

# SCHOOL BOARD HANDBOOK

## AN INTRODUCTION TO SCHOOL BOARD SERVICE

Associated School Boards of South Dakota  
2021-2022

Contact: 605.773.2500 [phone] :: [www.asbsd.org](http://www.asbsd.org) [web] :: [info@asbsd.org](mailto:info@asbsd.org) [e-mail]



# INTRODUCTION

The local school board is a uniquely American institution, dating from the earliest days of our country. For centuries, school boards have made our public schools flexible and responsive to the needs of local communities. In South Dakota, we believe strongly in the tradition of local governance and the continuing commitment to local decision-making in education.

As a local school board member, you are entrusted to help shape public education in your community. The need for school board leadership has never been greater, but your job has gotten much more complex in recent years. Local schools are faced with new pressure to improve and top-down reforms attempt to limit the authority of the local school board.

Serving as an effective school board member today requires time, a sincere interest in public education and a commitment to improving student learning for all. Equipped with these attributes, school board members consistently discover the rewards of school board service:

- giving back to the community by contributing your time and talents to an enterprise that creates a positive future for our children;
- serving as a leader selected by your fellow citizens and ensuring that the community's voice is heard in decisions affecting public schools;
- working as a team member in a state school system that is striving to become one of the best in the nation and the world; and
- strengthening our democracy and our nation by ensuring a quality public education for all students.

You will not be expected to know everything about school board service or the delivery of education in your district, the state or the nation. It will be in your best interest, however, to learn the school board member's roles and responsibilities as quickly as possible. This overview will help you get started by covering the fundamentals.

Thank you for your commitment to school board service. Your willingness to take on this challenge is greatly appreciated.

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# CHAPTER 1

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## PUBLIC SCHOOLS IN SOUTH DAKOTA

South Dakota's local school districts are part of a statewide public school system first envisioned and guaranteed to the people by the South Dakota Constitution. In South Dakota, the Legislature is charged with the constitutional responsibility "to establish and maintain a general and uniform system of public schools." Article 8, section 1, of the South Dakota Constitution reads as follows:

*"The stability of a republican form of government depending on the morality and intelligence of the people, it shall be the duty of the legislature to establish and maintain a general and uniform system of public schools wherein tuition shall be without charge, and equally open to all; and to adopt all suitable means to secure to the people the advantages and opportunities of education."*

Our state's founding document created our public school system and gave the state legislature the responsibility to ensure that all children can benefit from a quality education. Our state's elected leaders continue to influence how our public schools are organized, regulated and funded, but lawmakers have delegated a lot of the responsibility for our schools to the state and local levels.

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## SOUTH DAKOTA BOARD OF EDUCATION

Members of the nine-person South Dakota Board of Education Standards are appointed by the governor. Their role is to listen to, understand, and translate the concerns of a variety of stakeholders into successful education policies. They have a responsibility to ensure every child an opportunity to learn from certified school staff and teachers at the local level and post-secondary technical institutes. They also have a responsibility to set standards and expectations for the quality of education through the establishment of graduation requirements, accreditation of local schools, certification of professionals, and approval of programs offered by post-secondary institutes and teacher education programs.

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## SECRETARY OF EDUCATION

The Secretary of Education is appointed by the Governor to lead the South Dakota Department of Education and serve as the executive officer for the State Board of Education. Subject to policies established by the South Dakota Board of Education, the Secretary of the Department of Education has general supervision over all accredited elementary and secondary schools and postsecondary technical institutes in the state.

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## **DEPARTMENT OF EDUCATION**

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The Department of Education functions both as regulatory agency and a support structure for South Dakota public schools. The department coordinates both federal and state education programs and performs a wide range of services. They provide direction in three basic areas: 1) Accreditation and Teacher Quality, 2) Curriculum, Career and Technical Education and 3) Assessment and Technology. Additional information can be found on their website at <http://www.doe.sd.gov>.

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## **LOCAL SCHOOL BOARDS**

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The school board is an elected body created according to the laws of the state to serve as the governing board of a school district. Local school boards receive their authority from state law.

SDCL 13-8-1. School board defined. The school board is an elected body created according to the laws of the state to serve as the governing board of a school district for the purpose of organizing, maintaining, and locating schools and for providing educational opportunities and services for all citizens residing within the school district.

SDCL 13-8-10. Meetings of board--Election of officers--Designation of depository and newspaper--Quorum. The annual meeting shall be held on the second Monday of July unless otherwise designated by the board at the prior regular meeting. Regular meetings shall be on the second Monday of each month unless otherwise designated by the board at the annual meeting. At the annual meeting the school board shall organize by the election of a president and a vice president from its membership, and such officers shall serve until the next annual meeting. The board shall designate the depository or depositories as provided in § 13-16-15, and the custodians of all accounts; and designate the legal newspaper to be used for publishing all official notices and proceedings. A majority of the members of the school board constitutes a quorum for the purpose of conducting business. Any board action may be taken if it is approved by the majority of the members voting.

Special meetings may be held upon call of the president or in the president's absence by the vice-president, or a majority of the board members. Notice of such meeting shall be given by the business manager to the board members either orally or in writing in sufficient time to permit their presence.

SDCL 13-8-39. Management of schools by board--General powers. As provided and limited by law, the school board has general charge, direction and management of the schools of the district and control and care of all property belonging to it. The school board may levy taxes, borrow money, employ any necessary personnel, lease real and personal property, carry liability and other insurance, or in lieu of insurance, make other arrangements, including entering into agreements with others, which agreements may create separate legal or administrative entities pursuant to chapter 1-24, to protect and assist the school board in meeting obligations arising from such acts or omissions for which the school board may be legally liable, purchase all necessary books and equipment, purchase real property and erect necessary buildings for the operation of such schools.

# CHAPTER 2

## SCHOOL BOARD GOVERNANCE

### STATUTORY POWERS AND RESTRICTIONS

#### PURPOSE AND AUTHORITY OF BOARD

SDCL 13-8-1 states that the school board is "to serve as the governing board of a school district for the purpose of organizing, maintaining, and locating schools and for providing educational opportunities and services for all citizens residing within the school district." In order to fulfill this purpose the legislature has given the board the powers specified in SDCL 13-8-39: "...The school board has general charge, direction, and management of the schools of the district and control and care of all property belonging to it. The school board may levy taxes, borrow money, employ any necessary personnel, lease real and personal property, carry liability and other insurance, purchase all necessary books and equipment, purchase real property and erect necessary buildings for the operation of such schools."

Serving as an effective school board member today requires time, a sincere interest in public education and a commitment to improving learning for all students.

#### COMPENSATION

Each board member may receive a per diem for each board meeting attended or meetings that have been authorized by the board. Each local board shall set the amount of per diem that each local board member may receive. The amount of per diem set by the local school board may not exceed the per diem authorized for members of the South Dakota Board of Education. In addition school board members shall receive travel allowances as authorized by the rules and regulations adopted by the State Board of Finance.

#### COMPOSITION OF BOARD

A school board may consist of five, seven or nine members. Board members are elected for three-year terms. A school district may increase or decrease the size of its board. The process includes a petition of 10% of the registered voters residing in the school district, as determined by the total number of registered voters at the last preceding annual election, filed with the business manager. In addition, the school board may, by resolution, call for an election to increase or decrease the size of the school board.

### BEING A BOARD MEMBER

#### NEW BOARD MEMBERS BEING SWORN IN

All new board members must take an oath of office. Newly elected members take the oath during the annual meeting in July, when they assume their duties of office. Appointed members take and subscribe to the oath at the meeting following the appointment. (See Appendix A for **Oath of Office.**)

Learning doesn't stop when you're elected, it begins.

To maintain consistent leadership and continuity, new board members should be given special attention promptly after election. Copies of policies, rules and regulations are to be given to each new member upon election.

The superintendent and board president should arrange a conference with new board members to review their roles and responsibilities. The new members should be taken on a district tour and be provided with: a map of the district; past and current surveys and reports on curriculum, teaching standards and certification, school services, facilities, finances, and taxes; a calendar of business; and copies of minutes.

The new member has a responsibility to become informed about the laws, educational programs, employed personnel, board procedures and policies, teaching materials and facilities, school services, needs of community, interested public service organizations, and techniques of good public relations. ASBSD offers various training opportunities through the Governance Academy for Visionary Education Leadership (**GAVEL**). Be sure to look for scheduled training dates or request to have ASBSD come directly to your district.

#### **ADVICE AGAINST INDIVIDUAL ACTION**

Authority of the board rests with the majority of members present at a convened meeting to do business. A good board member has no legal authority or power as an individual except during a legal meeting of the school board. Outside of a board meeting, members are ordinary citizens – within the meeting you are an official of the state, exercising, along with your fellow board members, a great deal of authority which has been delegated to the board by the state.

Relationships with board members and the Superintendent are extremely important. Your job as a board is to develop the broad policies to govern your school district. Once those policies have been established, it is the superintendent's duty to implement them. The Superintendent has been hired with the specialized training to perform the duties necessary for the proper functioning of a public school system.

From time to time board members may find that they do not always agree on issues. It will be important for board members to display support for board decisions in order for the community to have confidence in the board. If defeat can be accepted on an issue gracefully and not personalized, board members will gain respect. Also board members will need to recognize that the basis of board action is majority rule; the community will gain respect for the board when this is supported.

#### **VACANCIES**

A school board vacancy can occur in various ways. If a board member dies, is removed from the board, fails to qualify as provided by law, ceases to be a resident of the district where elected, is convicted of an infamous crime or of any offense involving a violation of the official oath of office, has a judgment obtained against him or her for breach of official bond, is incapacitated and unable to attend to the duties of the position, or assumes the duties of an office incompatible with the duties of a

school board member, an opening would result. A vacancy would also result if a board member resigned. (SDCL 13-8-23).

Vacancies are filled through appointment by remaining board members until the next election when candidates may file for the unexpired portion of the term. The appointee must qualify as if elected (SDCL 13-8-25).

### **CONFLICT OF INTEREST**

There are some restrictions on an individual board member doing business with the school district:

1. School board members cannot be paid to teach in the district; however he or she may substitute on a volunteer basis.
2. School board members may only purchase district surplus items such as books, apparatus and furniture at public auction.
3. Any contract for service, materials or equipment for which a school board member has an interest to provide is not allowed unless otherwise provided by statute.
4. As an elected official, a school board member may not hold another elective county, municipal or state office.
5. No school board member may participate in the discussion or vote on any issues in which the member has a pecuniary conflict of interest.

### **BOARD MEMBERS AND CONFLICT OF INTEREST**

Given the intimate nature of small school districts and small population communities, the possibility of a 'conflict of interest' with a school board member and an issue before the Board, is very likely and a distinct possibility. However, a conflict can occur with board members and issues before the Board in any size school district and community. South Dakota laws, statutes, and district policies govern these possible conflicts of interest. Board members should know them well to avoid any substance or appearance of any conflict of interest.

School Board members and conflicts of interest issues generally fall within one of three categories: (1) those related to a person being a school board member, (2) those related to school district contracts, and (3) those related to when a school board member is participating in a school board meeting discussion and decision.

School Board Membership: Several statutes identify situations where a person cannot serve as a school board member. SDCL 13-7-3 states "[n]o elective county, municipal, or state officer or the holder of any other office, the duties of which are incompatible or inconsistent with the duties of a school board member, shall be eligible for such membership" and SDCL 13-43-1 states "[n]o person employed to teach or to draw public money as a teacher may serve as a board member in the same school district."

Contracts: The S.D. Constitution and state law prohibit school board members from having an interest in the sale, proceeds or profits of any book, apparatus or furniture used or to be used in any school in South Dakota and a violation is a Class 2 misdemeanor. Art. VIII, § 17; SDCL 13-20-2.1. Additionally, SDCL 6-1-1 states it is unlawful for a school board member “to be interested, either by himself or agent, in any contract” which is entered into by the school district for labor, services to be rendered, or for the purchase of commodities, materials, supplies, or equipment of any kind, which is paid from public funds, or in the purchase of any real or personal property belonging to school district, and any contract which is entered into by the school district in violation of this statute shall be null and void from the beginning.

There are certain circumstances, however, when a school board member may provide labor, services, materials, supplies, or equipment to the school district. SDCL 6-1-2 identifies eight different situations when a school board member may provide labor, services, materials, supplies, or equipment to the school district.

- (1) Any contract involving five thousand dollars or less regardless of whether other sources of supply or services are available within the county, municipality, township, or school district, if the consideration for such supplies or services is reasonable and just;
- (2) Any contract involving more than five thousand dollars but less than the amount for which competitive bidding is required, and there is no other source of supply or services available within the county, municipality, township, or school district if the consideration for such supplies or services is reasonable and just and if the accumulated total of such contracts paid during any given fiscal year does not exceed the amount specified in § 5-18A-14;
- (3) Any contract with any firm, association, corporation, or cooperative association for which competitive bidding is not required and where other sources of supply and services are available within the county, municipality, township or school district, and the consideration for such supplies or services is reasonable and just, unless the majority of the governing body are members or stockholders who collectively have controlling interest, or any one of them is an officer or manager of any such firm, association, corporation, or cooperative association, in which case any such contract is null and void;
- (4) Any contract for which competitive bidding procedures are followed pursuant to chapter 5-18A or 5-18B, and where more than one such competitive bid is submitted;
- (5) Any contract for professional services with any individual, firm, association, corporation, or cooperative, if the individual or any member of the firm, association, corporation, or cooperative is an elected or appointed officer of a county, municipality, township, or school district, whether or not other sources of such services are available within the county, municipality, township, or school district, if the consideration for such services is reasonable and just;
- (6) Any contract for commodities, materials, supplies, or equipment found in the state contract list established pursuant to § 5-18D-6, at the price there established or below;
- (7) Any contract or agreement between a governmental entity specified in § 6-1-1 and a public postsecondary educational institution if an employee of the Board of Regents serves as an elected or appointed officer for the governmental entity, and if the employee does not receive direct compensation or payment as a result of the contract or agreement; and
- (8) Any contract with any firm, association, corporation, individual, or cooperative association for which competitive bidding procedures are followed pursuant to chapter 5-18A, and where only one such competitive bid is submitted, provided the procedures established in § 6-1-2.1 are followed.

School board member participation in a school board meeting discussion and decision: In *Hanig v. City of Winner* (2005 SD 10), the S.D. Supreme Court identified four types of situations when a governing board member cannot participate in the discussion and decision-making process on a matter before the board.

- (1) "Direct pecuniary interests," when an official votes on a matter benefiting the official's own property or affording a direct financial gain;
- (2) "Indirect pecuniary interests," when an official votes on a matter that financially benefits one closely tied to the official, such as an employer, or family member;
- (3) "Direct personal interest," when an official votes on a matter that benefits a blood relative or close friend in a non-financial way, but a matter of great importance, as in the case of a councilman's mother being in the nursing home subject to the zoning issue; and
- (4) "Indirect Personal Interest," when an official votes on a matter in which an individual's judgment may be affected because of membership in some organization and a desire to help that organization further its policies.

The S.D. Supreme Court then stated "[i]f a board member's interest fits within any of these categories, that board member either has an actual bias or an unacceptable risk of actual bias. These categories are succinct and informative. We believe the categories can serve as guidance to South Dakota officials and courts in determining whether an actual bias or an unacceptable risk of actual bias exists." *Hanig*, 2005 SD 10, ¶ 19.

Immediately following the Supreme Court's decision in *Hanig*, the legislature enacted SDCL 6-1-17 which states

*No county, municipal, or school official may participate in discussing or vote on any issue in which the official has a conflict of interest. Each official shall decide if any potential conflict of interest requires such official to be disqualified from participating in discussion or voting. However, no such official may participate in discussing or vote on an issue if the following circumstances apply: (1) the official has a direct pecuniary interest in the matter before the governing body; or (2) at least two-thirds of the governing body votes that an official has an identifiable conflict of interest that should prohibit such official from voting on a specific matter. If an official with a direct pecuniary interest participates in discussion or votes on a matter before the governing body, the legal sole remedy is to invalidate that official's vote.*

Several years after SDCL 6-1-17 was enacted, the S. D. Supreme Court again addressed the issue of a governing board member conflict of interest. In *Armstrong v. Turner County* (2009 SD 81) emphasized that the constitutional requirement of due process requires governing board members to "be disinterested and free from bias or predisposition of the outcome and the 'very appearance of complete fairness' must be present" in matters before the governing board. *Armstrong*, 2009 SD 81, ¶ 23. The Court stated if the governing board member has an interest in the matter before the board that is different from the interest of members of the general public, the question is then whether a reasonably-minded citizen would conclude that the member's interest or relationship creates a potential to influence that member's impartiality and "if the circumstances could reasonably be interpreted as having the likely capacity to tempt,' the official should be disqualified." *Armstrong*, 2009 SD 81, ¶ 24. In *Armstrong*, the Supreme Court held that because the county commissioner possibly influenced the other board members' votes, the decision of the Board of Adjustment was to be vacated and a new hearing was to be conducted. *Armstrong*, 2009 SD 81 ¶ 32.

The Supreme Court decision in *Armstrong* is very significant. While the Court referenced its prior decision in *Hanig* on numerous occasions, the Court did not once refer to SDCL 6-1-17. It is therefore safe to presume that should the issue of school board member conflict of interest be litigated, the courts will apply the rules set forth in *Hanig* and *Armstrong* and therefore school board members are advised to be familiar with the four types of situations stated in *Hanig* which prohibit a school board member from being involved in the discussion and vote should the school board member have a conflict of interest.

Note that in the preceding statements of law and rulings from the Courts, if a conflict exists, a board member cannot participate in the discussion or vote on the issue at hand. This may include formal and informal discussions of the issue. The best route of a board member is to avoid at all costs the substance of a conflict of interest, as well as, just the appearance of a conflict of interest. It is a matter of integrity of the board member, individually, as well as the Board, collectively.

As school board member conflict of interest issues can arise in different ways, school boards should review their policy related to school board member conflict of interest and should immediately contact the school's attorney should a potential or actual school board member conflict of interest issue arise.

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## **THE SCHOOL BOARD MEETING**

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### **TIME AND PLACE**

The law provides that the school board shall have an annual meeting on the second Monday of July, unless otherwise designated by the board at the prior regular meeting. (See Appendix B for a list of things that must be handled at the annual meeting.) The frequency of meetings depends on the amount of business; if necessary, more than one meeting may be held per month. Each meeting needs to be identified as to the location of the meeting and the time.

If a special meeting is called, each member of the board must be notified with sufficient time to allow the member's presence. Special meetings may be called by the president, or in the absence of the president, by the vice-president, or a majority of the board members. Special meetings should be called only in unusual situations (SDCL 13-8-10).

### **WHAT IS A MEETING?**

According to the Attorney General, an official meeting occurs when a majority of the board is present and official business within the jurisdiction of the board is discussed. If the meeting was not posted, there is a violation of law. Specifically, it is a Class 2 misdemeanor, punishable up to 30 days in jail, and a \$500 fine (SDCL 1-25-1) and (SDCL 22-6-2). If a majority of the board is at a local café, is this a meeting? What if they discuss issues over which the board has jurisdiction? If it is a meeting, is there a violation of law?

If there is a situation with the majority of members present, and business is beginning to be discussed, a member should point out the issue and change the subject to a non-school issue or leave the discussion.

### **OPEN MEETINGS**

All meetings of a public body, including school boards, must be open to the public. An agenda must be posted at least twenty-four hours prior to the meeting, as circumstances allow. The proposed agenda should be posted at the business office of the school district or any other designated location. For special or rescheduled meetings the notice must be delivered in person, by mail, or by telephone to members of the local news media who have requested the notice.

Meetings may be conducted by telephone conference call. Members shall be deemed present if they answer present to the roll call taken over the phone. Except for executive or closed meetings in which a conference call is held, a speaker-phone shall be provided so the public may listen.

The primary purpose of board meetings is to conduct district business. No person should be allowed to participate without the recognition of the chairman or during the public comment section. The public comment time must be limited. No one should be allowed to interrupt or interfere with the school board meeting and interfering persons may be removed from the room.

The public should be aware that it is board policy that an item they wish discussed should go through the proper channels of being placed on the agenda in advance. A policy regarding this procedure should be established.

It should be made clear that even though the board will respond to inquiries made by citizens regarding specific factual information or district policy and is willing to listen to comments on agenda items, they will not discuss new items presented at the meeting without adequate time for investigation. The citizens should be thanked for their interest, told that the matter will be taken under advisement and, if necessary, placed on the agenda for the next meeting.

### **EXECUTIVE SESSION**

Meetings of public boards are to be open to the public except for meetings to be held for the sole purpose of:

1. Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee.
2. Discussing the expulsion, suspension, discipline, assignment of or education program of a student;
3. Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters;
4. Preparing for contract negotiations or negotiating with employees or employee representatives;
5. Discussing marketing or pricing strategies by a board or commission of a business owned by the state or any political subdivision, when public discussions may be harmful to the competitive position of the business; or
6. Discussing information listed in subdivisions 1-27-1.5(8) and 1-27-1.5(17):
  - 1-27-1.5(8)** Information pertaining to the protection of public or private property and any person on or within public or private property including:
    - (a) Any vulnerability assessment or response plan intended to prevent or mitigate criminal acts;
    - (b) Emergency management or response;
    - (c) Public safety information that would create a substantial likelihood of endangering public safety or property, if disclosed;
    - (d) Computer or communications network schema, passwords, or user identification names;
    - (e) Guard schedules;
    - (f) Lock combinations; and
    - (g) Any blueprint, building plan, or infrastructure record regarding any building or facility that would expose or create vulnerability through disclosure of the location, configuration, or security of critical systems of the building or facility;
  - 1-27-1.5(17)** Any emergency or disaster response plans or protocols, safety or security audits or reviews, or lists of emergency or disaster response personnel or material; any location or listing of weapons or ammunition; nuclear, chemical, or biological agents; or other military or law enforcement equipment or personnel

All official actions, including those discussed in executive session, will be taken at an open official meeting SDCL 1-25-2.

It is strongly recommended that the board should not meet in executive session without the superintendent present unless the session is being held to discuss the superintendent's contract or evaluation. The minutes need to reflect the purpose for and time that the board goes into executive session. It is also good practice to show the time when the board closed executive session and returned to open session. All that transpires in executive session is to be considered confidential and should not be discussed with anyone. If a board member is found guilty of violating confidentiality, it is the responsibility of the board to address the issue.

**AGENDA AND PROCEDURE**

An agenda must be prepared for each school board meeting consisting of business to be brought before the board for consideration or action. The agenda should be sent to all board members at least twenty-four hours before the opening of a meeting. Copies of the minutes to be approved and the monthly financial report should also be included. The agenda should be accompanied by copies of important documents, studies bearing on matters scheduled for action, and copies of resolutions, written petitions, communications, statements, diagrams and tables. Copies of the agenda should be available at each board meeting for the public. Materials must be made available to the public under SDCL 1-27-16 except for provisions noted in SDCL 1-27-1.5.

**PARLIAMENTARY PROCEDURE**

Insofar as possible, parliamentary procedure should be observed. School boards are encouraged to establish rules of procedure to conduct business. Roberts Rules would be an example to adopt or modify as noted in board policy.

A majority of the elected school board constitutes a quorum for the transaction of school business. All board actions require a majority assent of the elected school board members unless modified by board action. All members should vote on all issues including the chairman (SDCL 13-16-24) and (SDCL 13-8-10). An abstention is neither a yes or no vote, but recorded as an abstention.

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**TRAITS OF  
PRESIDING OFFICERS**


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The board elects a president and vice president for a one-year term. A board chairman should have leadership qualities to be able to facilitate board meetings in a productive manner. They need to be able to keep the attention of the board focused and the meeting moving in an orderly fashion. The president should utilize parliamentary procedures to conduct meetings and encourage the open exchange of ideas while driving for conclusions and decisions. The board president also assumes the role as the liaison between the remaining board members, the community and superintendent.

It is the duty of the president of the school board to appoint all committees and preside at board meetings. The president, or if absent, the vice president, shall countersign all checks or warrants drawn by the business manager that have been authorized for payment by the school board. The business manager keeps an accurate journal of the board proceedings, takes charge of its books and documents, issues all checks and warrants for the payment of verified vouchers approved for payment by the board, prepares the annual report of the district for the Secretary of the Department of Education, and performs such other duties as the board may require or as required by law.

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## SCHOOL BOARD MEMBER TIPS

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1. **Go slow in the beginning.** The chances are you will feel differently about a lot of things after six months on the board.
2. **Remember that the only authority you have lies in the official action of the school board.** You have no legal authority to act alone unless the board as a whole specifically delegates a task to you.
3. **Avoid personality conflicts.** Nothing is more devastating to good board procedures than to have one member vote for a measure simply because another member votes against it.
4. **Be a good listener.** You may acquire a reputation for wisdom simply by being willing to listen to others.
5. **Refrain from getting involved in teacher/personnel issues whenever possible.** The board has hired a superintendent to manage personnel.
6. **Give the superintendent and staff your public support.** Except in unusual and mitigating circumstances, the superintendent has a right to expect support.
7. **Make an effort to be informed.** School business is always important business. To stay informed requires time and effort so don't be afraid to ask for updates from the superintendent as you feel the need.
8. **Welcome people who come to see you about school problems.** Listen carefully, and then refer them to the appropriate person according to board policy. If the problem is controversial, remember that you may only be hearing one side of the story. Don't commit yourself to a course of action that you may regret later; the board as a whole may not support your view, and you could find yourself in an embarrassing position of having committed yourself to a stand that the board rejects.
9. **When a special interest group approaches, insist on your right to hear and review all the facts before you act.** A vocal minority can push a school board to act before all the facts are known and evaluated. If you are being pressed, tell them that you need more time to make a fair decision.
10. **Embrace your role as a community leader.** You will be expected to attend and participate intelligently in many public meetings on school affairs. This is more than an opportunity; it's an obligation to interpret school issues to an interested public. You may clear away doubts, misconceptions and misunderstandings through ongoing support for education in your communities.

# CHAPTER 3

## ROLES AND RESPONSIBILITIES

### ROLES

The primary focus of the schools is on student achievement and on how every-thing in schools can improve that achievement.

Five major roles are supported by ASBSD for board members. These include:

1. **Set clear expectations**
  - a. Get clear about the greatest student learning needs – the most important content area to improve first
  - b. Believe more is possible and communicate high expectations
  - c. Establish a clear and narrow focus for improvement – clarify improvement goals and specific targets
  - d. Focus on student learning and teaching (improving teaching as the key strategy for improving learning)
2. **Create conditions for success**
  - a. Demonstrate commitment to the improvement focus through board actions and decisions
  - b. Support quality professional development
  - c. Stay the course
  - d. Support & connect with district wide leadership
  - e. Develop and nurture the board/superintendent team leadership
  - f. Ensure all parts of the system are aligned around the learning
3. **Hold the system accountable to the expectations**
  - a. Use data extensively
  - b. Determine what you will accept as evidence of progress/success
  - c. Monitor progress regularly
  - d. Apply pressure for accountability
4. **Build public will**
  - a. Create awareness of the need
  - b. Create urgency around the moral purpose of improvement
  - c. Instill hope that it's possible to change
  - d. Connect with the community
5. **Learn together as a board team**
  - a. Establish board learning time
  - b. Learn together
  - c. Talk to each other – extensive board conversations
  - d. Develop a willingness and readiness to lead and allow others to lead
  - e. Build commitment to the improvement focus through shared information and discussion
  - f. Engage in deliberative policy development – lead through board policies

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## RESPONSIBILITIES

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In order to give the best service to your local community, board members will need to develop skills and knowledge in a variety of areas. The first responsibility is policy-making. This is a board's major function, and the foundation upon which the district's structure is built, is the setting of policy. Policies become the law for the school district. They should be based on the board's vision for the district. Policies areas should include:

- Foundations and Basic Commitments
- Board Governance and Operations
- General School Administration
- Fiscal Management
- Support Services
- Facilities Development
- Personnel
- Negotiations
- Instruction
- Students
- Community-School Relations
- Education Agency Relations

The role of the board of education is not to run the schools, but to see that they are well run.

The second responsibility is designating the superintendent. This is completed by recruiting and hiring a superintendent to meet the needs of the district. Once an individual is hired, the board is responsible to evaluate the performance of the superintendent.

A third responsibility is in planning, goal setting and evaluation. The shared community vision is translated into long-and short-range goals. The board establishes the structure to accomplish the vision with input from community, staff, parents and students. The evaluation is the mechanism by which boards are held accountable to the public for the goals that are set for education in their communities.

A fourth responsibility is in the area of financial resources. The board is responsible to approve and adopt the budget. Much of the responsibility for establishing a structure for the district is affected by the budget.

The next responsibility is with staffing and evaluation. The board should delegate the tasks of recruiting, recommending for hire, evaluating, promoting and disciplining staff (in accordance with board policy) to the superintendent. When negotiating with teacher unions, rates of pay, wages, hours of employment or other conditions of employment, are mandatory items of negotiations.

When considering instruction, the next responsibility involves the board working with the superintendent and staff to set clear expectations or standards and adopt policies based on instructional programs.

Another responsibility is in the area of school facilities. The board is responsible for determining school facility needs and communicating

those needs to the community. This includes purchasing, disposing of, or leasing school sites and approving building plans that will support the educational programs.

The final responsibility for board members is communication with various constituencies. The board is responsible to maintain an ongoing two-way communication with school staff, students and members of the community.

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## ESSENTIAL ATTRIBUTES OF EFFECTIVE BOARD MEMBERS

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Being a successful board member begins with a genuine commitment of striving for high quality public education that supports the full development of all children. There are certain skills and attributes which are consistently present in effective school boards.

1. **Be prepared to participate responsibly.** Do your homework, come prepared to work, remember that sometimes the work is to listen, agree and disagree as your values dictate, and accept that the group decision is legitimate even if it's not your personal choice.
2. **Focus on serving all children.** Ensure every deliberation, decision and action reflects the best interests of every student you serve. No child is more important than another.
3. **Remember that your identity is with the community, not the staff.** It's easy to identify with staff as you probably will have more discussions with them about issues. But you must remember that your job is to serve in trust for the community.
4. **Represent the community, not a single constituency.** You will understand or identify with certain constituencies (parents, neighborhoods or communities, special ed, or others), but you must remember that being a board member means serving in trust for the entire community. You can be from a constituency, but you must not let yourself represent it.
5. **Be responsible for group behavior and productivity.** You are responsible for not only yourself but the group. If the group doesn't do its job, you personally share that responsibility.
6. **Honor divergent opinions without being intimidated by them.** You are obligated to express your honest opinions on issues. Encourage your colleagues to speak their opinions and listen to them carefully and respectfully.
7. **Use your special expertise to help the board.** If you have special expertise (examples: law, accounting, construction) remember that you're not personally responsible for decisions relating to that area. Use your expertise to help inform your colleagues (i.e., help them understand what fiscal health looks like v. fiscal jeopardy) but don't assume sole responsibility for those decisions.
8. **Be aware of the community and staff's perceptions of the board.** If the board is perceived as being unethical, dishonest, secretive or self-serving, whether justified or not, that will become reality for the community and staff. Consider how stakeholders might interpret your behaviors and decisions then act accordingly.

9. **Don't tolerate putting off the big issues forever.** As daunting as the big decisions are, they are the boards to make. What are our core values and beliefs about education in our community? Based on those, where do we put our resources?

10. **Support the board's final choice.** No matter which way you voted, you are obligated to support the board in its decision. For example, supporting board decisions and not your personal preference will assist the Superintendent in carrying out the decision.

11. **Don't mistake form for substance.** Don't confuse having financial reports for having sound finances or having a public relations committee for having good public relations. Beware of the trap of having procedures rather than substance.

12. **Don't expect agendas to be built on your interests.** The board's agenda should be a plan for taking care of the governance of the district. Being a community trustee is very different from seeing the organization as your personal possession. The board's job must be designed to insure that the right of the entire community is faithfully served in the determination of what the district should accomplish.

13. **Be concerned about end means.** Keep the conversation focused on values, mission, vision and goals. Talk with other board members, staff and the public about these matters first and foremost.

14. **Continuously ask of yourself and the board, *Is this board work?*** The deliberations of the board must add value. They must deal with fundamental, long-term issues that require the wisdom and decision-making of a diverse group of people who look at the whole.

# CHAPTER 4

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## THE GOVERNANCE LEADERSHIP TEAM

The board and superintendent have very distinct and separate roles. Together they form the district's leadership team. Before an effective working relationship is established, a superintendent and board must develop a mutual understanding of their respective roles, then review and validate this understanding on a regular basis. An honest and candid discussion of the functions of each other will greatly enhance the partnership between the superintendent and the board.

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### BOARD'S RESPONSIBILITIES

The schoolboard's responsibility should focus on the end results for the district. Questions the board should ask include what, why, how much and how well do we want something completed. In addition, the board needs to establish goals, standards and assurances that these things will happen. The overall responsibility of the board is to vote on issues that will directly impact student achievement.

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### SUPERINTENDENT'S RESPONSIBILITIES

The superintendent is responsible to carry out the policies established by the board. Questions they need to focus on include how, when, where and by whom things will be done. The superintendent needs to establish procedures and strategies while making assignments on how specific tasks will be accomplished. In some cases, recommendations should be provided to the board for approval.

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### WORKING RELATIONSHIP

Research has shown that a positive working relationship between the board and the superintendent can directly impact student achievement. If there is continual disruption between the board and the superintendent, very little will be accomplished and students can be negatively impacted by the lack of harmony and cohesiveness. It is imperative that the board members and superintendent work together to maintain a positive working relationship.

Full disclosure: The cornerstone of a strong board superintendent partnership is the frank disclosure of school problems to the board members. Complete and thorough disclosure requires the superintendent be open and receptive to inquiries from board members, that he or she be knowledgeable about the district's activities, and that he or she provide information as quickly as possible.

**Frequent two-way communication:** The superintendent should provide timely oral and written communications of pending or emergency items. Board members should reciprocate, immediately informing the superintendent of citizen concerns. Before major decisions are made, board members should have an opportunity to read background information, examine alternatives and consider the implications of alternative actions.

**Careful planning:** Careful planning will avoid most surprises. The superintendent and the board should plan together. Planning begins with the board adopting yearly goals for the district. The superintendent oversees the implementation of the goals. This is usually completed through the strategic planning process (See Chapter 8).

#### **WHAT SHOULD A SCHOOL BOARD EXPECT FROM A SUPERINTENDENT?**

- personal integrity and ethics
- a belief that all children can learn
- a readiness to do the job
- the ability to develop, maintain and implement board policy
- sensitivity to board, staff and public feelings, beliefs and commitments
- communication and delegation skills
- prudence in the management of school resources
- long range financial and district-wide planning skills
- the ability to develop relationships with the board
- provides quality, clearly understood, employment recommendations/decisions to the board
- a no surprises philosophy to board and staff relations

#### **WHAT SHOULD A SUPERINTENDENT EXPECT FROM A SCHOOL BOARD?**

- trust, confidence and professional respect
- a desire for fair and honest job evaluations based on agreed- upon criteria
- an adherence to and support for adopted policies
- consideration of staffing recommendations
- members are prepared to do their job
- high standards of ethical behavior
- realism, confidence and patience in deliberation
- educational goals are above personal goals
- a belief that all children can learn
- a no-surprise philosophy to board superintendent relations

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## **SELECTING A SUPERINTENDENT**

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*"As public education has become more and more complex, its management has become more and more difficult. Greater skills are required for the successful management of today's schools. Nothing that the board does is more important than employing and retaining a professionally prepared and dedicated superintendent."*

These words expressed in 1968 by the American Association of School Administrators and National School Boards Association still hold true today. Selecting a superintendent is perhaps the most critical decision a school board makes. Today a superintendent is expected to provide increased leadership in the learning process, become more student oriented, deal with mandated reforms, declining enrollments, mandates for the handicapped, full-scale involvement of the courts in school governance, women's rights and Title IX, and face taxpayers' concerns.

The school board's selection of the superintendent will be a major factor in the success or failure of the board in governing the public schools. Many decisions are made in finding, evaluating and hiring a quality superintendent.

In selecting a new superintendent, the board needs to take a hard look at the vision, mission and goals of the school system; determine what changes, if any, should be made; determine the school district's future needs; then determine the kind of person needed to meet them.

The board must decide whether to do the search itself or to hire a consultant. ASBSD does offer assistance in this process. For a nominal fee, an ASBSD staff member will provide training for the board on the process of selecting a superintendent. All forms and documents for the process will be provided to the district during this training for a board to continue with their search. If a board desires more assistance, ASBSD can assist with the entire search process. Even with outside assistance, the board alone makes the final decision.

Hiring a superintendent may be a difficult task. At the same time it is a rare opportunity for a school board to look at goals, priorities and the entire educational thrust of a school system. Take advantage of this opportunity and the process will more likely result in the correct selection and be one of the more fruitful things you will do for your school system.

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## EVALUATING THE SUPERINTENDENT

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All superintendents new to the school system should be evaluated a minimum of once a semester during the first year of employment. It is recommended that there be at least an annual evaluation thereafter. The evaluation form should be completed jointly in executive session and then time allowed for the chairman of the board to go over the evaluation with the superintendent in the presence of all the board members. There should be an opportunity for discussion of any item which anyone wishes to discuss. The time of evaluation should be a basis for decisions regarding continued employment and salary, as well as a tool to iron out minor differences and open communications. When a board evaluates the superintendent there should also be a self-evaluation. The board must ask itself, what we did to provide a climate within which that individual had a chance of fulfilling our expectations.

A comprehensive superintendent evaluation process should:

1. Link to academic, social and emotional growth for all students in the system.

*Rationale:* Accountability must include multiple measurers of whole student learning.

2. Recognize the importance of a superintendent's work in the moral dimensions of leadership to facilitate a better quality of life for all groups, both inside the school community and in the greater community.

*Rationale:* The larger work of the superintendent is about shaping the future of the community and having a positive effect on people's lives.

3. Provide research-based criteria reflective of professional standards for superintendents which are supported by measurable data from multiple sources and are legal, feasible, accurate and useful.

*Rationale:* Standards of any kind are only effective if they meet suitability, utility, feasibility and accuracy measures. (Examples of multiple data sources are a superintendent self-assessment; a portfolio compiled by the superintendent; the school improvement plan; documents that address previous goals, school board meeting agendas, etc.)

4. Provide opportunities for personal and professional growth.

*Rationale:* Evaluation processes must address the whole person and be oriented toward continuous improvement.

5. Be ongoing and connected to district/school improvement goals.

*Rationale:* An evaluation is a process, not a once a year conversation, and must be embedded in district's goals and school improvement plans.

6. Connect the district's goals with its publics' vision for their schools.

*Rationale:* Goals cannot be developed in isolation; district goals must reflect the community's highest hopes for its public schools and students.

7. Be intended to improve performance not prove incompetence.

*Rationale:* An effective evaluation process is established on a spirit of providing feedback for growth, not on finding evidence of shortcomings. If a board is considering evaluation for the purposes of termination, other processes should be employed.

**ASBSD** and School Administrators of South Dakota (**SASD**) have jointly developed an evaluation tool for superintendents. This can be found on our website on the **Publications & Forms** page under the Superintendent Evaluation Resources heading.

# CHAPTER 5

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## POLICY DEVELOPMENT

One of the most important duties of the school board is to establish district policy. Policies set the direction and structure of the district. They are the means by which the school board's vision and goals are turned into action and provide a bridge between the board's goals and everyday school administration.

Written board policy shows the school district is well managed and informs the community of the district's intent, goals and objectives. It establishes an equitable and safe learning environment for students and employees, and moves the school district toward its vision.

The need for a specific policy typically arises out of a district need or change in state or federal law. Ideas for new policies can also be brought to the board's attention by a board member, school employee, student, and parent or community member. Because policy-making is central to the board's governance and oversight responsibilities, it is imperative that adopted policy be clearly written, up-to-date and legally viable. The board and staff have specific roles in policy development, adoption, implementation, review and evaluation.

- Policy development is a cooperative effort involving the board, the staff and the community.
- Policy adoption is the responsibility of the board.
- Policy implementation is the responsibility of the superintendent and staff.
- Policy review and evaluation is the responsibility of the board based on information received from the staff, community and other resources.

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## POLICY DEVELOPMENT PROCESS

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Policy can head off a crisis, minimize legal risk and create a safe, equitable learning environment for all children. The policy making procedure generally consists of eight steps: Research, discussion, drafting, readings, adoption, dissemination, implementation, and evaluation/revision (see CHART 1).

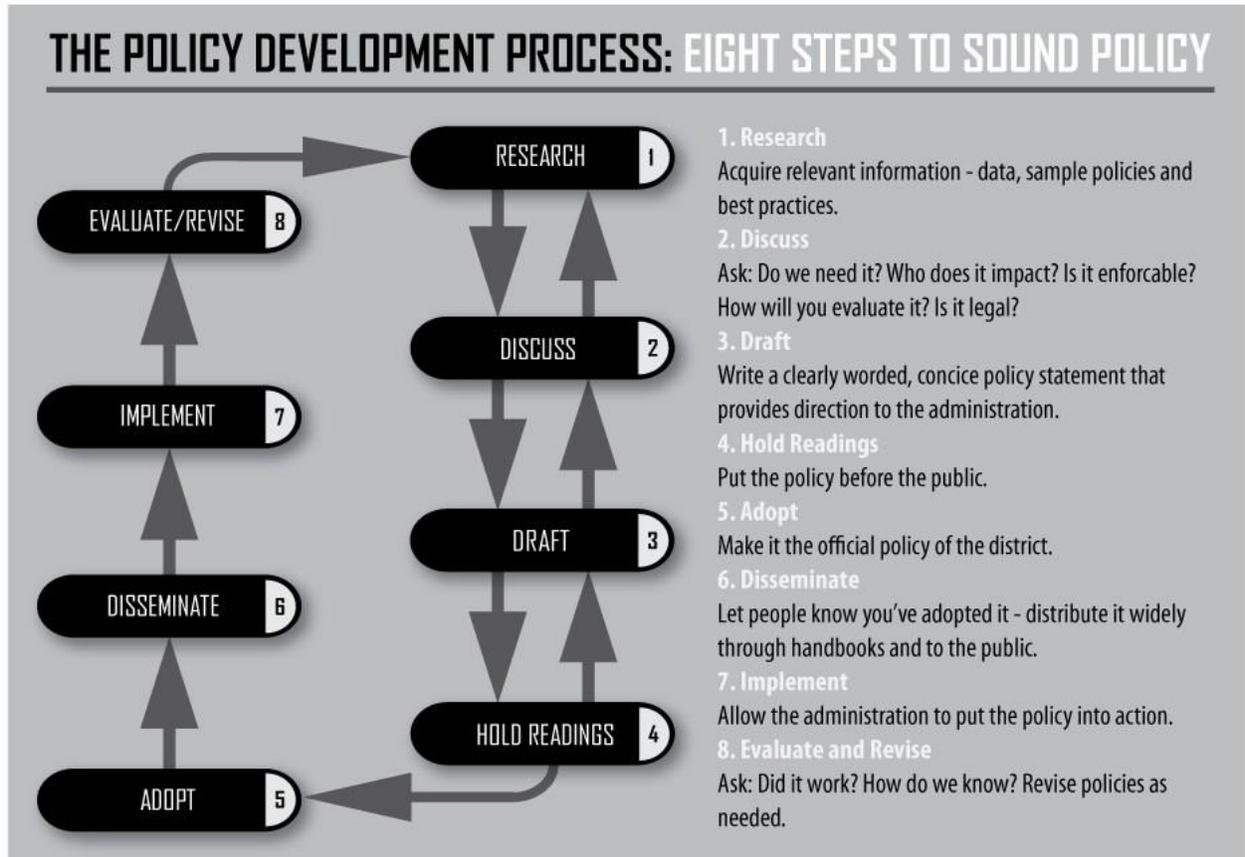


CHART 1: Policy Development Process

The first step is gathering information on the issue to be addressed through policy. Information can be gathered from a variety of sources. The administration is often assigned to gather information about the subject, but board members may be involved in data gathering if they wish.

Board members can start by analyzing their current policy or obtaining copies of other school districts' policies. Members can also review board minutes and administrative actions relating to the proposed policy. Another way to find information is to consult with legal or policy experts, such as the school attorney.

School boards should consider gathering information from state and federal entities on regulations for any mandatory, permissive and prohibitive directives in accordance with the issue surrounding the policy.

As part of the information-gathering phase, organizations, personnel and other groups that will be affected by the policy should be contacted for their views. Asking for input from affected groups early can prevent problems and criticism later.

The board, after reviewing the pertinent information, must determine and agree to the basic elements and direction the new policy will take to meet the needs of the school district. The administration is then responsible for drafting a policy statement reflecting these key factors. Policies developed by the administration are returned to the board for discussion, additions or changes. At this point, if the board decides it is necessary, an attorney can examine the recommended policy.

Most board policies require at least two readings at board meetings before adoption. This provides two opportunities for comments. At the second reading the policy is adopted, and the new policy is entered into the policy manual.

Once the school board has adopted the policy, it becomes the responsibility of the superintendent to implement it within the district. The superintendent and other administrators are given the authority to make the necessary regulations to ensure the policy is carried out in the best way possible at each school.

Even after the board has developed policy, development continues. Laws change, needs change, communities change. It is the responsibility of the board to review district policy throughout the year and determine whether revisions are necessary. Board members can ask the superintendent to provide information and feedback on the success of implementation, and offer suggestions for revisions.

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## **THE POLICY MANUAL**

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When policies are updated or added to the district's policy manual, the same format is used on the other policy statements in the manual for location of the title, the adoption and revision dates, the code number, legal references, and policy cross references.

Adding cross references enable the user to obtain a full picture of the board's position on an issue. Legal references assist board members and the administration in finding the legal support for the board's action.

A three-ring binder with an easy to use codification index, such as the NEPN (National Education Policy Network) code system, is the best type of manual to have. Revised and new policies are distributed to each board member and administrator so that all copies of the board policy manual are alike. On line policy manuals should also be updated. ASBSD does provide an online policy manual of sample policies for all boards to access and use.

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## **DEVIATION FROM POLICY**

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Well-written policy will stand the test of many different kinds of demands and variables. Yet it is almost impossible to foresee all of the situations for which policies will be needed. For instance, transportation policies might have to be deviated from because of the weather, fuel shortages or a breakdown in equipment. New policies become necessary due to changing times or changing community attitudes. If the board finds it is regularly deviating from policy, it is time to study the old policy, determine why the deviation is occurring and either modifies the policy or the pattern of deviation.

## POLICY VS. REGULATION

Boards govern, superintendents administer. Words like these make it sound easy, but the role of school boards can often be confusing when developing policy.

The difference between policy and regulation is in the details (see CHART 2). Policies should be brief, broad and focus on the end results that the district wants to accomplish. Regulations, by contrast, set forth the detailed mechanics and the step-by-step procedures for implementing policy statements. While boards adopt policy, it is the job of the superintendent to establish regulations.

Board members should be concerned with the duties that identify a need or goal and developing corresponding policy and then modifying the policy based on administrative feedback. Administrators, on the other hand, are responsible for the regulatory tasks. These tasks include developing procedures, guidelines and rules that carry out the intent of the policy, enforcing the policy and evaluating the success of the policy.

By keeping focused on governance and not regulation, the board is freed from a myriad of details and the superintendent gains flexibility to implement the policy in a way that works best for each school.

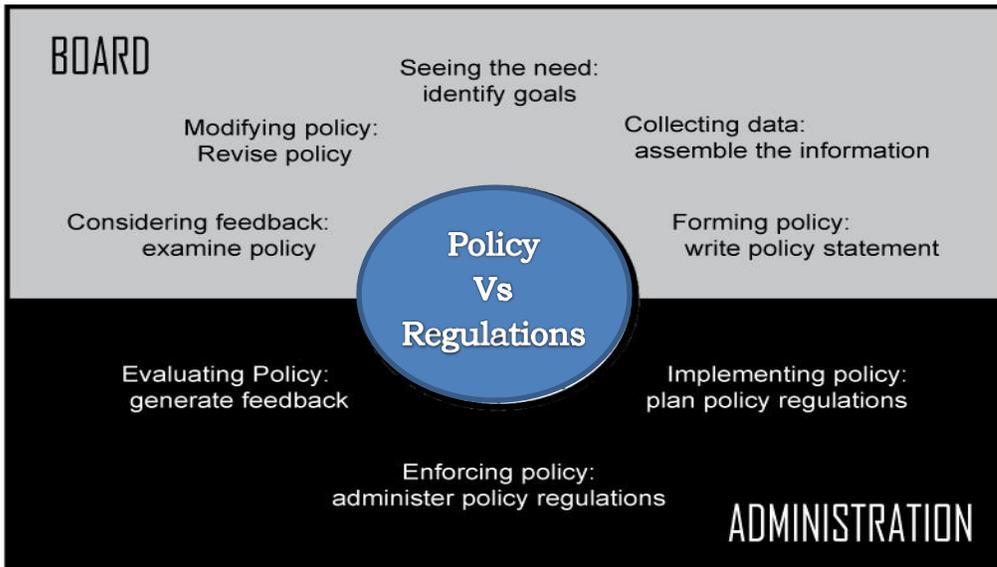


CHART 2: Policy Development

# CHAPTER 6

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## STUDENT ACHIEVEMENT

A primary duty of a school board is to positively impact student achievement and that requires strong and effective school boards to set student achievement goals, evaluate progress toward goals, and deal with the pressures such as state rules and federal mandates. Administrators recommend to the school board what is taught, how it is taught, when and where it is taught and materials to be used.

To accomplish goals leading to high student achievement levels, a strong leadership team commitment and a focus on the appropriate roles and responsibilities is required. School district leadership team decisions must be data and research based. Leadership teams must constantly revisit the way they do things and to be certain the results are acceptable. However, school boards continue to work at the policy level while the superintendent and administrators work at the tactical and operational level. Teamwork and trust are absolutely necessary to ensure conditions in the learning environment that positively impact teaching and learning.

Great school boards lead their districts by making policy decisions that articulate the board's vision concerning student learning and achievement and by being public school advocates. They define an environment that encourages high student and staff morale, optimum performance and strong community support.

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## RESEARCH AND DATA

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To make these decisions board members must have a grasp of the research and data related to student achievement. School boards hold student achievement as a central school governance focus. Passage of federal and student achievement accountability provisions elevated the need for boards to focus on student achievement levels. School leadership research identified the important role school boards play in improving student achievement. Research findings (i.e. Lighthouse Study by IASB, Key Work of School Boards by NSBA and the 2006 McRel meta- analysis of 27 studies by Waters and Marzano) show a positive correlation between board leadership and student achievement.

Significant leadership practices were identified in the McRel study that correlated the board's role and student achievement with a clear alignment of board, district and school efforts supporting non-negotiable goals and maintaining focus (not allowing other initiatives to detract from goal accomplishment). These studies identified the coordination of policies and practices to support student learning with the strong implication that this is a leadership role only locally elected school boards can fulfill.

### **STATE ACCOUNTABILITY REQUIREMENTS**

Education standards are statements of what students should know and be able to do at various stages of their education. South Dakota uses content standards to refer to the content of the school curricula and performance level to refer to how well students are doing on the content standards. The South Dakota State Board of Education has adopted model state content standards in the core disciplines.

### **MEETING HIGHER EXPECTATIONS**

Economic and technological changes in the nation, state and local communities create a need for students to be prepared for endless possibilities. Students must graduate from high school prepared for an increasingly challenging future. Students taking rigorous courses in high school will help in their preparation.

State and local policymakers acknowledge the importance of obtaining core competency skills to succeed in the 21st century, including proficiency in math, science and written and verbal communication. The challenge is to address these skills in a system where there are multiple and diverse pathways to a high school diploma so that more students will successfully complete high school.

In the face of this challenge, it is now more important than ever to recognize and build upon the positive relationship between school board effectiveness and student achievement. The work of the school board is commonly defined in terms of processes rather than results: running a successful meeting, working well with the superintendent and relating to the community. While these components of board work are important, boards can and should make student achievement their ultimate goal. When they do, they can make a significant difference in the performance of all students.

The powerful influence of the board on student learning was revealed by recent research that studied the school board- superintendent teams in districts in which student achievement was unusually high over a period of several years. Those boards associated with higher student performance share a set of characteristics (The Iowa Lighthouse Project 2002-2007):

- They have very high expectations for students, regardless of socio-economic status, and believe it is the job of the school system to reach all students and make them successful.
- They create an urgency to improve and a climate in which increased student performance is imperative.
- They are highly knowledgeable about topics that impact student achievement, such as curriculum, instruction, assessment, district and school goals for improvement, and the staff development efforts underway in their district.
- They understand the board's role in supporting and sustaining initiatives aimed at improved achievement.

- They view improvement efforts systemically, seeing connections between efforts underway across the district.
- They routinely monitor progress toward district achievement goals and make changes in direction as a result.
- They encourage efforts to upgrade teaching/administrative skills and create a supportive workplace.
- They connect with, listen and involve their communities.

# CHAPTER 7

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## PUBLIC RELATIONS

Positive relationships are the foundation of effective board work. Without them, even the best plans cannot take root. In order to maintain the support needed for a successful school district, the local board of education must build productive working relationships internally - with each other, the superintendent, and the staff - and externally - with parents, the community, other local government officials, and state and federal officials. A successful board devotes a significant amount of time and attention to its relationships with others.

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## INTERNAL RELATIONSHIPS

### BOARD MEMBER RELATIONSHIPS

The board must develop mutual understandings among its members if it is to function effectively. It is advisable for the members to establish ethical standards of operation that each member would expect the others to observe. Board members have individual convictions and ideas, and they will not always be in agreement on issues that come before the board. If these differences are allowed to create animosities, the work of the board can be seriously hampered. Each member of the board has an equal right to be heard on matters of concern to the board. In the same manner, each has an equal responsibility to do a fair share of the work, to follow the policies developed by the board as a whole, and to accept his or her share of the criticism when the board is under fire. The board must work as a team and take credit or blame as a team.

### WHEN BOARD MEMBERS DISAGREE

School districts can function effectively and efficiently even when the board arrives at a decision through a split vote. In some cases, when controversial issues are before the board for consideration, the healthy discussion and debate that surrounds an issue may lead to a better board decision. It also lets the community and staff know that the board considered all viewpoints and information before making its decision.

As a matter of ethical practice, board members should be prepared to accept decisions made by a majority vote. It is destructive for members who disagree with a majority decision to use the issue to promote community unrest and dissension. People who are sincerely interested in the welfare of the district can disagree on issues without destroying their capacity to work together if ethical practices are observed.

**BOARD AND SUPERINTENDENT RELATIONSHIP**

If the school district is to be operated effectively, it is essential that there be an understanding among board members and the superintendent regarding the functions and responsibilities of the board as compared with the functions and responsibilities of the superintendent and the administrative staff.

Two basic responsibilities of the superintendent are to serve as principle adviser to the board on all matters having to do with the district, education in general, and to serve as the executive administrator of the district, charged with the responsibility of seeing that the policies and directives of the board are implemented.

The school board, as a body, serves as a representative of the community in providing direction for district programs and assuring that the school system is successfully operated. In fulfilling this responsibility, the board concerns itself primarily with establishing policy, planning school services and evaluating the quality and effectiveness of services provided by the district.

In all of its work, the board should expect assistance, cooperation and professional leadership from the superintendent. The superintendent should interpret the work of the schools to the board of education so that appraisal is possible. The superintendent should be expected to recommend changes in the programs and policies of the district whenever it is felt that such are needed. Without exception, the superintendent should put into effect the policies and plans adopted by the board.

In many cases, strained relationships between the board and the superintendent are caused by misunderstandings or disregard for the responsibilities which each is expected to assume. Board members are encouraged to discuss these issues with the superintendent. The board should assist the superintendent by ensuring that none of its members violates the understandings of a working relationship.

**BOARD AND STAFF RELATIONSHIPS**

The employees of the district can serve as an army of goodwill ambassadors for the district if the board makes sure it has good relations with staff. All district personnel, both certified and classified, should be governed by written policies covering such items as duties, salaries, insurance, absences, leaves, resignations, dismissal and other items applicable to a particular group. When the teachers, administrators and support personnel are well informed about the policies of the district and are proud of the work they are doing, they tell their friends and neighbors and do much to instill a positive public image with respect to the schools.

It is recommended that the board pay attention to the need for establishing appropriate avenues for communicating with administrative personnel as well as certified and support staff. Generally, board-staff communications are coordinated through the superintendent. In particular, all official communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent.

School board members are certainly invited to visit schools. Individual board members interested in visiting schools and classrooms or in volunteering should make arrangements for visitations through the principals of the various schools with the full knowledge of the superintendent and fellow board members. Such visits should be regarded as informal expressions of interest in school affairs and not as —inspections or visits for supervisory or administrative purposes. Information gleaned from school visits should be shared with the full board/superintendent team. Staff and board members share a keen interest in the schools and in education. Board members should be cognizant of proper communication channels, even in informal settings.

Positive relationships are also reinforced when board members refer employee or public complaints to the appropriate authority. A good concept for board members to remember is that they are board members only when the board is in session. When confronted with a personal complaint from an individual, your job is to listen and politely refer the individual to the appropriate staff member, whether it be a teacher, principal, counselor or superintendent, for resolving the problem or concern at the lowest level possible. It is important to encourage citizens to follow the proper chain of command in order to allow a concern to be addressed effectively.

#### **NEGOTIATIONS AND HIRING**

The faculty, including teachers and other certified staff, comprise the largest single group of employees within a district. Each employee has the right to expect clearly stated personnel policies and procedures that express the district's recognition for his or her position. For districts that have bargaining units, most personnel issues are addressed by the collective bargaining agreement. Board members, administrators and employees need to know the content of the agreement to effectively operate the school district.

Board members may be involved in recruiting and selecting key employees such as the superintendent or perhaps business manager. All other personnel should be recommended by the superintendent to the board for approval of hiring.

ASBSD staff members are available by phone to answer questions which may arise during the course of negotiations. ASBSD provides in-depth training and consultation to assist school boards in this important responsibility upon request.

In maintaining productive relationships with school employees, your board must establish itself as a firm, objective and fair entity; an employer that can be trusted by its employees. Toward this end, sound management principles support the practice that when policies are made that affect school personnel, procedures should be available to provide the employees with input in the policy-making process.

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## EXTERNAL RELATIONSHIPS

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Schools are the heart of South Dakota’s communities. It is common in South Dakota today for a school district to serve several communities. These situations require greater efforts to gain a consensus on the values of the school community. Ownership and pride among patrons evolves as students represent them academically and through co-curricular activities. Thus, a good understanding of external relationships is important.

Who is a stakeholder? Everyone in your school community: citizens with or without children in the schools, teachers, students, the media, business owners, medical community, civic leaders, service organizations are all stakeholders in your schools. Our communities, state and nation benefit from the products of the public schools.

Because public schools are dependent upon society at large for financial support, boards should make communication and relationship building a high priority. School board members should be serious about their responsibility to understand the community values in order to maintain effective external relationships with all stakeholders.

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## TYPES OF COMMUNICATION

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The media should be kept advised of major school district initiatives, district accomplishments, scheduled activities in the district and other news-worthy issues.

Board members must consistently work to enhance relationships with the community and constantly strive to build their skills in order to create and maintain effective external relations. Some sound strategies for good external relations include:

- **Formal written communications:** Written communications such as a district newsletter or school website allows you to present a clear message to the community.
- **Formal personal communications:** It’s important to remember that every communication – including e-mails and personal letters – is an opportunity to communicate or reinforce key messages.
- **Share the good news:** Great things happen in the district’s classrooms every day, so you should formalize a process to share the news with as many people as possible. Inform local media of what’s going on at the schools, invite students to be honored at board meetings or start a student appreciation day.
- **Don’t forget to talk ‘big picture’:** Take every opportunity to share the district’s vision, mission and goals with stakeholders.

- **Create whole-board listening opportunities:** Provide time at each board meeting for an open forum that gives stakeholders an opportunity to directly communicate with the board.
- **Be proactive:** If you find that community participation is lacking, don't get frustrated, get proactive. Personally invite individuals to school board meetings and ask them to share their views on a particular topic.
- **Reach out:** If you have an important topic facing your school, solicit community leaders for their input. Ask them to serve on a volunteer committee and reinforce the importance of their contribution.
- **Improve accessibility:** School board policies are important to the district, but their impact is minimized if they're sitting in a manual on the shelf and not easily accessible. Instead, put policies on the Internet so the community has full access. It's always a good to consider ways the school board's work can be more accessible.

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## COMMUNITY RELATIONS

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If you've just weathered a crisis or failed in a tax election, you may be painfully aware of the need for an organized system of public relations for your school district. If not, you may be lulled into thinking you don't need to spend money on PR because everything is going okay. Don't be fooled.

Positive community relations are as essential to student achievement in the school district as well-articulated curricula, and neither should be left to chance. An effective school district public relations program creates an environment in which the district can achieve its goals. It also demonstrates a school district's accountability to the taxpayers of the school district.

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## MEDIA RELATIONS

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Television, radio and newspaper representatives have a responsibility to the public to report what they see and hear. What they report in the news and what they say in their editorial comments influences the public's attitude toward the schools. If media attend board meetings and observe trivial matters being discussed, that is what they will present to the public. If they attend a meeting and observe dissension, then news reports will reflect that dissension. If the media representatives hear discussions of significant issues along with constructive debate, there is a better chance for meaningful coverage of school issues.

A media plan allows the district to be proactive with the news media and often results in more favorable story placement and opinion editorials. The absence of a plan often renders the district reactive to the media. The board should ask the superintendent to direct staff to develop such a plan.

The plan should include a clear definition of district spokespersons for communicating with the news media. In general, school board members should speak to the media only on board or board policy issues. It is advisable that the board president or another designated board member serve as the official spokesperson for the board, and that individual board members publicly support decisions of the board when questioned by the media. The superintendent or designated district staff members should speak to the media on all other district matters.

In addition, the district's media plan should include strategies for building positive working relationships with media representatives. The media should be kept advised of major school district initiatives, district accomplishments, scheduled activities in the district and other newsworthy issues. Similarly, when crises arise or there is bad news to report, the media should be given factual information in a timely and fair manner. The district's media relations plan should outline steps to be taken in reporting to the media during a crisis.

# CHAPTER 8

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## STRATEGIC PLANNING

Planning to plan is as important as the actual plan and is essential for success. Planning models share common elements, but vary to meet local needs. School boards predetermine: needs, resources, operating constraints and choose a model to best serve a board's needs. Stakeholders may not understand the planning process, but they expect effective planning that produces results for their children. Key elements of effective planning models include:

- Plan to plan by establishing a coordinator and planning team.
- Develop and articulate the mission of the organization with clearly focused goals.
- Develop procedures for involving stakeholders in the planning process.
- Collect broad-based information about the district and school community.
- Use credible needs assessment data to establish timely and effective action plans.
- Organize a process to assess progress toward the goals and success of the plan.

Constant communication with all of the stakeholders in the school community throughout the planning process is absolutely necessary. The district leadership team requires the support of the school community to successfully lead the district into the future. Successful leaders communicate the vision, mission and goals of the school system to the public through a variety of informational methods and by their actions and understanding of student achievement a plan is created.

Strategic planning involves a board's ability to predict future conditions of the world in order to create a school system that will meet needs of students to compete.

Noted in CHART 3 are the role and responsibilities of the school board, superintendent and teachers in regards to strategic planning.

Board of Education Strategic	Administration Tactical	Teachers Operational
Sees the big picture- the 50,000 ft. view	Sees the wide-picture – the 10,000 ft. view	Focuses on the small picture – is the point of impact with children
Overlooks the entire school organization and sees how the parts relate to the whole	Coordinates the component parts of the organization	Coordinates a specific part of the organization
Focuses on representing the community’s needs and interests	Overlooks schools and departments	Overlooks a classroom, department, or teaching team
Looks to the long term, usually 3-5 years	Focuses on working with constituent groups (parents, students, staff)	Focuses primarily on the students
Provides overall structure at a district-goals level	Looks 1-3 years ahead into the future	Looks days, weeks, months, or, at most, 1 year into the future
Sets clear targets for improvement	Provides structure at district and school levels	Provides detailed structure at a classroom level
	Creates and deploys plans that will lead to improvement	Refines, and adjusts plans, so that improvement will result

CHART 3: Strategic Planning

# CHAPTER 9

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## FINANCE

The citizens of the district expect efficiency in the operation of the schools, and they expect the board and administration to be accountable for use of the district's money. There is more to the board's role in fiscal management than oversight responsibilities. It is up to the board to set priorities that are reflected in the budget. How a district uses its resources sends a message to staff and constituents as to how serious the board is about its goals.

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## BUDGET

One of the most important documents a school board can adopt is their annual budget. A budget is the operating plan for the fiscal year. The revenue portion of the budget provides the means of finance noting the available revenue sources. The expenditure part of the budget provides the summary of the proposed expenditures for the new fiscal year. Public schools are financed by revenue received from local, county, state and federal sources; by other sources such as the sale of bonds, borrowing money by issuing promissory notes, the sale of property, and insurance adjustments.

A proposed budget for the next fiscal year needs to be completed no later than the regular meeting in the month of May. The annual budgeting process involves three phases: preparation, adoption, and execution. The preparation phase is generally the responsibility of the business manager and the superintendent. The adoption phase is the responsibility of the board of education. The execution phase is after the budget is adopted. This phase provides authority for the administration to make expenditures for various activities of the district in conformity with the budget and any supplements adopted.

A means of providing additional revenue for a school district general fund is the school board may impose an excess tax levy (opt-out). The governing body of a school district may impose the excess tax levy with an affirmative two-thirds vote of the governing body on or before July fifteenth of the year prior to the year the taxes are payable. On any excess tax levy imposed after July 1, 2002, the governing body of the taxing district shall specify in the resolution the year or number of years the excess tax levy will be applied.

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## FUNDS

There are several funds authorized by state law. It is important for board members to understand the major funds within your district. The number following the name of the account is the number assigned by SD DOE for proper budget coding.

**GENERAL -- FUND 10**

The general fund of the school district is a fund to account for the financial resources to meet the operational costs of the school district provided by law. Capital acquisitions of \$1,000 or less may be paid from the general fund. Capital acquisitions above \$1,000 must be paid from the capital outlay fund capital. Acquisitions addressed in IEP's that are special education in nature may be paid from the special education fund.

**CAPITAL OUTLAY -- FUND 21**

The capital outlay fund of the school district is a fund provided by law for the purchase or lease of land; improvements of grounds; construction of, additions to and remodeling of facilities; for purchasing textbooks and instructional software; or for the purchase or lease of equipment. School districts are allowed to expend capital outlay funds (not to exceed 15% of the contract amount) for contracting or leasing buses. The school board of any school district of this state may at its discretion authorize an annual levy of a tax not to exceed \$3.00 per thousand on the taxable valuation of the district for the capital outlay fund. The use of capital outlay funds is governed by law for each school district.

**SPECIAL EDUCATION -- FUND 22**

The special education fund was established to pay the costs for children in need of special education or special education related services. Each school district shall provide all of its resident children in need of special education or special education related services with a free appropriate public education. Capital acquisition needs are addressed in individualized educational plans that may be paid from the special education fund.

**DEBT SERVICE FUND – FUND 30**

These funds are used to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest.

**CAPITAL PROJECT FUNDS -- FUND 40**

These funds are to account for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds or in trust funds for individuals, private organizations or other governments.)

**PERMANENT TRUST FUNDS – FUND 45**

These funds are to account for resources that are legally restricted to the extent that only earnings, and not principal, may be used for purposes that support the reporting government's programs – that is for the benefit of the government or its citizenry.

**ENTERPRISE FUNDS – FUND 50**

These funds are to account for operations (a) that are refinanced and operated in a manner similar to private business enterprises -where the intent of the governing body is that the costs (expenses, including depreciation) for providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges; or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes.

**FOOD SERVICE – FUND 51**

This fund is used to record all the financial transactions relating to the food service operation in the school district.

**AGENCY FUNDS – FUND 65**

Student activity accounts are agency funds within the fiduciary broad fund category of the school district. It is encouraged that each club annually certify to the business manager who the club officers are, who the advisor is and the general activities of the club. As a means of providing controls over club monies, the club treasurer shall reconcile their cash balance to the business manager's cash balance on a monthly or regular basis. Also, all vouchers shall be signed by a club officer prior to payment by the business manager.

**OTHER FUNDS** may be necessary to appropriately account for the programs and funds of the districts. We recommend referring to the School Accounting Manual prepared by the Department of Legislative Audit for guidance in establishing the fund structure.

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## **SOURCES OF SCHOOL DISTRICT FUNDS**

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School district funds are all moneys received by the school district or schools within the district or as a result of an activity carried on by the school. These funds come from the following sources: income from school property; school district borrowing through bonds or promissory notes; taxes; funds received from federal, state, or other political subdivisions; funds received from individuals or organizations through paid admission payments for materials, services, gifts or trusts; funds received from fines and penalties; and any other funds received by the school district or schools from any other source.

The general fund state aid formula is the process used by the state to equalize funding to school districts on a school districts fall student count conducted on the last Friday in September. This is also where the wealth of the district and the corresponding taxes generated come into play in the funding equalization process.

Taxes levied by the school district are based on the taxable valuation within the district. The levy amounts are provided by the legislature each fiscal year as part of the state aid formula. Current taxes are divided into prior years and current years as the school district fiscal year spans two tax years. Generally the district receives 95% of the taxes levied in the year levied.

The first half of the school year the taxes are from the prior year's levy. The district receives 48% of their local tax revenue during this period. The second half of the school year the taxes are from the current year's levy funds the school budget. The district receives 52% of their local tax revenue during this period.

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## **AUDITING**

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Strong lines of communication between the school board and the auditor it has hired, ensures taxpayers that their funds are being well cared for. The overall responsibility for the review of the financial affairs and reporting to the public at large is one of the most important roles of the board of education.

The intent of the audit serves to attest to the accuracy of the financial reporting and fiscal status of the district. After reviewing the district's records and verifying the accuracy of the financial numbers for the prior year's activity, the work of the board and its auditor is just beginning. The next steps should include:

- A presentation of the results of the audit in public session. Discussion topics would include areas that are being managed well and concerns or areas where the district might benefit from additional improvements. To generate a good dialogue with the auditor means that each board member should review the management letter to the board of education and the audit document itself. Being prepared for this important discussion means being prepared to ask good questions.
- A discussion with the staff on what the next steps will be to address any issues presented by the auditor.
- Formal acceptance of the annual fiscal year audit during a regular board of education meeting.

The school district shall have financial and compliance audits performed at least every two years. The audits may be done by the Department of Legislative Audit or by a private firm authorized by law to audit financial records of school districts.

### **ANNUAL REPORT TO COUNTY AUDITOR**

The business manager is responsible to report on an annual basis to the county auditor the total indebtedness and the purpose for which issue; the liabilities, assets, resources and expenditures; and the total receipts and disbursements at the close of the fiscal year.

# CHAPTER 10

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## ADVOCACY

At every school board meeting, you make decisions that impact the lives of children in your community. As district leaders, you have the ultimate responsibility to the students in your schools, their parents and the community you serve – which is why a school board member's role as an advocate for public education is a fundamental responsibility of every school board member.

As an education leader, you have firsthand understanding of your district's needs, and how those needs ensure the best education for South Dakota's public school children. You have an important message to deliver to your state and federal representatives, the media and your local community. And, as those locally elected to see to the education of children in your community, you have the political clout to influence both state and national public policy.

Your advocacy efforts are critical because there is a growing need to deliver our message:

*The education of South Dakota's children must be the top priority of our state's policymakers. While many districts face declining enrollments and shrinking budgets, our leaders in the Legislature must understand how the decisions they make impact children in your district. They need to take an active role in the broader political arena to support local decision making. More than ever, it is imperative for school board members to lead the way in advocating for public education.*

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## GUIDELINES FOR WORKING WITH LEGISLATORS

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Never contact public officials to advocate a position without first studying the facts and the arguments pro and con. Know how the legislation has or will affect not only you but, the legislator's district as a whole. Review the economic implications of the measure and consider the cost/benefit ratio of the legislation. Then,

- **Be friendly.** Do not contact public officials only when you want their help. Take pains to keep in touch with them throughout the year.
- **Be reasonable.** Recognize that there are legitimate differences of opinion. Try to understand the problems of your legislator. Never indulge in threats or recriminations.
- **Be thoughtful.** Commend the "right" things public officials do.

- **Be cooperative.** If a public official makes a reasonable request try to comply with it. Provide the legislator requested information even if it might be harmful to your position. It builds trust.
- **Be realistic.** Controversial legislation and regulations usually result in compromise.
- **Be a good opponent.** Fight issues -- not persons. Be ready with alternatives or solutions as well as with criticisms.
- **Be considerate.** Take advantage of any public forums provided by the legislator. If possible visit with him then rather than disturb him at a time he might be busy with other matters.

### **COMMITTEE HEARINGS**

After the first reading, all bills are sent to a committee for hearing. Testimony in a committee meeting can have a very definite influence on the outcome. When testifying before a committee, identify who you are and whether you represent the official position of a group such as your school board. State whether you are testifying for or against the bill. Keep your testimony short and to the point but be prepared to answer questions with accurate facts and figures. Answer questions succinctly and honestly. If you do not know the answer, say so and tell the legislator you will get back with the information -- and do.

# CHAPTER 11

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## ASSOCIATED SCHOOL BOARDS OF SOUTH DAKOTA: A SERVICE ORGANIZATION

Associated School Boards of South Dakota (ASBSD) is a private, not for profit corporation required under the provisions of IRS 501c(3)(h). Local School Boards may choose to become a member of the association and participate in the programs and services provided. ASBSD is governed by an eighteen member board of directors, all of whom serve on a local K-12 school board. The office is located at 306 E. Capitol, Pierre, SD 57501.

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### OUR MISSION, VISION AND BELIEFS

In March, 2012, the ASBSD Board of Directors approved a new set of guiding statements that provide leadership for the organization.

#### VISION

Leadership to Achieve Excellence for SD Public Education

#### MISSION

Partnering...Advocating...Leading

#### BELIEFS

- Every student has a right to a high-quality public education.
- The strength and health of our society depends on quality public education.
- All students can achieve in a culture of high expectations.
- Partnerships maximize advancements in SD public education.
- Governance is best exercised closest to the people.
- Effective leaders value professional growth.

#### TARGET GOALS

1. Provide school board members and board-superintendent teams with valuable leadership development.
2. Deliver valuable, useful and accessible member services.
3. Strengthen broad-based advocacy programs.
4. Increase school board member participation and engagement.

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## ASBSD HISTORY AND DEVELOPMENT

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The earliest historical record of a school board association was provided by Jim Parke, a former Lead-Deadwood Business Manager, dated December 27, 1906 through 1916. During this ten year period Mr. L.A. Fell of Lead served as president of a group of school boards that met to share information and discuss educational issues across the state.

Associated School Boards of South Dakota (**ASBSD**) surfaced as a school board member round table as part of the South Dakota Education Association. The 1935 minutes show board member activities were intended to "improve public education in South Dakota by the exchange of ideas and procedures affecting policies and programs of the state and its school districts and coordination of efforts to improve and encourage public education."

The 1949 Legislature gave ASBSD legal status. Lawmakers gave ASBSD powers to *"prepare, adopt, amend, and repeal a constitution and rules, regulations, and bylaws for its own organization and for its government and guidance,"* authorized boards to pay dues from school funds and send a member as a delegate to ASBSD meetings. The first annual meeting was in Sioux Falls in October of 1949. During this time period, the organization operated under the State Board of Education.

Until an Executive Director was employed in 1955, the elected ASBSD officers conducted the business of the Association. With the adoption of a dues schedule at the 1954 annual meeting, the board of directors established a state office with an executive director to serve member boards and assume responsibility for ASBSD programs. The first office was located in Pierre and Mr. William G. Elliot served as Executive Director. The second ASBSD office was located at Huron and Mr. Gordon Nelson was appointed Executive Director.

The 1976 legislature removed ASBSD as a sub-division of the Board of Education. The organization filed articles incorporating as a private non-profit organization in 1979. The legislature granted statutory authority for school districts to pay dues to an association parallel to other local governmental units.

In 1976 the ASBSD office was moved from Huron to Pierre and Mr. Sam Tidball was appointed as Executive Director replacing Mr. Gordon Nelson. Mr. Tidball oversaw the purchase of an abandoned church which was remodeled for the first owned- offices of ASBSD. Tidball served until July 1, 1991 when he retired.

Upon the retirement of Mr. Sam Tidball, Mr. Gene Enck was appointed ASBSD Executive Director. Mr. Enck oversaw the construction of the ASBSD office building on Capitol Avenue which was first occupied in October of 1999. On July 1, 2004 Gene Enck retired and Dr. Wayne Lueders was appointed Executive Director. Dr. Lueders retired in 2011 and Dr. Wade Pogany serves as the current Executive Director.

ASBSD activities are determined at the annual delegate assembly meetings of the Board of Directors. The Board of Directors consists of 18 members elected by the entire membership for staggered four-year terms. Four directors are elected from each of four regions: Western, Central, Northeastern and Southeastern plus one member each from Sioux Falls and Rapid City.

Though ASBSD board members are elected by school size and region, the responsibilities they have are to all South Dakota K-12 school districts. Their goal is to improve public education. ASBSD has always been a member of the National School Boards Association and sponsors delegates to attend conventions of the National School Boards Association.

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## ASBSD SERVICES

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### BOARD DEVELOPMENT PROGRAMS

ASBSD board development programs fortify the effectiveness of local school board decisions and actions by providing continual learning for local school board members. This learning enables board members to provide a dynamic district vision that inspires the creation of policy, plans, and district support systems, which result in excellent and equitable education.

Specific programs through our Governance Academy for Visionary Leadership (**GAVEL**) are offered to enhance student achievement through:

- Generating skills that develop articulate and realize a vision inspired by the passionate belief that all students can learn at high levels.
- Developing policy and planning expertise, which ensures district conditions that maximize learning.
- Preparing school boards to build partnerships between the community and school district.
- Providing skills and tools for understanding the use of data that result in effective system-wide decision making.
- Clarifying the leadership role of the board in providing effective governance for the school system, and building trust in the leadership team.
- Empowering board members to be visionary champions for the educational needs of children.
- Enabling all boards to act within the law.

Potential programs, including voluntary certification for board members, are considered within the framework listed above. Priority will be given to working with boards in ways that maximize the potential for educational excellence and equity.

The annual state convention features two days of clinics, special interest sessions, and exhibits. It provides opportunities for board members from all over the state to share ideas and become better acquainted.

Association staff members travel to meet with local school board members and administrators to discuss legislative issues, local school district concerns and association activities.

To help educate and inform board members, the Association sponsors training sessions each year that cover: board policy, meeting conduct, fiscal responsibility, strategic planning, community relations and varied educational interests. Workshops or in-service sessions can also be tailored to meet the needs of a board or multiple boards (i.e. board member relationships, long range planning, self-evaluation, etc.).

### **SUPERINTENDENT SEARCH**

ASBSD & Dakota Education Consulting's partnership can assist boards with the most important decision a board ever makes. Staff can provide guidance in the process or can facilitate the process for you. Components addressed include:

- Identifying superintendent qualities your Board wants.
- Assessing community/staff expectations.
- Developing promotional material and advertising the position.
- Screening candidates and checking references.
- Develop interview procedures, questions and schedules.

Vacancies may be advertised with South Dakota Teacher Placement Center and other publications. School boards interested in receiving a superintendent search proposal or retaining ASBSD and DEC's services, should contact Oster by phone at 605-202-0172 or by email at [tom.oster@osterconsulting.com](mailto:tom.oster@osterconsulting.com).

### **PUBLICATIONS/COMMUNICATIONS**

During the legislative session, ASBSD provides regular updates on the status of educational legislation.

The *School Board Handbook* is designed to be a reference tool for board members and includes details of their major responsibilities. The handbook is available on line or can be purchased from the association in hard copy.

### **POLICY AND LEGAL SERVICES**

ASBSD maintains comprehensive policy files and will, upon request, provide advice or sample policies and assist school boards in drafting and revising school board policies. For a fee, ASBSD can provide an audit of your current board policy manual and customize your manual for your board to review and consider. The ASBSD policy manual is available for free online for all member school districts.

**THE ADVOCACY ROLE**

ASBSD is an advocate for public education. Legislation is closely monitored, keeping local boards informed of education legislation. As the unifying voice for school boards and public education on legislative issues, ASBSD also provides information to keep legislators informed on all education issues.

At the annual meeting of the delegate assembly of ASBSD the voting delegates from each member district vote on resolutions and standing positions that form the basis of the legislative position of the Association. Boards recognizing a pressing need for legislation may submit a resolution to the delegate assembly. Once a resolution has been approved at the Delegate Assembly, the ASBSD staff researches the issue, drafts a bill and finds legislators willing to sponsor the bill.

During the legislative session ASBSD keeps track of the progress of bills affecting education and provides legislative information to board members and administrators through our Bill Tracker, which can be found at: <https://asbsd.org/index.php/services/billtracker-2/>.

The Association has staff available during the session to provide information to legislators to apprise them of the Association's position on various issues. Go to our home page at [www.asbsd.org/advocacy](http://www.asbsd.org/advocacy) for more information.

**DELEGATE ASSEMBLY**

The Delegate Assembly is held for a half day in Pierre every year. Each member school board is entitled to one voting delegate. Delegates from each member school district are invited to the delegate assembly to consider and vote on standing positions and resolutions to provide direction to the Board of Directors and ASBSD for the next year. These are presented to the: Governor, Legislature, State Board of Education and other organizations impacting the policy making sphere of local school boards. Delegates also select regional school board members to run for positions on the ASBSD Board of Directors.

**PROTECTIVE TRUST MANAGEMENT**

ASBSD Protective Trust Services are involved in researching and offering risk management programs that provide the best coverage at the lowest premium. The three programs offered include: Health, Workers' Compensation and Property/Liability. These programs are designed to reduce the burden of government.

**SOUTH DAKOTA TEACHER PLACEMENT CENTER**

ASBSD Board of Directors believes this service is essential to teachers, administrators and school boards of South Dakota. A service fee is charged to school systems using the service which is available entirely by e-mail and web site. This service provides a vehicle to bring district vacancies and job applicants together.

**OTHER SERVICES**

BuyBoard is an online purchasing cooperative designed to streamline the purchasing process and help districts make confident buying decisions while giving districts flexibility and additional options in purchasing. Find more information at: <https://asbsd.org/index.php/services/buyboard/>.

Quorum is a paperless board meeting service for association members. Find out about the service at: <https://asbsd.org/index.php/services/quorum/>.

ASBSD has continued its partnership with the School Leaders Risk Management Association (SLRMA) to provide our member districts FREE access to a variety of checklists and best practices focused on school board and district protection. Learn more about SLRMA at: <https://asbsd.org/index.php/services/slrma/>.

The p-Card program operates like a credit card, but without the hoops to jump through when dealing with the credit line, and allows administrators to customize purchasing authority and spending levels to fit their district.

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## **NATIONAL SCHOOL BOARDS ASSOCIATION**

The National School Boards Association (NSBA) represents school boards at the national level. NSBA, headquartered in Alexandria, Virginia, is a federation of state school board associations. A significant portion of its activities are directed to the needs of local school boards and individual school board members. Through the ASBSD's membership in NSBA, all local school boards in good standing in ASBSD are members in NSBA and eligible to participate in all NSBA programs.

At the national level, NSBA stands as the principal advocate for the concepts of local control. One of the more visible functions of the National School Boards Association is the annual NSBA conference—an activity in which thousands of school board members participate each year. At the conference, representatives of each state association serve as delegates to the NSBA Delegate Assembly, which establishes policies and programs of the NSBA for the coming year.

NSBA is substantially involved whenever education policies for the nation are being considered, and its programs and activities are of significant value to school board members everywhere. NSBA is the publisher of the *American School Board Journal*, the most widely distributed education magazine in the nation.

# CHAPTER 12

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## **QUASI-REGULATORY ORGANIZATIONS**

There are several organizations, which affect the operation of the school system. The basic philosophy of each of these organizations is to improve the quality of the educational experiences of the student.

It is not the intent of this section to provide definitive knowledge of these organizations. Your superintendent can provide you with additional informational material, which will give you a better understanding of each organization.

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**PROFESSIONAL TEACHERS PRACTICES AND STANDARDS COMMISSION (SDCL 13-43-16 THROUGH 13-43-25, 13-43-28, 13-43-28.1 AND 13-43-30).**

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The 1985 South Dakota legislature declared teaching to be a profession and that such profession shall include persons licensed by the State Secretary of the Department of Education as classroom teachers, administrators and other education specialists employed in public, federal and private schools.

The Professional Teachers Practices and Standards Commission (PTPSC) was created, consisting of seven members: six full-time teachers; and one member who is neither a teacher nor a school board member, and who is a parent of a pupil attending an approved twelve-year program of education. The members are appointed by the Governor for a term of three years, with the provision that no member may succeed himself more than once and that the terms of no more than five members shall expire in any one year.

The **Professional Teachers Practices and Standards Commission** (PTPSC) shall operate within the Division of Education and is charged with the following responsibilities:

- (a) To adopt a code of professional ethics for teachers in South Dakota. The Code of Ethics for teachers is expanded to include educational specialists and non-certified educators effective July 1, 2002.
- (b) To make any recommendations to the South Dakota Board of Education or to school boards which will promote an improvement in the teaching profession.
- (c) To conduct hearings and determine disciplinary actions for violations of the code of ethics.

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**PROFESSIONAL ADMINISTRATORS PRACTICES AND STANDARDS COMMISSION (PAPSC) (13-43-38 THROUGH 13-43-45, 13-43-48 THROUGH 13-43-50)**

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The 1985 South Dakota legislature created the seven-member South Dakota **Professional Administrators Practices and Standards Commission** (PAPSC) which consists of: five full-time administrators, two who are principals, and two who are chief administrators, and one who is employed in an administrative capacity other than previously listed; one school board member; and one representative from the general public who is neither an administrator nor a school board member and who is a parent of a pupil attending an approved twelve-year program of education. The members are appointed by the Governor for a term of three years. No member may succeed himself more than once and the terms of no more than five members may expire in any one year.

The Professional Administrators Practices and Standards Commission shall operate within the Division of Education and is charged with the following responsibilities:

- (a) To adopt a code of professional ethics for the administrator's profession in South Dakota. The Code of Ethics for Administrators includes both certified and non-certified (CEO's) administrators effective July 1, 2002.
- (b) To make any recommendations to the South Dakota Board of Education or to school boards which will promote an improvement in the administrator's profession.
- (c) To conduct hearings and determine disciplinary actions for violations of the code of ethics.

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## **SOUTH DAKOTA HIGH SCHOOL ACTIVITIES ASSOCIATION**

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Every school board member should become informed as to the role the South Dakota High School Activities Association (**SDHSAA**) plays in helping to educate the youngsters of the state. It is the purpose of this association to direct and coordinate interscholastic activities carried on by its member schools. These activities, be they athletic or non-athletic, become an integral part of the educational system. As such, they cannot be ignored.

All membership is voluntary. Any high school in the state, whether public, private, parochial, or institutional, if accredited by DOE, may become a member of the SDHSAA by making a formal application authorized by its school board and by subscribing to the SDHSAA rules and by-laws. Membership must be renewed annually by school board resolution.

The legislative body consists of the entire membership, which meets in regular session once each year. Each member school has one vote. Voting on officers and changes in the constitution and by-laws is done by mail ballot with the ballot to be signed by a school administrator and the school board president.

The executive body is the Board of Control, which is made up of seven members, five of whom are high school principals or superintendents and two are board members from a member school. All are elected by a vote of the membership. The Board of Control meets at least four times each year and is charged with interpreting the constitution and by-laws, organizing and directing penalties for violations of rules, settling disputes, registering sports officials, establishing a state office, and employing an executive secretary and staff to operate the Association.

# **APPENDICES**

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## **RESOURCES TO SUPPLEMENT SCHOOL BOARD HANDBOOK**

Appendix A: Oath of Office

Appendix B: Annual Meeting Agenda Items

Appendix C: Language of Education for School Board Members

Appendix D: Common Acronyms Used In Education

# APPENDIX A

## OATH OF OFFICE

Do you solemnly swear, or affirm, that you will support the Constitution of the United States and the Constitution of the State of South Dakota; and that you will faithfully and impartially perform your duties as a member of the school board of \_\_\_\_\_ school district, \_\_\_\_\_ County, South Dakota, to the best of your ability, and in accordance with the laws now in effect and hereafter to be enacted, during your continuance in said office, and until your successor is elected and qualified? (The answer is: "I do".)

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Board Member's Signature

# APPENDIX B

## ANNUAL MEETING AGENDA ITEMS

1. Installation of newly elected members.
2. Selection of officers: President and vice-president.
3. Superintendent or business manager to conduct meeting until chairman is elected.
4. Designation of official depository (ies).
5. Designation of official legal newspaper.
6. Authorize continuation of existing funds or accounts and the establishment of any new accounts, if necessary.
7. Set date, time and place for regular meetings.
8. Set number of votes required to take action.
9. Adoption of board policies and schedule for review.
10. Establishment of advisory committees where applicable.
11. Review of bonds for business manager and other bonded personnel.
12. Appointment of administrator of trust and agency accounts.
13. Appointment of individual(s) authorized to direct federal programs.
14. Authorize administrator to institute school lunch agreement.
15. Re-designate Robert Rules of Order or other rules as parliamentary procedures.
16. Investment resolution: Authorize business manager to invest and reinvest funds in institutions which serves greatest advantage to school district.
17. Set admission prices for year.
18. Set closing of school motion: Authorize superintendent to close school in emergency situations and in case of inclement weather and set chain of command in event superintendent is absent.
19. Designate truant officer for the school year.
20. Set board members per diem for year (Max is \$75.00).
21. Designate legal counsel for year.
22. Authorize expenses to be made from Imprest Fund.

# APPENDIX C

## THE LANGUAGE OF EDUCATION FOR SCHOOL BOARD MEMBERS

Each profession has a language of its own. The following attempts to explain what seasoned board members, superintendents and other educators are saying. Funding of K—12 Education requires patron support. The ability to communicate educational needs effectively is vital. If educators speak a language patrons don't understand the battle is lost before it started.

### **GLOSSARY OF COMMON EDUCATIONAL TERMS**

**Administrators**—Individuals identified as a superintendent, principal, sp. ed. director, curriculum director, activities director, and business official.

**Ad valorem Taxes:** Taxes levied by a Local Education Agency (LEA) on the assessed value of real property within the school district.

**Balance Sheet:** A formal statement of a districts assets, liabilities and fund balance as of a specific date.

**Budget:** The financial operating plan: estimates proposed expenditures, their purpose and the revenues.

**Capital Acquisition:** Expenditure to acquire or add to capital assets benefiting the district a year or more.

**Co-curricular Activities:** Co-curricular activities are the school-sponsored experiences for pupils. Participation is not required and usually no credit is given.

**Contingent Fund:** Assets set aside to provide for unforeseen expenditures or for anticipated expenditures of uncertain amounts and is generally recognized as a line item in the district's General Fund budget.

**Contingent Liabilities:** Items that may become liabilities such as guarantees, pending lawsuits, judgments under appeal and unsettled disputed claims.

**Contracted Service:** Service provided to the school district via a contract with an entity or individual.

**Cost Per Pupil:** Expenditures for a particular period of time divided by average daily attendance (ADA) or average daily membership (ADM).

**Curriculum:** the coursework covered in a subject, grade or school system.

**Curriculum mapping/articulation**—assuring a logical scope, sequence and no gaps in coverage.

**Deficit:** The excess of the liabilities of a fund over the funds resources.

**Elementary School:** May consist of grade combinations from Pre-Kindergarten, Kindergarten to grade 8.

**Employee Benefits:** Examples are: health & life insurance, annual & sick leave, retirement, annuities, and Social Security.

**Expenditures:** Charges incurred, paid or unpaid, relating to a specific fiscal year.

**Fidelity Bond:** A bond protecting a school district against losses from employee(s) actions.

**Fiscal Year:** Defined in SDCL 13-26-1 the school fiscal year for South Dakota school districts is July 1 through June 30.

**Fixed Assets:** Land, buildings, machinery, equipment or furniture, which the district holds or uses over a long period of time. Fixed denotes intent to continue use/possess, and the immobility of an asset.

**Fund:** An independent accounting entity with: assets, liabilities and fund balance. Generally, funds are established to account for financing or specific activities of a district's operations.

**Fund Balance:** The excess of assets of a fund over its liabilities and reserves.

**High School:** Grades 9-12 or 10-12 in a school system.

**Imprest Account:** A minor disbursement system where a fixed amount is set- aside for specific purposes.

**Instructional Personnel:** Those rendering direct services (i.e. teachers, teaching assistants, teacher aides).

**Inter-fund Transfers:** Money taken from one fund under the control of the board and added to another fund under the control of the board. Such transfers are not receipts or expenditures of the district.

**Internal Control:** Arranging employee duties, records and procedures to exercise effective accounting control over assets, liabilities, revenue and expenditures. Employees work is sub-divided so that no one employee performs a complete cycle of an operation (i.e. receiving funds, depositing funds & reconciling).

**Inventory:** A list showing: quantities, descriptions and values of property on hand at a given time.

**Junior High School:** generally made up of grades 6-8, 7-8 or 7-9.

**Levy:** The total taxes imposed for a district fund generally stated in \$ per 1,000 on the taxable valuations.

**Liabilities:** Legal obligations arising out of districts operation, which are payable but not necessarily due.

**Liability Insurance:** Coverage of a district, or officers, against losses from judgments against the system.

**Local Educational Agency (LEA):** An educational entity that operates schools or contracts for services.

**Middle School:** generally made up of grades 5-8, 6-8 or 7-8

**Non-Categorical:** Applied to revenues from any source, not identified with specific expenditures.

**Non-Public School:** Schools established by individuals or agencies outside the provisions of SDCL 13-5.

**Non-Resident Student:** A student with legal residence outside the geographic area of a school district.

**Open Enrollment:** (SDCL 13-28-40) permits any K-12 student to enroll in any SD school district.

**Opt-Out:** SDCL 10-12-43 allows the school board to raise additional general fund revenues through imposition of an excess tax levy with conditions set in law.

**Payments-In-Lieu of Taxes:** Payments made by government to a district in lieu of taxes it would have had to pay had its property/assets been subject to taxation by the district like privately owned property.

**Permanent School Fund:** A state fund with investments & land set aside to support public schools.

**Property Insurance:** Expenditures for insurance covering the loss of, or damages to, property of the district from fire, theft, storm or other cause plus costs for appraisals for insurance purposes.

**Restricted Grants-in-Aid:** Revenue received by a district, to be used only for an identified purpose.

**School Term:** SDCL 13-26-1 grades 4—12 (962.5 hrs.), Kg (437.5 hrs.).

**School Fiscal Year:** Defined in SDCL 13-26-1 begins July 1 and ends June 30.

**State Aid:** Any grant made by state government for the support of K—12 education.

**Taxes:** A charge levied by a governmental unit to finance services performed for the common benefit.

**Trust and Agency Funds:** Used to account for money and property held in trust by a district for individuals, government entities or non-public organizations.

**Voucher:** A document authorizing payment and indicating the accounts to be charged.

# APPENDIX D

## COMMON ACRONYMS USED IN EDUCATION

ADA	Average Daily Attendance, the actual days a student attends a school.
ADM	Average Daily Membership, the actual days a student is enrolled in a school system
ASBSD	Associated School Boards of South Dakota
AYP	Adequate yearly progress under No Child Left Behind
DOE	South Dakota State Department of Education
FTE	Full-time equivalent—Such as a full-time teacher
GOED	Governor's Office of Economic Development
LA	Legislative Audits
LEA	Local Education Agency—A local School District
NCLB	No Child Left Behind—Federal Act
NEA	National Education Association
NSBA	National School Boards Association
PAPSC	South Dakota Professional Administrators Practices and Standards Commission
PTA	Local parent teacher organization with state and national affiliation (PTO is unaffiliated)
PTPSC	South Dakota Professional Teachers Practices and Standards Commission
SDCL	South Dakota Codified Laws—most school laws are found in Title 13
SDHSSA	S D High School Activities Association— a voluntary association created to organize and control co-curricular activities statewide.
SASD	School Administrators of South Dakota—serves as the umbrella for six parent groups.
SDSSA	South Dakota School Superintendents Association
SDASBO	South Dakota Association of School Business Officials
SDASCD	South Dakota Association for Curriculum Development
SDASSP	South Dakota Association of Secondary School Principals
SDAESP	South Dakota Association of Elementary School Principals

ASSOCIATED SCHOOL BOARDS OF SOUTH DAKOTA

SDCASP      South Dakota Council of Administrators of Special Education

SDBOES      South Dakota Board of Education Standards

SDEA      South Dakota Education Association