



**Poudre School District
Board of Education Policies**

Policy Type: **Governance Process**
Policy No.: **GP 3.12**
Policy Title: **Bylaws of the Board of Education**
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The Bylaws of the Board of Education of Poudre School District R-1 govern its organization and operation, and consist of the District Ends (“DE”) Policies, Executive Limitation (“EL”) Policies, Governance Process (“GP”) Policies, and Board-Superintendent Relationship (“BSR”) Policies. These Policies are collectively referred to herein as the “Board of Education Policies.” In addition to the District’s other Board of Education Policies, the Bylaws of the Board of Education include the following:

1. Board Members
 - a. The Board of Education shall consist of seven members.
 - b. Members of the Board of Education shall serve under a director district plan of representation and shall each be voted on at large by the eligible electors of the entire District.
2. Board Officers
 - a. The officers of the Board of Education shall be a President, a Vice-President, a Secretary, a Treasurer, and an Assistant Secretary.
 - b. The President and Vice-President shall be members of the Board of Education and shall be elected by majority vote of the entire Board.

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- c. The Treasurer, Secretary and Assistant Secretary may be members of the Board of Education or District employees, and shall be appointed by the Board.
- d. As required by law, the Treasurer, Secretary and Assistant Secretary shall each be covered by a surety bond conditioned upon the faithful performance of their duties and in a form satisfactory to the Board of Education.
- e. The President shall serve as the presiding officer at meetings of the Board of Education. In the absence or inability to serve of the President, the Vice-President shall serve as the presiding officer. In the absence or inability to serve of the President and Vice-President, any member of the Board may call the meeting to order and the Board shall then elect one of its members who are present to serve as the presiding officer for the meeting as long as the President and Vice-President are absent and/or unable to serve.

3. Election of Board Officers

- a. The presiding officer shall initially call for a vote on the question of whether the President and Vice-President shall be elected by publicly recorded oral roll-call vote of the Board members present, or by secret ballot of the Board members present. After this initial vote, the presiding officer shall conduct the election for the office of President in accordance with the procedures set forth in this section 3. The newly elected President shall then assume the role of presiding officer and conduct the election for the office of Vice-President in accordance with the procedures set forth in this section 3.
- b. The presiding officer shall call for nominations from the other Board members.
 - (1) Board members shall make their nominations, which may result in any number of one or more nominees standing for election. A "second" is not required for any nomination, but a member must accept his or her nomination in order to stand for election.
 - (2) The presiding officer shall announce: "Hearing no more names, the nominations for [Board President] [Board Vice-President] are closed."
- c. If the initial vote described in paragraph 3(a) above is for the President and Vice-President to be elected by publicly recorded oral roll-call vote, then the voting shall proceed in that manner.
- d. If the initial vote described in paragraph 3(a) above is for the President and Vice-President to be elected by secret ballot, then the voting shall proceed as described below in this section 3(d).

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- (1) Board members shall each cast a secret ballot for one member out of those nominated and fold their ballot in half after voting. If only one Board member is nominated for an office, the Board may dispense with the use of secret ballots and instead elect the single nominee by acclamation.
 - (2) Folded ballots shall be collected by the Board Secretary or Assistant Secretary and taken to Legal and Policy Counsel, who shall tally the votes and announces the results. In the absence of Legal and Policy Counsel the Superintendent, or an administrator authorized by the Board to act in place of the Superintendent, shall tally the votes and announce the results.
- e. The Board member who receives a majority of the votes cast is elected.
- (1) If no member receives a majority of the votes cast, a runoff shall be held between the two members with the most votes using the same basic procedures described above in paragraph 3(c) or section 3(d), as applicable.
 - (2) If three or more members tie for the most votes, runoffs shall be held between them using the same basic procedures described above in paragraph 3(c) or section 3(d), as applicable, until one member is elected with a majority of the votes cast.
 - (3) If two or more members tie for the second-most votes, runoffs shall be held between them using the same basic procedures described above in paragraph 3(c) or section 3(d), as applicable, until one is selected for a final runoff election with the member who received the most votes in the first round.
4. Board Meetings
- a. Unless notice is otherwise provided in accordance with governing law, regular meetings of the Board of Education shall be held in the Boardroom at the Johannsen Support Services Center, 2407 LaPorte Avenue, Fort Collins, Colorado. Dinner sessions and executive sessions during Board meetings at the Johannsen Support Services Center may be held in the Superintendent's office/conference room adjacent to the Boardroom.
 - b. Except as otherwise provided on the School Calendar and unless canceled or postponed by action of the Board, regular meetings of the Board of Education shall be held on the second and fourth Tuesday of each calendar month beginning at the times specified in the public notice of each such meeting provided as required by law. Physical attendance and participation by Board

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members is expected at every regular and special Board meeting, except as provided in section 4(c).

- c. In extenuating circumstances, Board members may attend and participate by electronic means in regular and special Board meetings (including executive sessions held at such meetings), in accordance with this policy and state law. For purposes of this policy, "electronic means" shall be defined as attendance via telephone, videoconferencing, audio conferencing, or other electronic device.
 - (1) Board members may attend and participate by electronic means in a regular or special Board meeting only when extenuating circumstances prevent the Board member(s) from physically attending the meeting. For purposes of this policy, "extenuating circumstances" includes, but is not necessarily limited to, the following situations: (a) a Board member's job or military service requires the member to be outside of the District at the time of the meeting; (b) a Board member's occasional discretion for urgent or important personal needs; (c) a public emergency; or (d) an extended closure of District facilities.
 - (2) A Board member who intends, per the conditions set forth in 4(c)(1), to attend and participate by electronic means in a Board meeting shall notify the Board's presiding officer at least three (3) business days prior to the meeting and shall explain the extenuating circumstances that prevent the Board member from physically attending the meeting. If such notification is not possible, the Board member shall notify the Board's presiding officer as soon as is reasonably possible of the request to attend by electronic means. If the conditions set forth 4(c)(1) are met, as determined by the presiding officer, a Board member who attends and participates by electronic means shall acknowledge at the beginning of the meeting how the member is attending, which shall be recorded in the meeting minutes.
 - (3) The Board's presiding officer may initiate a proposal that a Board meeting be held by electronic means (hereinafter referred to as an "electronic meeting") by contacting each Board member individually by telephone or email at least three (3) business days prior to the scheduled meeting and shall explain the extenuating circumstances that form the basis of the proposal. If such advanced notice is not possible, the Board's presiding officer shall contact each Board member as soon as reasonably possible. At the beginning of an electronic meeting, the Board members shall identify those present and shall state the extenuating circumstance that prevented the Board meeting from being held in a physical location, which shall be recorded in the meeting minutes. For purposes of section 4(c), electronic meetings shall be limited to circumstances in which a public

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emergency exists or there is an extended closure of District facilities due to an emergency.

- (4) Board meetings at which one or more Board members attend and participate by electronic means shall be open to the public (except for any portion held in executive session) and shall otherwise comply with all laws governing meetings of the Board of Education.
 - (5) If the Board convenes in executive session, the Board member(s) who are attending and participating by electronic means shall ensure confidentiality during that portion of the meeting. If the Board convenes in executive session during an electronic meeting, electronic attendance of the executive session shall be limited to only those invited to attend the executive session. Those invited to attend shall ensure the confidentiality of the executive session from their location.
 - (6) During the portion of any Board meeting at which one or more members attend and participate by electronic means, the member(s) must be able to hear and be heard (and if deemed necessary by the Board, also see the proceedings) so as to meaningfully participate and be included in the recording made of the meeting.
 - (7) Board meeting packets will be provided to Board members who attend and participate by electronic means via the electronic Board meeting agenda system, the District's website, overnight mail, or other means to ensure that each Board member who attends a meeting electronically has real-time access to any materials that are presented and available to members who are physically present at the meeting.
- d. A quorum shall consist of a simple majority of those members serving on the Board of Education and includes members physically present and members attending by electronic means. Official action may only be taken at a regular or special Board meeting when a quorum is present.
 - e. Except as otherwise provided by law or Board policy, official Board action requires a majority vote by a quorum of the Board of Education. Motions receiving a tie vote are deemed lost.
 - f. All voting shall be by roll call with each member present voting "Aye" or "No" alphabetically except as provided in Section 3(a). A member may abstain from voting only if excused by the Board for good cause. "Good cause" may be determined on a case-by-case basis. A member wishing to abstain from voting may be required to disclose the reason publicly so that the Board may determine whether good cause exists.

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- g. A member who has a personal or private interest in any proposed or pending matter which presents a conflict of interest in accordance with GP 3.5 and state law shall disclose such interest and shall not vote unless the member's participation is necessary to obtain a quorum or otherwise enable the Board to act. Under such circumstances, a member must comply with the voluntary disclosure requirements set out in state law. When a member has an unavoidable conflict of interest as described in GP 3.5, the member shall also absent himself or herself without comment from the deliberation.
 - h. The Board shall only vote on proposed motions and resolutions that concern matters affecting the District's education of students and/or District operations.
 - i. Except as otherwise provided by law or the District's Board of Education Policies, Board meetings shall be conducted in accordance with ROBERT'S RULES OF ORDER, NEWLY REVISED. Matters not covered by ROBERT'S RULES OF ORDER, NEWLY REVISED, shall be dealt with as determined by the presiding officer at the meeting. Such determinations by the presiding officer may be appealed by another member of the Board of Education, which appeals shall be decided by Board action.
 - j. Meeting minutes shall be approved by the Board of Education after a reasonable opportunity has been provided for Board members to review and correct them. Upon Board approval, the minutes shall be permanently maintained as the official record of the meeting to which they apply.
5. Adoption, Revision and Deletion of Policies and Regulations
- a. The proposed adoption, revision and deletion of policies and regulations for which the Board of Education has responsibility under governing law and/or the District's Board of Education Policies shall normally be dealt with in two readings, as follows:
 - (1) First Reading. The proposed adoption, revision or deletion shall be considered and discussed by the Board of Education at a regular or special meeting.
 - (2) Second Reading. At a subsequent meeting, the Board of Education shall consider the proposed adoption, revision or deletion, and any amendments thereto, and shall take action on the proposal.
 - (3) Additional Reading. Amendments to the proposed adoption, revision or deletion shall not require an additional reading unless the Board of

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Education determines that further consideration and/or discussion is required.

- b. The Board of Education may take action on the proposed adoption, revision or deletion of policies and regulations for which it has responsibility under governing law and/or the District's Board of Education Policies without a second reading if the Board determines that under the circumstances such immediate action is required.
6. Responding to Written Complaints and Concerns Expressed by Students, Parents/Guardians, Members of the General Public and Employees
- a. Any student, parent/guardian, member of the general public or employee may address complaints and concerns orally or in writing to the Board as a whole or to Board members individually. Unless otherwise provided by law, the Employee Agreement, or a District policy or regulation, written complaints and concerns shall be handled in accordance with the terms and conditions in this section 6.
 - b. Individual Board members who receive written complaints/concerns may respond on their own behalf, but may not respond on behalf of the Board of Education unless authorized to do so by Board action or as otherwise provided in this section 6.
 - c. When a written complaint/concern is addressed to the Board as a whole or separately to every Board member, or when a written complaint/concern is addressed separately to one or more but fewer than all Board members who wish the complaint/concern to be considered by the Board as a whole, the following procedures shall apply:
 - (1) If the matter is not one regarding which Board members have personal knowledge or if the Board wishes to have additional information on the matter, a copy of the written complaint/concern shall be provided to the Superintendent. The Superintendent shall in turn utilize District staff and other resources to investigate the matter as necessary to determine the facts and issues involved and/or to obtain information requested by the Board, and shall then report his/her findings and conclusions to the Board members.
 - (2) When Board members believe they are sufficiently informed on the matter, they shall determine if they believe Board action is required.

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- (3) If it is not determined that Board action is required, the President shall so communicate to the person(s) who addressed the written complaint/concern to the Board.
- (4) If it is determined that Board action is required, the Board shall consider the matter in public session and/or executive session as permitted by law. Based on its consideration of the matter the Board may take additional steps as it deems appropriate, which may include but shall not be limited to any one or more of the following: (A) require that further investigation be conducted at the direction of the Superintendent or by an independent third-party; (B) conduct one or more hearings to gather relevant facts or address outstanding questions; (C) issue an oral or written decision regarding the written complaint/concern; and/or (D) require that the Superintendent take specific action(s) related to the written complaint/concern.