

September Agenda Special Meeting of Trustees

The special meeting of the Board of Trustees of School District #35 has been scheduled for **Monday, September 15, 2014 at 6:00pm** at the Gallatin Gateway School Multipurpose Room.

Call to Order

Pledge of Allegiance

Presiding Trustee's explanation of procedures (GGS Policy #1070)

Public Comment- Non Agenda Items- Sign in sheet- (GGS Policy #1070)

New Business

Trustee Work Session- Discussion Only

- Review Policies 1000-1050
- Review Budget
- Policy Development, Review, and Revision (GGS Policy #1080)
- Regular Board Meeting Dates and Trustee Receipt of Board Packet

Set Date and Topics for Discussion for Next Work Session

Adjournment

**MINUTES
SPECIAL MEETING
BOARD OF TRUSTEES, GALLATIN GATEWAY SCHOOL DISTRICT #35**

Call to Order

The Board of Trustees of the Gallatin Gateway School District #35 met at 6:00pm on Monday, September 15, 2014 in the Gallatin Gateway School Multipurpose Room. Board Chair Ann Prescott presided and called the meeting to order at 6:03pm.

Trustees Present

Ann Prescott, Board Chair; Donna Shockley, Board Vice-Chair; Dan Curtis, Lyn Morton

Trustees Absent

None

Staff Present

Kim DeBruycker, Superintendent; Carrie Fisher, District Clerk; Ken Mosby, Business Manager

Others Present

Peter Scott

Pledge of Allegiance

The meeting attendees recited the Pledge of Allegiance to the United States of America.

Presiding Trustee's Explanation of Procedures

Board Chair Ann Prescott explained the public comment process to be followed for addressing the Board in accordance with Gallatin Gateway School policy. She noted: 1) that prior to a vote the public may comment on agenda items; 2) there will be time for public comment on non-agenda items; and 3) public comment periods are not intended to be a question and answer session.

Public Comment on Non- Agenda Items

None

New Business

Review Policies 1000-1050

The Board discussed the following policies:

1000- remove the word "are" in last sentence of 2nd paragraph, remove the last legal reference 20-3-351 because it is about high schools not elementary

1005- no changes discussed

1010- change #5 to "are" rather than "area"

1015- no changes discussed

1020- add hyphen in 3rd paragraph "thirty-eight"

1025- no changes discussed

1027- delete "to" in 1st paragraph, 2nd sentence

1027P- no changes discussed

1030- Board would like clarification about wording in final paragraph of policy.

1035- no changes discussed

1040- no changes discussed

1045- under Board role change the word "his" to "their" under the 5th bullet

1050- proposed deleting the following from 2nd paragraph "...including an additional trustee, as provided by law. If an additional trustee is selected to serve as the Chair, he or she may not vote on issues pertaining only to elementary trustees." Also, to remove all legal references pertaining to high school districts.

Trustee Curtis expressed concern about making policy changes without legal counsel. The Board discussed his concern and agreed that prior to adopting any changes to these policies the Board would like to have the changes reviewed by legal counsel. Board Chair Ann Prescott will contact Kaleva Law and MTSBA to determine which will be the most cost effective for the District.

Adjournment

Motion: Trustee Dan Curtis to adjourn the meeting at 6:54pm.

Seconded: Trustee Lyn Morton

Public Comment: None

For: Curtis, Morton, Prescott, and Shockley

Opposed: None.

Motion passed unanimously



Ann Prescott, Board Chair



Carrie Fisher, District Clerk

Gallatin Gateway School District #35

Special Meeting

September 15, 2014

Sign-in Sheet

<u>Name- please print</u>	<u>Signature</u>
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**GALLATIN GATEWAY SCHOOL
PO BOX 265, GALLATIN GATEWAY, MT 59730**

Gallatin Gateway School Policy #1070- The agenda must also include a "public comment" item in order to allow members of the general public to comment on any public matter under the jurisdiction of the district that is not specifically listed on the agenda, except that no member of the public will be allowed to comment on contested cases, other adjudicative proceedings, or personnel matters. The Board Chairman may place reasonable time limits on any "public comment" item in order to maintain and ensure effective and efficient operations of the Board. The District shall not take any action on any matter discussed, unless the matter is specifically noticed on the agenda, and the public has been allowed the opportunity to comment.

** Public comment will be asked on each agenda item. Do not sign below for agenda items.*

Public Comment Sign-in

Date: September 15, 2014

**Please sign below for non-agenda items to be heard under New business: Public comment.*

NAME (Please Print Clearly)	TOPIC (Please Print Clearly)
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SCHOOL DISTRICT ORGANIZATION

Legal Status and Organization

The Board of Trustees of the Gallatin Gateway School District #35 is the governmental entity established by the State of Montana to plan and direct all aspects of the District’s operations. The District is governed by a Board of Trustees consisting of five (5) members who are residents of and elected by qualified electors of the District. The District is classified as a class three district and is operated according to the laws and regulations pertaining to a class three district.

The policies of the Board define the organization of the Board and the manner of conducting its official business. The Board’s powers and duties include the broad authority to adopt and enforce all powers and duties of the Board are derived from the Montana Constitution, state statutes and regulations.

Legal References:	§ 20-3-323, MCA	District policy and record of acts
	§ 20-3-324, MCA	Powers and duties
	§ 20-3-341, MCA	Number of trustee positions in elementary school districts
	§20-3-351, MCA	Number of trustee positions in high school district

Cross References:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Governance

The trustees of the District shall participate on an equal basis with other members in all transactions pertaining to the school maintained by the District. Official action of the Board may only occur at a duly called and legally conducted meeting. A “meeting” is defined as the convening of a quorum of the constituent membership of the Board, whether in person or by means of electronic equipment, to hear, discuss or act upon a matter over which the Board has supervision, control, jurisdiction or advisory power.

Individual school board members have no authority over school affairs, except as provided by law or as authorized by the Board.

Legal References: § 2-3-202, MCA Meeting defined
 § 20-3-324, MCA Powers and duties

Cross References:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Powers and Duties of the Board of Trustees

The Board establishes a structure in order to deliver educational services that comply with the mission, philosophy, goals, standards, and policies of the District. In order to accomplish this duty, the Board retains all powers and duties, statutory and inherent, as provided by law. The specific powers and duties listed in Section 20-3-324, MCA, are the foundation for all actions of the Board. Except as herein provided, the powers and duties of the Board shall also include the power and duty to:

- (1) Direct employees;
- (2) Employ, dismiss, promote, transfer, assign, and retain employees;
- (3) Relieve employees from duties because of lack of work or funds under conditions where continuation of such work would be inefficient and non-productive;
- (4) Maintain the efficiency of District operations;
- (5) Determine the methods, means, job classifications, and personnel by which District operations area to be conducted;
- (6) Take whatever actions may be necessary to carry out the mission of the District in situations of emergency; and
- (7) Establish the methods and processes by which work is performed.

The Board may delegate any of these duties to appropriate staff members as provided by law.

Legal References: § 20-3-324, MCA Powers and duties
 § 39-31-303, MCA Management rights of public employees

Cross Reference:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Goals and Objectives

The Board shall annually review and/or adopt long and short range goals and objectives to guide the District in the areas identified by the Board for school improvement. The Board may seek input from community members, parents, students, staff members and other interested individuals in developing these goals and objectives.

Vision:

Gallatin Gateway School provides a premiere educational program for our students.

Mission:

The Gallatin Gateway School community empowers our students to take responsibility for their learning so they may achieve their individual potentials as lifelong learners and productive citizens.

Motto:

Educating the Future

Philosophy:

The Trustees of School District #35 are guided by the conviction that every student has the right to the best education this community can provide. Responsibility for this rests with all citizens, parents, school staff, and students, with the ultimate responsibility for direction and decision-making being assumed by the Board of Trustees.

The Board will exert leadership in creating, maintaining, and improving the school for the children's educational needs. The focal point of concern in our school system is the student. Organization, staffing, programming, teaching, and funding will all be developed to enhance positive opportunities for students to learn and develop personally, academically, and socially.

NOTE: Reference to "parents" in board policy shall mean parent, caretaker relative, legal guardian, or legal custodian.

Legal Reference:

Cross Reference:

Policy History:

Adopted on: August 20, 2012

Revised on: July 8, 2013

SCHOOL DISTRICT ORGANIZATION

School Board Elections

School board elections are non-partisan elections governed by the general election laws of the State of Montana and include election of board members, various public policy propositions, and advisory questions.

Board elections shall be held on the first Tuesday after the first Monday in May of each year. In years when the legislature meets in regular session or in a special session that affects school funding, the trustees may order the election on a date other than the regular school election day in order for the electors to consider a proposition requesting additional funding under § 20-9-353, MCA. Any person who is a qualified voter of the District is legally qualified to become a trustee. Some persons may be ineligible for board membership by reason of other public offices held or certain types of State or federal employment. Any (5) five qualified electors may nominate as many trustee candidates as there are trustee positions subject to election at the ensuing election. The name of each person nominated for candidacy shall be submitted to the District Clerk not less than forty (40) days before the regular school election day. If there are different terms to be filled, the term for which each candidate is nominated shall also be indicated.

Any candidate intending to withdraw from the election shall send to the District Clerk a notice of withdrawal which contains all the information necessary to identify the candidate and the office for which the candidate was nominated. This notice must be acknowledged by the District Clerk. A candidate may not withdraw less than thirty eight (38) days before the election.

Any person seeking to become a write-in candidate must file a declaration of intent on the 26th day before the election. If the number of candidates filing for vacant positions or filing a declaration of intent to be a write-in candidate is equal to or less than the number of positions to be elected, the Trustees may give notice that a Trustee election will not be held. Notice of the cancellation must be given no later than 25 days before the election date. If the election is not held, the trustees shall declare the candidates elected by acclamation and issue of “certificate of election” to each candidate.

Except in the event of an unforeseen emergency occurring on the date scheduled for the election, a proposition requesting additional funding pursuant to § 20-9-353, MCA, may be submitted to the electors only once each calendar year – on the regular school election day.

Legal Reference:	§ 20-3-304, MCA	Annual election
	§ 20-3-305, MCA	Candidate qualification, nomination and withdrawal
	§ 20-20-301, MCA	Qualifications of elector
	§ 20-3-313, MCA	Election by acclamation – notice
	§ 20-9-353, MCA	Additional financing for general fund – election for authorization to impose
	§ 20-20-105, MCA	Regular school election and special school elections

Cross References:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Board Member Term of Office

A newly elected trustee shall take office as soon as the election results have been certified and the newly-elected trustee has taken and subscribed to an oath that the trustee will faithfully and impartially discharge the duties of the office to the best of the trustee’s ability. An oath of office may be administered by the county superintendent, the superintendent’s designee, or any official provided for by law. Such oath must be filed with the county superintendent within fifteen (15) days after the receipt of the certificate of election.

Except as otherwise provided by law, trustees shall hold office for terms of three (3) years, or until their successors are elected and qualified. Terms of trustees are staggered as provided by law.

Legal Reference:	§ 1-6-101, MCA	Officers who may administer oaths
	§ 2-16-116, MCA	Power to administer oaths
	§ 20-1-202, MCA	Oath of Office
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-301, MCA	Election and term of office

Cross References:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Board Member Conflict of Interest

Board members are expected to be familiar with and observe those provisions of Montana law that define school board authority and govern conflict of interest. Board members shall not only to adhere to all laws regarding conflict of interest, but also to be alert to situations that may have the appearance of a conflict of interest and to avoid actions that might compromise himself or herself or the Board. Therefore, a trustee may not:

- engage in a substantial financial transaction for the trustee’s private business purpose with a person whom the trustee inspects or supervises in the course of official duties;
- perform an official act directly and substantially affecting, to its economic benefit, a business or other undertaking in which the trustee has a substantial financial interest or is engaged as counsel, consultant, representative or agent;
- act as an agent or solicitor in the sale or supply of goods or services to the District;
- have a pecuniary interest, directly or indirectly, in any contract made by the Board when the trustee has more than a 10% interest;
- be employed in any capacity by the District, except to officiate at athletic competitions under the auspices of the Montana Officials Association; or
- take part in the appointment or employment of any person related or connected by blood within the 4th degree or by marriage within the 2nd degree, except as provided by statute.

Legal References:	§ 20-9-204, MCA	Conflict of interest
	§ 20-1-201, MCA	School officers not to act as agents
	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful -- exceptions -- publication of notice.

Cross Reference:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Board Member Conflict of Interest – Hiring Family Members

Montana law provides that a Trustee may not appoint or hire any person who is related to that Trustee by blood within the 4th degree or by marriage within the 2nd degree, except as provided by law. The exceptions are as follows:

- (1) The trustees may hire a person otherwise prohibited by law if all the trustees, with the exception of any trustee who is related to the person being appointed and who must abstain from voting for the appointment, approve the appointment of a person related to a trustee;
- (2) The trustees may hire a person otherwise prohibited by law as a substitute teacher who is not employed as a substitute teacher for more than 30 consecutive school days as defined by the trustees in § 20-1-302, MCA;
- (3) The Trustees may renew the employment contract of a person who was initially hired before the Trustee; and
- (4) The trustees may hire election judges without regard to prohibition stated above.

Prior to the appointment of a person referred to in subsection (1) above, written notice of the time and place for the intended action must be published at least 15 days prior to the intended action in a newspaper of general circulation in the county.

Legal References:	§ 2-2-302, MCA	Appointment of relative to office of trust or emolument unlawful -- exceptions -- publication of notice.
	§ 20-1-302, MCA	School term, day, and week.

Cross Reference:

Procedural History:

Promulgated on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Resignations and Other Vacancies

Any elected trustee position shall be vacant whenever the incumbent:

- (1) dies;
- (2) resigns;
- (3) moves his residence from the District, or from the nominating district in the case of an additional trustee in a high school district;
- (4) is no longer a registered elector of the District;
- (5) is absent from the District for 60 consecutive days;
- (6) fails to attend three consecutive meetings of the trustees without a good excuse;
- (7) has been removed under the provisions of § 20-3-310, MCA; or
- (8) ceases to have the capacity to hold office under any other provision of law.

A trustee position also shall be vacant when an elected candidate fails to qualify under the provisions of § 20-3-307, MCA. A resignation of a trustee, for whatever reason, must be submitted in writing to the Clerk of the District. A resignation is effective seventy-two (72) hours after its submission unless withdrawn during that period by the trustee in writing and delivered to the Clerk of the District.

When a trustee vacancy occurs, the remaining trustees shall declare the position vacant and shall fill such vacancy by appointment. The Board may request applications from any qualified persons seeking to fill the position, and may appoint one (1) candidate to fill the position. Should the Board fail to fill a vacancy within sixty (60) days from the declaration of such vacancy, the county superintendent shall appoint, in writing, a competent person to fill such vacancy. An appointee shall qualify by completing and filing an oath of office with the county superintendent with fifteen (15) days after receiving notice of appointment and shall serve until the next regularly scheduled school election and a successor has qualified.

Legal Reference:	§ 2-16-502, MCA	Resignations
	§ 20-3-307, MCA	Qualification and oath
	§ 20-3-308, MCA	Vacancy of trustee position
	§ 20-3-309, MCA	Filing vacated trustee position – appointee qualification and term of office

Cross References:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Board Development and Self Evaluation

The Board strives to learn, understand and practice effective governance for the benefit of the District. As determined by the Board, individual members have the opportunity to attend state and national meetings designed to familiarize members with public school issues, governance and legislation. Notice of training opportunities will be provided either through the Superintendent or through the Board Chair.

Newly elected or appointed trustees shall be given a copy of the District policy manual and shall have the opportunity to meet with the Superintendent and/or members of the Board for the purpose of answering questions and providing information about the District. The Board Chair may request that a veteran Board member mentor a new member.

As part of the Board's professional development and in an effort to improve on a continuous improvement basis, the Board may conduct a self-evaluation as needed.

Cross References:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Board Member Expenses

Trustees are not compensated for their service to the District. Travel expenses in the form of a mileage reimbursement may be paid to any trustee who lives more than three (3) miles from the regular meeting place of the trustees at the rate specified in § 2-18-503, MCA.

The District will pay the expenses for trustees to attend Board approved workshops, trainings and conferences both in state and out of state. The following expenses are eligible for payment and/or reimbursement at the rate established by the District:

1. Transportation as approved by the Board;
2. Hotel or motel costs as necessary;
3. Food costs as necessary;
4. Telephone services as necessary;
5. Incidental expenditures for tips and other necessary costs.

The District will not pay for or reimburse expenses for liquor, expenses of a spouse, entertainment or other unnecessary expenses.

Legal Reference: § 20-3-311, MCA Trustee travel reimbursement

Cross Reference:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Board – Superintendent Relationship

The Board –Superintendent relationship is based on mutual respect for the complementary roles of each entity. The relationship requires clear communication of expectations regarding the duties and responsibilities of both the Board and Superintendent.

The role of the Board shall be to:

- define the Mission, Vision, and Philosophy of Education for the District;
- determine long and short-term goals that will move the District toward its Mission and Vision;
- provide stewardship of the fiscal resources in relation to the Mission of the District;
- maintain avenues for effective communication with all stakeholders;
- employ a superintendent and evaluate his performance;
- monitor and evaluate the District and its progress in relation to the Mission, Vision and goals; and
- advocate for students and quality public education.

The role of the Superintendent shall be to:

- provide leadership to move the District toward its Mission and Vision by achieving established long and short term goals;
- manage the District within the parameters of established policy and law;
- provide the Board with appropriate information to facilitate its deliberations and informed decision-making;
- maintain avenues for effective communication with all stakeholders; and
- advocate on behalf of students, the District and public education.

The Board shall conduct a formal evaluation of the Superintendent each year. The Superintendent or the Board may request and the Board may conduct additional informal evaluations. The Board shall use its approved Evaluation Instrument to document the Superintendent's evaluation.

Cross Reference:

Policy History:

Adopted on: August 20, 2012

Revised on:

SCHOOL DISTRICT ORGANIZATION

Qualifications, Terms and Duties of Board Officers

The Board officers are the Chair and Vice Chair. These officers are elected at the annual organizational meeting.

The Board elects a Chair from its members for a 1-year term. The Chair may be any trustee of the Board, including an additional trustee, as provided by law. If an additional trustee is selected to serve as the Chair, he or she may not vote on issues pertaining only to elementary trustees. The duties of the Chair are as follows:

- preside at all regular and special board meetings and conduct the meetings in the manner prescribed by the Board’s policies;
- make all Board committee appointments; and
- sign all papers and documents as required by law and as authorized by the Board.

Except as provided above, the Chair may participate in all Board meetings in a manner equal to all other Board members.

The Vice Chair shall preside at all regular or special Board meetings in the absence of the Chair, and shall perform all of the duties of the Chair in case of the Chair’s absence or disability.

Legal Reference:	§ 20-3-321(2), MCA § 20-3-351, MCA § 20-3-352, MCA	Organization and officers Number of trustee positions in high school Districts Request and determination of number of high school district additional trustees positions – nonvoting trustee
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Cross Reference:	Policy 1065	Board Meetings
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Policy History:

Adopted on: August 20, 2012

Revised on: