek qualified and interested candidates from the community.

C. All applicants are to submit a notice of their interest, in writing, to the Board Secretary.

D. The Board may interview candidates to ascertain their qualifications.

E. If the vacancy is not filled within sixty (60) days of the date on which the vacancy first exists, the vacancy shall be filled by appointment of the Board President.

Recall

Any member of the Board may be recalled pursuant to Chapter 9.10, Wis. Stats.
Orientation

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effective functioning of the Board. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the District, and learn Board procedures. Accordingly, the Board shall give to each new Board member, no later than his/her first regular meeting as a Board member for his/her use and possession during the term on the Board, the following items:

A. access to an electronic copy of the Board policy manual
B. a copy of each current employee handbook
C. the current budget documents as developed by the Business Office
D. access to the Board electronic agenda service
E. the committee structure of the Board

The Board will provide and maintain an electronic library of publications and reference materials for the use of Board members.

Each new Board member shall be invited to meet with the Board President, Superintendent, Business Manager, and/or Board Secretary to discuss Board functions, policies, and procedures.

The Board shall encourage the attendance of each new Board member at orientation and training meetings.

Authority

Individual members of the Board do not possess the powers that reside in the Board of Education. The Board speaks through its minutes and not through its individual members. An act of the Board shall not be valid unless approved at an official meeting by at least a majority vote of the members present or as otherwise may be required by law.

No member of the Board shall be denied documents or information to which s/he is legally entitled and which are required in the performance of his/her duties as a Board member.
Recognizing the critical importance of well-informed and educated Board members, it is the goal of the Board to have systems in place to allow for transparent and thorough communication of information between the District administration and individual Board members. Every effort will be made to provide relevant information regarding agenda items to each Board member prior to meetings. The administration will answer any questions individual Board members may have in order to clarify such information. Additionally, the administration will welcome informal opportunities to provide education to individual Board members in our ever-changing educational environment.

The Board recognizes that in addition to these opportunities, a clear process needs to be in place for Board members to request other information as needed. This process needs to allow for the Administration to align the allocation of their time with the current agenda priorities of the Board and provide for the equitable dissemination of more extensive, detailed, or specific information to all Board members.

A. Individual Board members may request and obtain documents which are available as existing documents. Such requests should be made through the Superintendent who will have his/her staff gather the information. Individual Board members may use the materials obtained to compile or organize data or statistics to meet his/her needs and may also request that the materials be disseminated to all Board members.

B. Individual Board members who request documents which do not exist and would need to be created shall make the request to the Superintendent. The Superintendent will consult with the requesting Board member to determine if the request warrants consideration through a Board committee or if other existing documents may suffice. The Superintendent will refer the request to the most relevant Board committee for their review and recommendation at the committee’s next scheduled meeting, not to exceed one (1) month from the date of the request.
PROCEDURES FOR BOARD MEMBER ACCESS TO CONFIDENTIAL INFORMATION

The following procedure applies to Board Members' access of confidential matters in order for them to perform their duties as members of the Board of Education. Confidential information may be requested only when it pertains to current Board business or otherwise relates to tasks within the scope and responsibilities of the Board.

A Board member must request specific confidential information by:

A. Notifying the Superintendent, as record custodian, that s/he request specific confidential information related to public records so that the request can become an executive session agenda item. Such a request should be made at least forty-eight (48) hours prior to the requested executive sessions. Whenever possible, such executive session will be conducted at the same time as the regularly scheduled Board meeting. In emergency situations, notification will be given in accordance with Board policy.

B. The requested information must be disseminated in executive session to all Board members with all expediency and within the confines of that particular executive session. Board members will keep information divulged during an executive session confidential at all times in accordance with Federal and State statute.

0143.1

Public Expression of Board Members

The Board President functions as the official spokesperson for the Board.

From time-to-time, however, individual Board members make public statements on school matters:

- to local media;

- to local officials and/or State officials.
Sometimes the statements imply, or the readers (listeners) infer, that the opinions expressed or statements made are the official positions of the Board. The misunderstandings that can result from these incidents can embarrass both the member and the Board. Therefore, Board members shall, when writing or speaking on school matters to the media, legislators, and other officials, make it clear that their views do not necessarily reflect the views of the Board or of their colleagues on the Board.

A. This bylaw shall apply to all statements and/or writings by individual Board members not explicitly sanctioned by a majority of its members, except as follows:

1. correspondence, such as legislative proposals, when the Board member has received official guidance from the Board on the matters discussed in the letter

2. routine, not for publication, correspondence of the Superintendent and other Board employees

3. routine "thank you" letters of the Board

4. statements by Board members on nonschool matters (providing the statements do not identify the author as a member of the Board)

5. personal statements not intended for publication

B. Copies of this bylaw shall be sent annually to local media by the Board President.

Operations

Compensation

Board members shall receive an annual salary or an amount fixed by the School Board for each School Board meeting the member actually attended.

Expenses of a Board member shall be reimbursed when incurred in the performance of his/her duties or in the performance of functions authorized by the Board and duly vouchered.

120.10(3), Wis. Stats.
120.43(3), Wis. Stats.
The following guidelines have been established by the Board of Education to ensure appropriate and proper reimbursement of expenses for Board members.

A. Reimbursement for mileage will not exceed the current rate established by the Internal Revenue Service.

B. When attending a Board-approved conference, all fees, parking, mileage, meals, and housing will be reimbursed.

C. When the Board attends a community or school-related event as a Board function, or a Board member attends as the designated representative of the Board, any incurred expenses, including mileage, will be reimbursed by the Board. If a Board member attends such events as a private citizen, any incurred expenses are to be paid by the Board member.

D. No entertainment expenses or purchases of alcoholic beverages are reimbursable.

0144.2 Board Member Ethics

As members of the Board of Education, Board members will strive to improve public education and to that end they will:

A. attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;

B. recognize that they should endeavor to make policy decisions only after full discussion at publicly held Board meetings;

C. render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special interest groups;

D. 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;

E. work with the other Board members to establish effective Board policies and to delegate authority for the administration of the District to the Superintendent;
F. communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;

G. inform themselves about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the State and National School Boards Associations;

H. support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;

I. avoid being placed in a position of conflict of interest, and refrain from using their Board positions for personal partisan gain;

J. take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law;

K. remember always that their first and greatest concern must be for the educational welfare of the students attending the public schools.

Source: Board of Directors, National School Boards Association.

**0144.3 Conflict of Interest**

Board members shall perform their official duties in a manner free from conflict of interest pursuant to 19.59, Wis. Stats. To this end:

A. no Board member shall use his/her position as a Board member to obtain financial gain for himself/herself, immediate family, or any organization with which s/he is associated;

B. no Board member shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system and as a public officer;
C. when a member of the Board determines that the possibility of a personal interest conflict exists, s/he should, prior to the matter being considered, disclose his/her interest (such disclosure shall become a matter of record in the minutes of the Board), and thereafter shall abstain from participation in both the discussion of the matter and the vote thereon. In the event that the potential conflict involves a program or activity in whole or in part financed through Federal grant funds, the potential conflict of interest must be disclosed to the Federal granting agency consistent with the requirements of the particular granting agency.

Board Members shall also perform their duties in a manner that does not violate criminal conflict of interest laws pursuant to 946.13, Wis. Stats., by having a private interest in a contract with the District in an amount that exceeds $15,000 annually.

0144.4 Indemnification

The Board may hold harmless, indemnify, pay, settle, or compromise a judgment against a Board member to the extent allowed under the law.

0145 Sexual and Other Forms of Harassment

The Board of Education believes that sexual or other forms of offensive speech and conduct are wholly inappropriate to the harmonious relationships necessary to the operation of the District and intolerable in an environment in which students and staff members of this District function.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever submission to such conduct is made a condition of employment or a basis for an employment decision, or when such conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile, or offensive working environment. Other forms of harassment include verbal or non-verbal expression related to race, gender, age, religion, disability, pregnancy, or sexual orientation.
Substantial interference with a person/employee’s work performance or creation of an intimidating, hostile, or offensive work environment is established when the conduct is such that a reasonable person under the same circumstances as the person/employee would consider the conduct sufficiently severe or pervasive so as to interfere substantially with the person’s work performance or create an intimidating, hostile, or offensive work environment. 111.36(1) Wis. Stats.

The harassment of a District staff member, student or another Board member by a member of the Board is strictly forbidden. Any member who is found to have harassed a member of the staff, a student or another Board member, will be subject to discipline by the Board and may be reported to law enforcement authorities.

118.13, 120.13(1) 111.32(13) Wis. Stats.
P.I. 9, Wis. Adm. Code
Title IX Education Amendments of 1972, Chapter 227
Policy 3362 & 4362, Employee Anti-Harassment

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ORGANIZATION

0151.1 Annual Board Reorganization Meeting

The Board of Education shall hold an annual reorganization meeting on or within thirty (30) days after the fourth Monday in April. The meeting shall be called to order by the Superintendent, who shall serve as presiding officer until the election of the Board President.

0152 Officers

The Board shall elect, from among its members, a President, Vice-President, Treasurer, and a Clerk. Such election shall occur on or within thirty (30) days after the fourth (4th) Monday in April. The Board of Education shall also appoint by voice vote an official School Board Secretary who need not be a member of the Board of Education.

120.43, Wis. Stats.

Written ballots shall be cast for all offices. The first ballot shall be considered the nomination ballot. The two (2) nominees receiving the greatest number of votes shall be deemed nominated for the office.

A. In case of a tie vote for the second candidate, another nominating ballot shall be cast.

B. If the nominating ballot is unanimous, a motion may be made to approve the nominee by acclamation, thus eliminating the written election ballot.

After two (2) members of the Board have been nominated for an office, the nominated candidate receiving a simple majority by a written ballot shall be declared elected to the respective office.

In case of a vacancy or vacancies in a Board office or offices, the vacancy or vacancies shall be filled by a written ballot by the Board membership following the procedure outlined above.

All officers shall assume his/her office immediately upon election.
Except for those appointed to fill a vacancy, officers shall serve for one (1) year and until their respective successors are elected and shall qualify.

The Board shall, in addition to other statutory requirements, perform the following annually:

A. designate depositories for school funds;

B. designate those persons authorized to sign checks, contracts, agreements, and purchase orders;

C. designate a day, place, and time for regular meetings which shall be held at least once every month;

D. designate an administrator to assume specified responsibilities of the Treasurer and Clerk.

120.10, 120.15 et seq., Wis. Stats.

Committees

The Board functions at the regular and special meetings of the Board as a committee of the whole. Committees will have advisory powers to the rest of the Board. The committees will be Facilities, Safety & Transportation, Communications, Curriculum & Instruction, Finance, Policy/Legislation and Employee Relations. In order to give a broader understanding of District operations, Board members will be encouraged to participate on a variety of committees. Assignment of Board members to committee responsibilities will be facilitated by the Board President and may ultimately require appointment as necessary. Committees will meet regularly to consider matters in more specific detail and understanding than can normally be considered during the proceedings of a Board meeting. The committees shall be subject to an annual review by the total Board.

The committees will include at least one (1) experienced Board member to assure that each committee maintains continuity in succeeding years.
The committees shall have advisory powers and no authority other than recommendations to the Committee of the Whole at regular or special Board meetings unless the Board, by vote, has delegated specific authority to that committee. After each committee meeting, a report of recommendations shall be given at the next regular Board meeting, and the Board shall act upon any recommendations.

All committee meetings will be media noticed; therefore, other Board members may attend meetings of committees they are not appointed to by the President.

The President or the Board may appoint special committees of the Board to deal with a single topic concern or need as necessary. At each committee meeting there shall be administrative representation.

Committee responsibilities are identified as follows:

FACILITIES, SAFETY & TRANSPORTATION

A. Review recommendations for repairs or additions to buildings and improvements to grounds that requires specific Board action.

B. Regularly carry on general surveillance to insure that the District facilities and sites are being properly maintained.

C. Gather information related to and make recommendations to the Board regarding the acquisition and/or sale of building sites.

D. Be responsible for the opening of sealed bids and making a recommendation for approval at the next regular Board meeting.

E. Review construction progress and to make appropriate recommendations for action to the Board.

F. Watch over various environmental concerns.

G. Review plans related to student, staff and public safety, the Crisis Plan, Crisis Response Teams, Partnerships with Law Enforcement, Fire and Rescue, Police Liaison Officers and fire/tornado drills.

H. Review issues and plans related to building access/entry
systems, safety audits, the asbestos plan, the handling of hazardous materials and security cameras.

I. Review issues and plans related to bus contracts, bus routes, transportation safety issues and bus service.

COMMUNICATIONS COMMITTEE

A. Provide oversight and guidance at the board level for improving communication and increasing community engagement.

B. Periodically review the district communication plan.

C. Respond to requests from other committees and/or the Board for guidance on policies that address community involvement, district-community relationships or partnerships.

D. Periodically review, encourage and celebrate development of collaborative partnerships between the school district and community groups or agencies that promote the vision and priorities of the district.

CURRICULUM & INSTRUCTION

A. Review all educational programs on a scheduled basis.

B. Review proposals for new educational programs and for the discontinuance of existing programs.

C. Review curriculum recommendations for all courses of study, including recommendations for adoption of instructional resources.

D. Consider long-range educational plans and make recommendations.

E. Review the professional development plan offerings on an annual basis.

F. Review professional learning community goals in meeting the educational needs of students.

FINANCE

A. Review the expenditure accounts on a monthly basis.

B. Become more knowledgeable about the financing and budgeting of schools as described in Wisconsin Statutes,
C. Work with the administration and department heads during the initial stages of budget development, prior to presentation for Board deliberation during the months of June, July and August.

EMPLOYEE RELATIONS

A. Receive or review initial bargaining proposals from employee organizations and communicate the Board's initial proposal.

B. Provide direction for or participate in negotiation sessions with the labor organizations.

C. Apprise the Board of the status of negotiations and make recommendations regarding future contracts.

D. Review the wages, hours, and conditions of employment of all employees and submit its recommendations to the Board.

E. Review the professional development plan on annual basis.

F. Review procedures and programs pertaining to retention and recruitment.

G. Review recommendations for new instructional, administrative and/or support staff positions and recommend additions or deletions of positions to the Board.

H. Consider standards of qualifications for professional and support staff members and the evaluation processes of all employees.

I. Review and recommend any other appropriate personnel actions.

J. Review and recommend for appropriate action employee job descriptions, revisions of job descriptions and employee position classifications.

K. Review and recommend updates to all Employee Handbooks.
POLICY/LEGISLATIVE

A. Systematically review, update and revise District policy and procedures.

B. Consider recommendations for policy additions or revisions from administration, other Board committees, the full Board and/or District residents.

C. Solicit input from appropriate individuals and organizations.

D. Make recommendations regarding policy for Board action.

E. Become knowledgeable regarding action being considered by the legislature, the DPI, or other related organizations and their impact on the District.

F. Communicate the direction of the Board with legislators and other public officials.

All committees shall comply with the Open Meetings Law by providing notices of each meeting, posting the time and date, place, subject matter of the proposed meeting, and any matter intended for the consideration at the contemplated closed meeting pursuant to 19.84, Wis. Stats. In addition, committee meetings may provide for a period of public participation, and recording appropriate minutes of the meeting. A committee may conduct a closed meeting providing it is for one of the purposes described in Bylaw 0167 and the committee abides by all requirements for the conduct of a closed meeting.

Ad hoc committees may be created and changed at any time by the President or the Superintendent with the approval of the Board.

Members of ad hoc committees shall serve until the committee is discharged.

The Superintendent shall serve as an ex-officio member of each committee.
MEETINGS

0161  Parliamentary Authority

The parliamentary authority governing the Board of Education shall be Robert’s Rules of Order, Newly Revised, as defined in Chapter XVI, “Boards and Committees”, in all cases in which it is not inconsistent with statute, administrative code, or these bylaws, or the rules of order of this Board.

0162  Quorum

Four (4) members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum.

Two (2) forms of a quorum should be avoided.

“Negative Quorum” – A gathering of less than one-half (1/2) of the members of the Board may be a meeting if that group possesses the power to defeat action taken by the Board of Education.

“Walking Quorum” – Less than one-half (1/2) of the members of the Board gathered together may constitute a meeting if it is one (1) of a series of meetings through which agreement on an issue is reached. A series of e-mail messages, phone calls or other communications between Board members could be a “meeting” or “walking quorum” because, while the Board members have not physically convened, they can effectively communicate and exercise the authority otherwise vested in the Board.

0163  Presiding Officer

The President shall preside at all meetings of the Board. In the absence, disability, or disqualification of the President, the Vice-President shall act instead; if neither person is available, the Treasurer and if not available, the Clerk shall act instead. The act of any person so designated shall be legal and binding.

120.11, Wis. Stats.
Call

Regular Meetings

The Board shall hold a meeting at least once each month and at other times upon the call of the School Board President or upon the filing of a request with the School District Clerk signed by a majority of the School Board members.

Special Meetings

Special meetings of the Board may be called by the President or by the written request of any two (2) members of the Board provided there is compliance with the notice provision of these Bylaws.

The Superintendent, and those administrators directed by the Superintendent, shall attend all meetings, when feasible. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

Notice

Regular Meetings

Public notice of all meetings shall be given pursuant to statute. The Board shall cause to be posted at the Board office and in other locations considered appropriate by the Board, a notice listing the date, time, place, and subject matter of each regularly-scheduled meeting of the Board, including subjects intended for the consideration at any closed session, in the form which is reasonably likely to inform members of the public and the news media. To assure that notice of a meeting is specific enough to apprise the public of the purpose of the meeting, the following factors shall be considered: (1) the time and effort required to provide detailed notice; (2) the level of public interest in the particular subject; and (3) whether the meeting will involve routine or novel issues. The notice shall contain the name and address of the District and its telephone number. The notice shall be given at least twenty-four (24) hours prior to the meeting unless for good cause such notice is impractical, but in no case may the notice be less than two (2) hours in advance of the meeting.

19.84, Wis. Stats.
The notice shall also contain the following statement:

"Upon request to the Board Secretary, submitted twenty-four (24) hours in advance, the District shall make reasonable accommodation, including the provision of informational material in an alternative format, for a disabled person to be able to attend this meeting."

The notice shall be given to the Marshfield News Herald and radio station WDLB/WOSQ and posted on the District website, and upon the written request, to an individual, organization, firm, or corporation. The news media shall be entitled to receive, at their request, copies of such notices free of charge.

0165.2 **Change of Regular Meetings**

If the Board adopts a resolution changing the date, time, or place of a regularly-scheduled meeting, the meeting notice shall state the date, time, place, and subject matter of the rescheduled meeting, as well as the name and address of the District. Said notice shall be posted in such places as the Board may determine. Said notice shall be posted at least twenty-four (24) hours before the rescheduled meeting.

0165.3 **Special Meetings**

Said notice shall state the date, time, place, and subject matter of such special meeting, as well as the name and address of the District. A notice of any special meeting shall be posted at least twenty-four (24) hours before said special meeting at the Board office and such other places as the Board may determine. A copy of said notice shall be served upon each member of the Board by personal delivery to the member or his/her residence or by first-class mail or e-mail, at least twenty-four (24) hours prior to the meeting. A special meeting may be held without prior notice if all Board members are present and consent or each member consents in writing even if s/he does not attend.

120.11(2), Wis. Stats.
Agenda

The Board President and/or Vice President shall meet with the Superintendent to create the agenda. The Superintendent shall prepare and submit to each Board member the written agenda prior to each regular meeting and each special meeting, unless otherwise directed by the Board. The agenda shall list the various matters to come before the Board and shall serve as a guide for the order of procedure for the meeting. Individual Board members may include items on the agenda upon the concurrence of the Board President. The level of specificity of the description of subject matter for discussion shall be determined considering the following: (1) the time and effort required to provide detailed notice; (2) the level of public interest in the particular subject; and, (3) whether the meeting will involve routine or novel issues.

The agenda shall reach the Board of Education members at least ninety-six (96) hours before the regular meeting. Under special circumstances, revised agendas may be issued with twenty-four (24) hours notice.

If two (2) Board members wish to present an agenda item, it shall be placed appropriately on the agenda following the guidelines of the Open Meeting Law. In order to better administratively track such requests and follow up on them with action, Board members are asked to submit them to the Superintendent or Board President, or call in the request at least 127 hours prior to the scheduled meeting.

The agenda of the Board shall be prepared according to the following format:

AGENDA FORMAT
(ORDER OF BUSINESS)

I. Call to Order
II. Roll Call
III. Pledge of Allegiance
IV. Approval of the Consent Agenda
V. Communication from the Public (prearranged requests)

VI. Correspondence

VII. Announcements

VIII. District Recognition

IX. Staff Reports
   A. Superintendent’s Report
   B. Administrative Reports

X. Board Committee Reports*
   A. Curriculum & Instruction
   B. Finance
   C. Employee Relations
   D. Policy/Legislative
   E. Buildings & Grounds
   F. Safety & Security/Transportation
   G. Communication

XI. Old Business

XII. New Business (Acceptance of Gifts and Future Meetings)

XIII. Adjournment

*Board Committee Reports are rotated monthly.

The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered at any meeting by a majority vote of the members present.
If the Board wishes to discuss items that were not posted at least twenty-four (24) hours prior to the meeting, the Board must (1) post a separate notice of the item(s) no less than two (2) hours prior to the meeting and (2) show good cause why posting the item at least twenty-four (24) hours prior to the meeting was impossible or impractical.

19.84(3) Wis. Stats

0166.1 Consent Agenda

The Board of Education shall use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

A. minutes of prior meetings

B. approval of accounts

A member of the Board may request any item to be removed from the consent resolution and defer it for a specific action and more discussion. No vote of the Board will be required to remove an item from the consent agenda. A single member’s request shall cause it to be relocated as an action item eligible for discussion. Any item on the consent agenda may be removed and discussed as a nonaction item or be deferred for further study and discussion at a subsequent Board meeting if the Superintendent or any Board member thinks the item requires further discussion.

0167 Conduct

0167.1 Voting

All regular and those special meetings of the Board at which the Board is authorized to perform business shall be conducted in public. No act shall be valid unless approved at a meeting of the Board by a majority vote of the members present at the meeting, unless otherwise required by law, and a proper record made of the vote. Meetings of the Board shall be public and no person shall be excluded therefrom.

19.83, Wis. Stats.
Any Board member’s decision to abstain shall be recorded and be deemed to acquiesce in the action taken by the majority. In situations in which there is a tie vote and the abstention represents the deciding vote, the motion shall fail for lack of a majority.

All actions requiring a vote may be conducted by voice or roll call provided that the vote of each member be recorded. Proxy voting shall not be permitted. Any member may request that the Board be polled.

0167.2

Closed Session

The Board may meet in a closed session, one closed to the public, for specified purposes.

Each closed session requires a majority roll-call vote of the Board and may be held to:

A. deliberate a case which was the subject of any hearing before the Board; (19.85(1)(a))

B. consider dismissal, demotion, licensing, or discipline of any Board employee or person licensed by the Board, or the investigation of charges against such person, and the taking of formal action on any such matter, provided that the person is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. The notice shall contain a statement that the person has the right to demand that the evidentiary hearing or meeting be held in open session. (19.85(1)(b))

C. consider the employment, promotion, compensation, or performance-evaluation data of any employee; (19.85(1)(c))

D. considering strategy for crime detection or prevention; (19.85(1)(d))

E. deliberate or negotiate the purchase of public properties, the investment of District funds, or the conduct of other Board business whenever competitive or bargaining reasons require a closed session; (19.85(1)(e))
F. consider financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems, or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations; (19.85(1)(f))

G. confer with the Board’s legal counsel who is rendering oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is or is likely to become involved; (19.85(1)(g))

H. consider requests for confidential, written advice from the ethics board under 19.46(2), Wis. Stats., or from any county or municipal ethics board under 19.59(5), Wis. Stats.; (19.85(1)(h))

The presiding officer shall announce the nature of the closed session and the specific section of the law that allows for the closed session.

No other business other than that stated in the public notice may be conducted at a closed session. The Board may not reconvene its regular or special meeting after a closed session, within twelve (12) hours, unless public notice of the reconvened meeting was part of the public notice of its regular or special meeting.

In keeping with the confidential nature of closed sessions, no member of the Board shall disclose to anyone the content of discussions that take place during such sessions.

**Recording of Closed Sessions**

Other than expulsion hearings, closed sessions of the Board will not be recorded, filmed or photographed without prior approval of the Board. Any such recording, film or photograph must be maintained in accordance with Policy 8310 – Public Records and Policy 8330 – Student Records.

66 OAG 318 (1977)
0167.3 Public Participation at Board Meetings

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on District matters.

Public-Participation Section of the Meeting

To permit fair and orderly public expression, the Board shall provide a period for public participation at every regular meeting of the Board and publish rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

A. Public participation shall be permitted as indicated on the order of business.

B. Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.

C. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name; address; and group affiliation, if and when appropriate.

D. Each statement made by a participant shall be limited to three (3) minutes duration.

E. No participant may speak more than once on the same topic.

F. Participants shall direct all comments to the Board and not to staff or other participants.
G. All statements shall be directed to the presiding officer; no person may address or question Board members individually.

H. Following any comments, an individual Board member may respond on the issue raised, however, it is not the intent of the public comment portion of the agenda for the Board to enter into a debate with a member of the community.

I. The presiding officer may:

1. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;

2. request any individual to leave the meeting when that person does not observe reasonable decorum;

3. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;

4. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;

5. waive these rules with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.

J. The portion of the meeting during which the participation of the public is invited shall be limited to fifteen (15) minutes, unless extended by a vote of the Board.
K. Recording, filming, or photographing the Board’s open meetings is permitted. Recording, filming, or photographing the Board’s closed session is only permitted pursuant to Bylaw 0167.2 – Closed Session. The person operating the equipment should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and must agree to abide by the following conditions:

1. No obstructions are created between the Board and the audience.

2. No interviews are conducted in the meeting room while the Board is in session.

3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience or otherwise disrupt the meeting while the Board is in session.

19.90, Wis. Stats.

0167.5 Use of Electronic Mail

E-mail is a form of communication that could conflict with the Open Meetings Act and must be preserved for production in the context of an open records request. Board members are strongly discouraged from communicating regarding Board business with other Board members, Superintendents, school staff or members of the community via electronic mail. If a Board member does utilize electronic mail, it may be used only for the purposes of communicating:

A. messages between Board members or between a Board member and employee(s) which do not involve deliberating or rendering a decision on matters pending before the Board;

B. possible agenda items between the Superintendent and the Board president;

C. times, dates, and places of regular or special Board meetings;
D. a Board meeting agenda or public record information concerning items on the agenda;

E. requests for public record information from a member of the administration, school staff, or community pertaining to District operations;

F. responses to questions posed by members of the public, administrators, or school staff.

Under no circumstances shall Board members use E-mail to discuss among themselves Board business that is only to be discussed in an open meeting of the Board, is part of an executive session, or could be considered an invasion of privacy if the message were to be monitored by another party.

**E-mail – Public Records**

There should be no expectation of privacy for any messages sent by e-mail. All messages sent or received by any member of the Board in the course of conducting the business of the Board shall be provided to the District’s Records Custodian or the Superintendent for preservation. Such records may be subject to disclosure under the Public Records Act.

The Superintendent in consultation with the District Records Custodian shall devise and develop procedures pertaining to e-mail communications and public records. The custodian shall do the following:

A. develop procedures for collecting, archiving and cataloguing Board e-mail communications

B. develop procedures for reproducing Board e-mail communications to comply with a request under the Public Records Act

C. promptly disseminate the procedures for collecting, archiving and cataloguing Board member e-mail communications to each Board member
Board members are required to provide to the Records Custodian all e-mail communications using the procedure developed by the Superintendent and Records Custodian without regard to whether the Board member believes the communication is subject to disclosure under the Public Records Act.

Prior to implementation of a procedure for collection of e-mail, all such communications of the Board members must be copied to the Custodian or Superintendent.

Board members shall utilize e-mail communication only as described in Bylaw 0167.5.

Each Board member as an elected official is independently required by law to comply with public records requests for e-mail communications sent or received on the Board member’s personal e-mail account.

0167.7

Use of Personal Communication Devices

When performing their duties as a Board member, regardless of whether they are using personally-owned or Board-owned personal communication devices (PCDs), Board members use of PCDs shall be in accordance with the following policies and administrative guideline:

A. Policy 7530.02 - Staff Use of Personal Communication Devices

B. Policy 7542 - Access to District Technology Resources fromPersonally-Owned Personal Communication Devices

C. Policy 7530.01 - Board-Owned Personal Communication Devices

D. Policy 7540.04 - Staff Network and Internet Acceptable Use and Safety

E. AG 7540.04 - Staff Network and Internet Acceptable Use and Safety

For purposes of this Bylaw, PCDs shall be defined as set forth in the above-identified policies.
Minutes

Open Meeting

The Clerk, or a temporary clerk appointed by the presiding officer, shall designate a person to keep minutes of each meeting showing the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is called. These minutes must be approved by the Board and endorsed by the Clerk or by a person designated by the presiding officer which should ordinarily occur at the next regular meeting. The minutes shall include all votes taken at the meeting.

Proceedings of each meeting shall be published as a Class I notice and publicized by school District-wide distribution prepared and directed by the School Board and paid out of school funds within forty-five (45) days of the meeting. The notice shall also contain a listing of receipts and expenditures in the aggregate. There will also be a detailed record of all receipts and expenditures available for inspection at each regular Board meeting and upon written request.

The minutes shall be available for inspection at the Superintendent's office and shall be available for purchase at a fee estimated by the business office to cover the cost of printing and copying.

The official minutes shall be bound together by years and kept in the office of the Board of Education.

Minutes of the preceding meetings shall be approved by the Board as its first order of business at its next regular meeting.

The minutes shall show only action taken.

120.11, Wis. Stats.
**DUTIES**

0171 **Officers**

0171.1 **President**

The President of the Board of Education shall:

A. act as chairperson at meetings of the Board and ensure that minutes of meetings are properly recorded, approved, and signed;

B. countersign all checks, share drafts, or other drafts for disbursement of District funds;

C. defend on behalf of the District all actions brought against it;

D. prosecute, when authorized by an annual meeting of the School Board, actions brought by the District and an action for the recovery of any forfeiture incurred under Chapters 115 and 121 in which the District has an interest;

E. perform other duties appropriate to the office of the President under 120.15 Wis. Stats.

120.15, Wis. Stats.

0171.2 **Vice-President**

The Vice-President of the Board of Education shall act as chairperson of the School Board meeting by:

A. presiding at meetings of the Board when the President is not able to attend;

B. performing other duties appropriate to the office of Vice-President as the Board determines;

C. in case of a vacancy in the office of President, succeeding to the office of President for the balance of the unexpired term.

120.15(5), Wis. Stats.
0171.3 **Clerk**

The Clerk of the Board of Education shall:

A. act as clerk and record the proceedings of all meetings of the Board;

B. enter the proceedings of the Board in proper record books;

C. enter in the record book copies of all Clerk’s reports sent to municipal clerks;

D. draw and record orders on the Treasurer as directed by the Board;

E. be the chief election officer of the District with authority to report the name and post-office address of each Board member, within ten (10) days after his/her election or appointment, to the clerk and treasurer;

F. perform other duties as prescribed by law or the Board.

120.17, Wis. Stats.

0171.4 **Treasurer**

The Treasurer of the Board of Education shall:

A. apply for, receive, and sue for all money appropriated to or collected for the District and disburse the same in accordance with law;

B. enter in the account books all money received and disbursed and specify the source of the funds and the person to whom funds were paid and the object of the payment;

C. immediately upon receipt, deposit District funds in the District’s name in a public depository designated by the Board;
D. present at the annual meeting a written statement of all money received and dispersed by the District in the preceding year;

E. perform other duties prescribed by statute or by the Board.

120.16, 66.042 Wis. Stats.

The School Board authorizes and delegates the Superintendent and Business Manager to act on behalf of the Treasurer in administrating the financial matters of the district in accordance with state statute and School Board policy.

0172

Legal Counsel

The Board of Education may employ an attorney to represent the School District or Board in actions brought for or against the District and to render other legal services for the welfare of the School District.

0173

Independent Auditor

The independent auditor shall:

A. examine the balance sheet of the District at the close of its fiscal year and the related statements of transactions in the various funds for the fiscal year then ended;

B. conduct such examination in accordance with generally-accepted auditing standards and to include such tests of the accounting records and such other auditing procedures as are necessary in the circumstances;

C. render an opinion of the financial statements prepared at the close of the fiscal year;

D. make such recommendations to the Board of Education concerning its accounting records, procedures, and related activities as may appear necessary or desirable;

E. perform such other related services as may be requested by the Board.

120.14, Wis. Stats.
Reports

Annual Report

The Board of Education Clerk shall file with the Department of Public Instruction (publish) an annual school district report by September 1st in the format prescribed by the Department of Public Instruction as required by law.

School Performance Report

The Board of Education will also publish an annual school and school district performance report including all information prescribed by statute. By January 1st of each year, the School Board shall notify the parents of each student enrolled in the District of the right to request a school and school district performance report. Parents shall be notified that the performance report will be provided to the parent electronically unless the parent requests a written copy of the report. By May 1st, the Board shall distribute copies of the report to those who have requested the report including students enrolled in charter schools located in the District, that have requested the report.

The School and School District Performance Report will be posted on the District’s website.

Other Reports

In addition, the Board shall publish other reports it deems necessary to keep the community and government authorities adequately informed about the operation of the District.

120.18, Wis. Stats.
115.38(1), Wis. Stats.
0175  **Association Memberships**

The Board of Education may maintain membership in the National School Boards Association and Wisconsin Association of School Boards, and may take part in the activities of these groups.

The Board may also maintain institutional memberships in other educational organizations which the Superintendent and Board find to be of benefit to members and District personnel.

The materials and other benefits of these memberships will be distributed and used to the best advantage of the Board and staff.

0175.1  **School Board Conferences, Conventions, and Workshops**

The Board of Education recognizes the value of membership and attendance at conferences and meetings at the local, County, State, and National level.

Attendance at local, County, State, and National workshops and conferences is encouraged when determined by the Board that attendance is relevant and valuable.

Each Board member is expected to report back to the Board after attending a conference at District expense.

Travel and personal expenses of spouse, children, or other guest traveling with a Board member shall be the responsibility of the Board member or of the individual. Expenses for convention functions attended as a group will be borne by the District within budgetary limits.

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