

**SHAKER REGIONAL SCHOOL DISTRICT
POLICY COMMITTEE**

July 25, 2022

CES

4:30 PM

AGENDA

I. Call to Order

II. Minutes

- 05.24.2022 Policy Committee Minutes

III. Policies

Review:

BBBA	Board Member Qualifications
BBBF	Board Member-Student Members (formerly JIBB)
BCA	Board Members/Ethics Policy Statement
BCB	Board Member Conflict of Interest
BDB	Board Officers
BDC	Appointed Board Officials
BDD	Board-Superintendent Relationship
BDDA	Emergency Superintendent Succession

IV. Adjournment

Shaker Regional School District
Policy Committee Minutes
May 24, 2022
BHS

Present: Jodie Martinez, Michelle Lewis, Eric Johnson, Michael J. Tursi

Marcelle Pethic called the meeting to order at 5:24 PM.

Minutes from the last meeting were reviewed.

The following policies were reviewed and action taken as follows:

AA- School District Legal Status

- Reviewed, no amendments

ACE- Procedural Safeguard: Non-Discrimination on basis of handicap/disability

- Reviewed, no amendments

AD – Mission Statement of the District

- Reviewed, no amendments

ADC – Tobacco products ban use and possession in and on school facilities and grounds

- Reviewed, no amendments

ADD – Safe Schools

- Discussed Memorandum of Understanding. Reviewed, no amendments

BAAA – School Board Policies and Administrative Rules and Procedures

- Reviewed, no amendments

BBA – School Board Powers and Duties

- Amended, removed lines 6-9. Move to Full Board

BBAA – Board Member Authority

- Reviewed, no amendments

The meeting adjourned at 5:45 PM.

Respectfully submitted,

Michael J. Tursi

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BOARD MEMBER QUALIFICATIONS¹

To become a candidate for the **Shaker Regional School Board (SRSB)**, a person must be a registered voter in the **Shaker Regional School District (SRSD)**. No person holding the office of **SRSB** member shall at the time hold the office of school district moderator, treasurer, or auditor. No person employed on a salaried basis by the **SRSD** shall be a School Board member of **SRSD**. Salaried positions shall include, but are not limited to, the following: teacher, custodian, administrator, secretary, nurse, school bus driver (if paid by the district), school lunch worker and teacher's aide.

Candidates for the **SRSB** should be mindful that the position requires significant time, effort and commitment to the school and community. Individuals who do not feel they will be able to provide significant time, effort and commitment are discouraged from seeking candidacy.

The same qualifications shall exist when the **SRSB** seeks to fill vacancies.²

¹NH RSA 671:14

² NH RSA 197:26

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BBBF STUDENT-MEMBERS OF THE SCHOOL BOARD

The Shaker Regional School Board (SRSB) shall have a non-voting student member as elected by the student body of the high school. The SRSB may have a non-voting student member from the middle school. Student-members will serve one-year terms. Student-members will not have the right to vote. Student-members will be excluded from all non-public sessions the Board enters.

Student Council in both schools shall facilitate this election, in accordance with the provisions of RSA 194: 23-f.

Student-members are expected to:

- (1) Attend the first meeting of the SRSB each month;
- (2) Represent all high school or middle school students within the District;
- (3) Work with the Building Principal to present specific proposals and ideas from the student body;
- (4) Serve as a liaison between students, and the SRSB; and
- (5) Keep the student body informed of relevant SRSB business and actions;
- (6) Comply with all SRSB policies relative to students and Board members, when applicable.

The SRSB reserves the right to discontinue the addition of student-members at any time.

¹ RSA 189: 1-c
² RSA 194: 23-f

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BOARD MEMBERS/ETHICS POLICY STATEMENT

Each **Shaker Regional School Board (SRSB)** member shall comply with the following ethical provisions:

1. Attend all regularly scheduled **SRSB** meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Make decisions only after full discussion at public **SRSB** meetings; render all decisions based on the available facts and by independent judgment, and refuse to surrender that judgment to individuals or special interest groups.
3. Seek systematic communications with students, staff, and members of the community.
4. Work respectfully with other **SRSB** members to achieve the educational goals of the school district by encouraging the free expression of opinions by all **SRSB** members.
5. Communicate to other **SRSB** members (*only as consistent with the Right-to-Know Law*) and the Superintendent expressions of public reaction to **SRSB** policies and school programs.
6. Be informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by ~~my~~ **the** state and national school board associations.
7. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.
8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or executive session.
9. Recognize that no individual member has authority to speak or act for the entire **SRSB**, except as specifically designated to do so by **SRSB** action.
10. Recognize that final **SRSB** actions will be supported by all members of the **SRSB**; take no private action that will compromise the **SRSB** or administration; and refrain from private actions which undermine or compromise official **SRSB** action.
11. Display and demonstrate courtesy and decorum toward fellow **SRSB** members at all public meetings and in all public statements.
12. To avoid being placed in a position of conflict of interest, and refrain from using a **SRSB** position for personal or partisan gain.

- 1 **13. Understand that the Board, as governing body, does not manage the**
2 **District, but rather sets the broad goals and standards for the District by way**
3 **of policies adopted by a quorum of the Board at proper meetings under the**
4 **Right-to-Know law.**
- 5
- 6 **14. Understand the chain of command and refer problems or complaints to the**
7 **proper administrative office per applicable School Board policies.**
- 8
- 9 **15. Present personal criticisms concerning District operations, staff, etc. to the**
10 **Superintendent, not to District staff, the public, or unnecessarily at a Board meeting.**

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2 **BOARD MEMBER CONFLICT OF INTEREST**¹

3 A **Shaker Regional School Board (SRSB) Member** shall not have any direct
4 personal and pecuniary interest in a contract with the School District, nor shall the
5 **SRSB** member furnish directly any labor, equipment, or supplies to the District.²

6 In the event a **SRSB** member is employed by a corporation or business or has a
7 secondary interest in a corporation or business which furnishes goods or services to
8 the School District, the **SRSB** member shall declare the **SRSB** member's interest and
9 refrain from debating, discussing, or voting upon the question of contracting with the
10 company.

11 It is not the intent of this policy to prevent the District from contracting with
12 corporations or businesses because a **SRSB** member is an employee of the firm.
13 The policy is designed to prevent placing a **SRSB** member in a position where
14 member's interest in the public schools and member's interest in the members place
15 of employment (or other indirect interest) might conflict, and to avoid appearances of
16 conflict of interest even though such conflict may not exist. Through the use of open
17 competitive bidding or recusal of any **SRSB** member who has a conflict of interest,
18 the Board will seek to obtain the best value for the SRSD while avoiding impropriety
19 or the appearance of impropriety.³

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21 Nepotism

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23 If an employee or applicant is the father, mother, brother, sister, wife, husband, son,
24 daughter, son- in- law, daughter- in- law, sister- in- law or brother- in- law of the
25 Superintendent or any member of the **SRSB**, the **SRSB** member or the
26 Superintendent shall declare his/her relationship with the job applicant. In the case of
27 a declared relationship, the **SRSB** member is expected to refrain from debating,
28 discussing or voting on a nomination or other employment related issue. A job
29 applicant is also expected to declare his/her relationship with the **SRSB** member as
30 well.

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32 This policy shall not apply to any person within such relationship or relationships who
33 has been regularly employed by the **SRSB** prior to the inception of the relationship,
34 the adoption of this policy or a **SRSB** member's election.

¹ See also RSA 31:39-a

² State EX REL THOMSON v. State Board of Parole, 115N.H.414 (1975)

³ NH RSA 95:1

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2 **BOARD OFFICERS**

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4 The officers of the **Shaker Regional School Board (SRSB)** shall be a Chairperson
5 and a Vice-Chairperson. The officers shall be elected at the annual organization
6 meeting to serve until the next annual organization meeting or until a successor is
7 elected. Any vacancy in any of such offices may be filled at any meeting of the **SRSB**
8 provided that all members of the **SRSB** have been notified prior to the meeting that
9 the vacancy will be filled at such meeting. Officers will remain in their respective
10 offices until new successors are elected.

11

12 **CHAIRPERSON**

13 The Chairperson shall preside at all meetings and shall not originate or second
14 motions, unless he/she has ceded the chair. The Chairperson shall have the right to
15 vote on all matters before the **SRSB**. The chairperson shall consult with the
16 Superintendent on the preparation of the agenda for each meeting, shall have
17 authority to sign contracts and other instruments as approved by the **SRSB** in its
18 name and on its behalf, and shall have such other powers and duties as the **SRSB**
19 may from time to time determine.

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21 **VICE-CHAIRPERSON:**

22 The Vice-Chairperson shall have the powers and duties of the Chairperson in his/her
23 absence or for the duration of the disability, and such other powers and duties as the
24 **SRSB** may from time to time determine.

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26 The presiding officer may cede the chair temporarily to any other **SRSB** officer at any
27 point during a meeting.

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2 **APPOINTED BOARD OFFICIALS**

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4 **CLERK OF THE DISTRICT**

5 The Clerk of the **Shaker Regional School District (SRSD)** will be appointed by the
6 **Shaker Regional School Board (SRSB)** for a term of one year or until a successor
7 is appointed and will not be a member of the **SRSB**. The Clerk will keep a true
8 record of each **SRSD** meeting and make any reports to the State of New Hampshire
9 as may be required and will carry out duties as required by law.¹

10

11 **TREASURER**

12 The Treasurer of the **SRSD** will be appointed by the **SRSB** for a term of one year or
13 until a successor is appointed and will not be a member of the **SRSB**. The treasurer
14 will receive such remuneration as the **SRSD** may determine and perform such duties
15 pertaining to the fiscal affairs of the **SRSD** as outlined in the New Hampshire statutes
16 relating to public schools.²

17

18 A Deputy Treasurer will be appointed³ by the Treasurer subject to approval from the
19 **SRSB**.⁴

¹ NH RSA 195:5, I

² NH RSA 195:5, II

³ Shaker Regional School District Annual Meeting per Warrant Article on March 18, 2005

⁴ NH RSA 197:24-a

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2 **BOARD-SUPERINTENDENT RELATIONSHIP**^{1,2}

3 Enacting of policies is a primary function of the **Shaker Regional School Board**
4 **(SRSB)** and the execution of such policies is a primary function of the
5 Superintendent.

6 The Superintendent is responsible for the implementation of **SRSB** policies, the
7 execution of **SRSB** decisions, the operation of school programs, for keeping the
8 **SRSB** informed about school operations and issues, for satisfactory fulfillment of the
9 duties required by statute and rules of the State Board of Education, and for
10 supervision and direction of all district employees.

¹ *N.H. Code of Administrative Rules, Section Ed. 302*

² *See also SRSD Policy CB*

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3 **EMERGENCY SUPERINTENDENT SUCCESSION**
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5 In order to protect the **Shaker Regional School District (SRSD)** from sudden loss of
6 superintendent services, the **Shaker Regional School Board (SRSB)** will have two
7 administrators within the district sufficiently qualified and familiar with **SRSD** and
8 Superintendent responsibilities and are capable of assuming superintendent duties in his
9 or her absence. The Superintendent will submit as information at the first **SRSB**
10 meeting in November a primary and secondary administrator who are capable of
11 assuming superintendent responsibilities in his or her absence. The Superintendent will
12 notify the **SRSB** Chair of any planned absence extending beyond three (3) days. In the
13 event of a sudden absence extending beyond three days, the primary or secondary
14 administrator, or interim superintendent will report immediately to the **SRSB** Chair.

BBBA - BOARD MEMBER QUALIFICATIONS

(Download policy)

Category O

To become a candidate for the School Board, a person must be a registered voter in the district. No person holding the office School Board member shall at the time hold the office of school district moderator, treasurer, or auditor. No person employed on a salaried basis by a school administrative unit or by a School District within a school administrative unit shall be a School Board member in any district of the school administrative unit. Salaried positions shall include, but are not limited to, the following: teacher, custodian, administrator, secretary, school bus driver (if paid by the district), school lunch worker and teacher's aide.

Candidates for the School Board should be mindful that the position requires significant time, effort and commitment to the school and community. Individuals who do not feel they will be able to provide significant time, effort and commitment are discouraged from seeking candidacy.

The same qualifications shall exist when the School Board seeks to fill vacancies.

Legal Reference:

RSA 197:26, Vacancies

RSA 671:14, School District Elections: Qualifications

RSA 671:18-19, School District Elections: Nominations

RSA 671:33, Vacancies

Revised: May 2007

Revised: July 1998, November 1999, February 2004

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BBBF STUDENT-MEMBERS OF THE SCHOOL BOARD

(Download policy)

Category: Optional

The Board may choose to add one or more student members from the District high school. Student-members will serve one-year terms. Student-members will not have the right to vote. Student-members will be excluded from all non-public sessions the Board enters.

Student-members will be chosen by a vote of the high school student body, in accordance with the provisions of RSA 194:23-f.

Student-members are expected to:

- (1) Attend all school board meetings;
- (2) Represent all high school students within the District;
- (3) Present to the school board specific proposals and ideas from the high school student body;
- (4) Serve as a liaison between students, District staff, and the Board; and
- (5) Keep the student body informed of Board business and actions;
- (6) Comply with all Board policies relative to students and Board members, when applicable.

The Board reserves the right to discontinue the addition of student-members at any time.

Legal References:

RSA 189:1-c, School Board Student Member

RSA 194:23-f, High School Student as a Board Member

New Policy: September 2009

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BCA - BOARD MEMBER ETHICS

(Download policy)

Category: Recommended

See also Appendix BCA-R

In order to fulfill its duty under state law to provide education to pupils within the District, the Board adopts the following expectations for each of its members.

AS A MEMBER OF THE SCHOOL BOARD, AND IN ACCORDANCE WITH MY OATH OF OFFICE, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION BY STRIVING TO ADHERE TO THE FOLLOWING EXPECTATIONS:

1. Attend all regularly scheduled Board meetings, insofar as possible, and become informed concerning issues to be considered at those meetings.
2. Understand that the Board, as governing body, does not manage the District, but rather sets the broad goals and standards for the District by way of policies adopted by a quorum of the Board at proper meetings under the Right-to-Know law.
3. Be informed about current educational issues by individual study and through information, such as those sponsored by my state and national school board associations.
4. Make decisions and take votes based upon the available facts, the full deliberation of the Board, and my independent judgment, and refuse to surrender or subordinate that judgement to any individual or special interest group.
5. Work respectfully with other Board members by encouraging the free expression of differing opinions and ideas.
6. Seek opportunities for the Board to establish systematic communication channels with students, staff, and members of the community.
7. Recognize that as a general principle the District and its students benefit when Board decisions, which have been made following consideration of all sides and vote of a quorum, receive the subsequent support of the whole Board, whenever practicable.
8. Respect the confidentiality of information that is privileged under applicable law or is received in confidence or non-public session.
9. Recognize that individual Board members are without authority to act relative to School District business, and that I may not individually commit the Board to any action except as specifically designated to do so by Board action.
10. Understand the chain of command and refer problems or complaints to the proper administrative office per applicable School Board policies.
11. Work with the other Board members to establish effective Board policies, and foster a relationship with the District administration toward the effective implementation of those policies and management of the District operations, personnel and facilities.
12. Communicate to the Superintendent and to the Board (only as consistent with the

Right-to-Know law) expressions of public reaction to Board programs, policies and other Board actions.

13. Present personal criticisms concerning District operations, staff, etc. to the Superintendent, not to District staff, the public, or unnecessarily at a Board meeting.

14. Establish policies and protocols for systematic communications with students, staff, and members of the community. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

See also: Appendix BCA-R

History:

First reading: _____

Second reading/adopted: _____

Legal References:

189:1-a "Duty to Provide Education"; and RSA 189:1 "Days of School"

NHSBA history: Revised: May 2018; May 2006; November 1999

Reviewed: February 2004

NHSBA revision note: May 2018 - This sample policy has been: (a) revised to include language to better reflect that, while school board decisions tend to be more effective and successful when supported by all members (after a majority vote), individual members do not at any time lose their individual right to express dissent; (b) amended to include provisions better identifying the distinction between governance and management; and (c) generally reorganized for better flow.

w/p-update/spring2018/ BCA Board Ethics 2018-5 (f)

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BCB - BOARD MEMBER CONFLICT OF INTEREST

(Download policy)

Category R

As elected officials, school board members owe a duty of loyalty to the general public in protecting the school district's interests. Therefore, the Board declares that a conflict of interest is a personal, pecuniary interest that is immediate, definite, demonstrable, and which is or may be in conflict with the public interest.

A board member who has a personal or private interest in a matter proposed or pending before the Board will disclose such interest to the Board, will not deliberate on the matter, will not vote on the matter, and will not attempt to influence other members of the Board regarding the matter. Additionally, Board members should refrain from engaging in conduct or actions, that give the appearance of a conflict of interest, embarrass the Board, or personally embarrass another Board member.

It is not the intent of this policy to prevent the District from contracting with corporations or businesses with which a Board member is an employee. The policy is designed to prevent placing a Board member in a position where his or her interest in the public schools and his or her interest in his or her place of employment (or other indirect interest) might conflict, and to avoid appearances of conflict of interest even though such conflict may not exist. RSA 95:1 requires that "No person holding a public office, as such, in state or any political subdivision governmental service shall, by contract or otherwise, except by open competitive bidding, buy real estate, sell or buy goods, commodities, or other personal property of a value in excess of \$200 at any one sale to or from the state or political subdivision under which he holds his public office." Through the use of open competitive bidding or recusal of any Board member who has a conflict of interest, the Board will seek to obtain the best value for the district while avoiding impropriety or the appearance of impropriety.

Nepotism

The Board may employ a teacher or other employee if that teacher or other employee is the father, mother, brother, sister, wife, husband, son, daughter, son-in-law, daughter-in-law, sister-in-law, or brother-in-law of the Superintendent or any member of the Board. This paragraph shall also apply to any other person who shares the expenses of daily living with the Superintendent or any member of the Board. Such a relationship will not automatically disqualify a job applicant from employment with the school district.

However, the Board member shall declare his/her relationship with the job applicant and will refrain from debating, discussing, or voting on a nomination or other issue. In the case where the relationship is with the Superintendent, the Superintendent shall disclose the relationship to the Board as early as possible in the recruitment/selection process for the open position or in the case of someone currently employed by the district, before recommending any job related action pertaining to the individual. The Board shall determine whether, were the candidate selected, the supervisor - subordinate relationship between the Superintendent and the prospective employee will be sufficiently indirect, to not disqualify the candidate. If not disqualified, and prior to candidates for the position being screened and a nominee being selected, or the Board approving any job related action, the Superintendent and the Board shall agree on a mechanism

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to address the conflict of interest. Where practical, the Board may designate another district staff member to fulfill the role of the Superintendent for the selection of a nominee for the position or take appropriate alternative steps. The job applicant is expected to declare his/her relationship with the Board member or Superintendent as well.

This shall not apply to any person within such relationship or relationships who has been regularly employed by the Board prior to the inception of the relationship, the adoption of this policy, or a Board member's election.

Legal References:

Marsh v. Hanover, 113 NH 667 (1973) and

Atherton v. Concord, 109 NH 164 (1968)

RSA 95:1, Public Officials Barred From Certain Private Dealings

Revised: May 2017

Revised: May 2007

Revised: July 1998, November 1999, February 2004, May 2006

NHSBA, Note: This policy is revised to incorporate the restrictions imposed by RSA 95:1. The policy recognizes the potential of a conflict of interest involving the Superintendent, this revision also adds a mechanism for addressing a conflict of interest between the Superintendent and a prospective district employee.

BDB - BOARD OFFICERS

(Download policy)

Category: Recommended

Board officers will include a chairperson, vice-chairperson and secretary. Officers will be elected at the board's re-organizational meeting following the school district annual meeting. Board officers will serve a one-year term, concluding at the re-organizational meeting the following year, at which time a new election of officers will occur. Officers will remain in their respective offices until new successors are elected.

If the chairperson resigns from the school board or resigns from the office of chair, the vice-chairperson will become chair of the board. If the chairperson loses his/her election or does not run for re-election, the vice-chair shall serve as chair during the organizational meeting. If the vice-chairperson or secretary resigns from the school board or from the respective office, the board will hold new elections for those offices.

The Superintendent is an ex-officio, non-voting member of the Board.

Chairperson:

The chairperson shall preside at all meetings. The chairperson will have the right to vote on all matters before the Board. The chairperson will consult with the Superintendent on the preparation of the agenda for each meeting, shall have authority to sign contracts and other instruments as approved by the Board in its name and on its behalf, and shall have such other powers and duties as the Board may from time to time determine.

Additionally roles and duties of the chairperson are found in Board Policy BBAB.

Vice-chairperson:

The Vice-Chairperson will have the powers and duties of the Chairperson in his/her absence or for the duration of the disability, and such other powers and duties as the Board may from time to time determine.

Secretary:

The Secretary shall be responsible for Board correspondence when directed by the Chairperson.

NHSBA Note, April 2016: New sentence added to first paragraph to clarify that board officers remain in their respective office until new officers are elected. This clarifies situations in which the election of a new officer ends in a tie vote. New sentence added in second paragraph to clarify who serves as chair at the organization meeting in the event the past chair was either defeated or did not run for re-election.

Revised: April 2016

Revised: July 1998, June 2013

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BDC - APPOINTED BOARD OFFICIALS

(Download policy)

Category O

Also BID

CLERK OF THE DISTRICT

The Clerk of the District is an elected official except in cooperative School Districts, where he/she is appointed by the board. The Clerk shall keep a true record of each District meeting and make any reports to the State of New Hampshire as may be required and shall carry out duties as required by law.

TREASURER

The Treasurer of the District shall be elected by the Board in cooperative Districts and shall not be a member of the School Board. He/She shall receive such remuneration as the District may determine and perform such duties pertaining to the fiscal affairs of the School District as outlined in the New Hampshire statutes relating to public schools.

A Deputy Treasurer shall be appointed by the Treasurer subject to the approval of the Board.

Legal References:

RSA 195:5, Cooperative School District Officers: School Board Powers & Duties

RSA 197:20, School Meetings & Officers: Clerk Duties

RSA 197:22, School Meetings & Officers: Treasurers Bond

RSA 197:23-a, School Meetings & Officers: Treasurers Duties

RSA 671:23, School District Elections: Warrant

RSA 671:6, School District Elections: Other Officers

RSA 671:31, School District Elections: Reports by Clerk

Revised: February, 2004

Revised: November, 1999

Revised: July, 1998

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BDD - BOARD-SUPERINTENDENT RELATIONSHIP

(Download policy)

Category R

The Board believes that policy-making is a primary function of the School Board and that the execution of those policies is the primary function of the Superintendent.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy-making and appraisal functions.

The Superintendent is responsible for the administration of Board policies, the execution of Board decisions, the operation of school programs, for keeping the Board informed about school operations and issues.

Appendix : BDD-R

Reviewed: February 2004

Revised: November, 1999

Revised: July, 1998

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