



**DATE:** September 9, 2022

**TO:** Lexington County School District One Board of Trustees

**FROM:** Interim Superintendent Gerrita Postlewait, Ed.D.

**REGARDING:** September 13, 2022 Meeting of an *Ad Hoc* Committee of the Board of Trustees

On Tuesday, September 13, 2022, an *ad hoc* committee of the Lexington County School District One Board of Trustees, formed to review Board Policies, Section B School Board Governance and Operations, will hold a committee meeting in the auditorium of Building One of Central Services, located at 100 Tarrar Springs Road in Lexington, South Carolina.

The meeting opens at 11 A.M. We invite the public to attend and appreciate your assistance in making the public aware of this meeting.

The public may also watch the meeting at <https://www.youtube.com/c/LexingtonOne/live>. After the meeting, the district will post a video of the meeting to its YouTube channel and its website.

## **SEPTEMBER 13, 2022 BOARD AGENDA**

### **1.0 Call to Order 11:00 A.M.**

*Ad Hoc* Committee Chair Dr. Kyle Guyton presides

- 1.1 Notification of Compliance with S.C. Freedom of Information Act
- 1.2 Notification that district tapes meeting

### **2.0 Approval of the Agenda**

### **3.0 Approval of the Minutes of the May 4, 2022 *Ad Hoc* Committee Meeting**

### **4.0 Discussion of Policies**

- 4.1 Review At-large Board Recommendations for Second Readings of Policies:
  - 4.1.1 BDD Board-Superintendent Relationship
  - 4.1.2 BG/BGD, BG/BGD-R Board Policy Process/Board Review of Administrative Rules
  - 4.1.3 Deletion of BDD-R Board-Superintendent Relationship Administrative Rule
  - 4.1.4 Deletion of Policies BDA, BDB, BDBA, BDBB, BDBC, BDBD, BDC, and BDH
  - 4.1.5 BBAA-R Board Member Authority and Responsibilities

### **5.0 Adjourn**

## BOARD-SUPERINTENDENT RELATIONSHIP

Code **BDD** Issued **DRAFT/21**

The board believes that its most important function is the formulation and adoption of policy. The superintendent's function is the execution of the board's policies. The board delegates certain executive powers to the superintendent to manage the district within the established policies.

The board holds the superintendent responsible for the administration of its policies, the execution of board decisions, the operation of the district's educational program, and the provision of information to the board about school operations.

The relationship that exists between a board and its superintendent is an intrinsic part of the educational process within a community. Knowledge of what each can reasonably expect of the other can substantially help to promote sound working relationships.

### **The board will do the following:**

Select a competent, established educational leader as superintendent and support that person in the discharge of assigned duties.

Serve as the policymaking body.

Allow the superintendent to administer the district.

Adopt an annual budget.

Exercise sound judgement in business affairs of the district.

Deal always in an ethical, honest, straight-forward, open, and above-board manner with the superintendent and the community.

Approve an organizational chart for the administration.

Establish salary schedules and other personnel policies.

### **The superintendent will do the following:**

Effectively provide professional educational leadership. All district staff members are responsible directly or indirectly to the superintendent.

Recommend sound policy and enforce the policies by establishing rules and regulations.

Implement board policy effectively through efficient administration.

Prepare and submit an annual budget to the board for consideration.

Keep the board informed on financial matters, use sound long-range planning, and keep current expenditures within the approved budget.

Deal always in an ethical, honest, straight-forward, open, and above-board manner with the board, staff, and the community.

Make assignments for each position with the board's authorization.

Recommend personnel policies for adoption and be responsible for assignment of all staff.

## PAGE 2 - BDD - BOARD-SUPERINTENDENT RELATIONSHIP

### The board will do the following:

Receive and review reports of the superintendent concerning the progress of the district.

Function only as a board rather than as individuals.

Communicate with staff members through the superintendent.

Remember that schools exist for the benefit of the students and the community.

Hear appeals of district staff members and students resulting from decisions of the superintendent.

Present the needs of the schools to the community.

Adopt school standards, textbooks, and the annual school calendar.

### The superintendent will do the following:

Provide accurate and complete reports to the board regarding the progress of the district.

Deal with the board as a whole rather than as individual members.

Ensure staff communication with the board as necessary.

Remember that schools exist for the benefit of the students and the community.

Make decisions in line with board policy.

Plan means of keeping the community informed about district matters. Serve as the representative of the district.

Recommend for approval school standards, textbooks, and the annual school calendar.

Adopted 3/18/80; Revised 10/83, 5/85, 9/19/17, ^

## Policy BDD Board-Superintendent Relationship

Issued 9/17

Purpose: To establish the basic structure for the board's legislation of policies and the execution of those policies by the superintendent and staff.

The board believes that its most important function is the formulation and adoption of policy. The superintendent's function is the execution of the policies. The board delegates certain executive powers to the superintendent to manage the schools within the established policies.

The board holds the superintendent responsible for the administration of its policies, the execution of board decisions, the operation of the internal machinery designed to serve the school program, and the provision of information to the board about school operations and problems.

The relationship that exists between a board and its superintendent is an intrinsic part of the educational process within a community. Knowledge of what each can reasonably expect of the other can help substantially in promoting sound working relationships.

**The board will do the following:**

**The superintendent will do the foll**

Select a competent, established educational leader as superintendent and support that person in the discharge of assigned duties.

Serve as the policymaking body.

Allow the superintendent to administer the schools.

Adopt an annual budget.

Exercise sound judgement in the business affairs of the school district.

Deal always in an ethical, honest, straight-forward, open, and above-board manner with the superintendent and the community.

Approve an organizational pattern for the administration.

Establish salary schedules and other personnel policies.

Receive and review reports of the superintendent concerning the progress of the schools.

Function only as a board rather than as individuals.

Communicate with staff members through the superintendent.

Remember that schools exist for the benefit of the students and the community.

Hear appeals of school employees and citizens of the community from decisions of the superintendent.

Present the needs of the schools to the citizens of the community.

Administer effectively and provide the necessary. All district employees are superintendent.

Recommend sound policy and enforce regulations.

Implement board policy effectively through

Prepare and submit an annual budget

Keep the board informed on financial and keep current expenditures within

Deal always in an ethical, honest, straight-forward, open, and above-board manner with the board, the staff, and the community.

Make assignments for each position

Recommend personnel policies for all of all personnel.

Provide accurate and complete reports of the schools.

Deal with the board as a whole rather than as individuals.

Ensure necessary staff communication through the board.

Remember that schools exist for the benefit of the students and the community.

Make decisions in line with board policy and heard and decided by the board.

Plan means of keeping the community a representative of the schools before

Adopt school standards, textbooks, and annual school calendar.

Recommend for board action school calendar.

Adopted 3/18/80; Revised 10/83, 5/85, 9/19/17

## **Lexington District One Schools**

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## BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES

Code **BG/BGD** Issued **DRAFT/21**

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The board believes that the development, adoption, and review of board policies is its most important governance function. Board policies establish the goals, direction, and structure of the district. In addition to policies required by local, state, and federal laws and regulations, the board adopts policies to provide direction to the superintendent and other administrators, to guide the district's educational program, and to provide clear expectations for district staff, students, and parents.

The board regards policy development and review as an ongoing process. The need for a new policy or revision or deletion of an existing policy may arise from a change in law and/or regulations, modification of the district's vision or goals, educational research or trends, the occurrence of a significant incident, or a recommendation or request from an interested party. Proposals regarding policies may originate with board members, the superintendent, staff members, parents/legal guardians, students, consultants, civic groups, advisory committees, or any resident of the district. All proposals, including those from external sources, will be presented in writing and given to the superintendent for review. Upon recommendation from the superintendent, the board will examine proposals prior to acting upon them.

Each proposed policy (including proposals to amend policy) will require **two** readings at regular meetings or work sessions of the board. The formal adoption of the policies will be recorded in the minutes of the board. Only those written statements so adopted and so recorded will be regarded as official board policy. In the event of a time sensitive policy need, the board will convene for the purpose of policy adoption or amendment when required by law.

### **Suspension or Repeal of Policy**

In emergency situations, a majority of the board members at a meeting may temporarily suspend the operation of any section or sections of board policy which are not established by law or contract. A proposal for such change must be listed on the agenda of the meeting. All members must be notified in writing of a meeting to discuss policy changes.

The board may also suspend a policy in certain emergency situations although such change was not listed on the agenda of the meeting if the favorable vote is unanimous and the agenda is amended in compliance with the South Carolina Freedom of Information Act.

### **Review of Administrative Rules**

Often policies of the board are accompanied by rules and exhibits that are referred to as administrative rules. These rules are generally drawn up by the administration to execute the policies of the board.

The board will approve administrative rules when such approval is required by law or otherwise advisable. The superintendent will have freedom, however, to amend or issue additional rules and procedures consistent with board policies.

The board may nullify any administrative rules determined to be inconsistent with the policies adopted by the board.

# PAGE 2 - BG/BGD - BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES

Adopted ^

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## Legal References:

A. S.C. Code of Laws, 1976, as amended:

1. Section 30-4-80 - South Carolina Freedom of Information Act; posting of agendas.

B. Attorney General's Opinion:

1. S.C. Att'y Gen. Op. (September 5, 2018) - Definition of emergency/exigent circumstance; statutory deadlines cannot be deemed emergencies.



## BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES

Code **BG/BGD-R** Issued **DRAFT/21**

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The superintendent or his/her designated policy manual coordinator has the responsibility of drafting policy proposals, maintaining the board's manual, and serving as liaison between the board and the South Carolina School Boards Association's (SCSBA) policy services and other sources of policy research information.

- The superintendent will present a proposed policy in writing to the board at least 30 days prior to possible approval.
- If legalities are involved, the board will consult legal counsel before action is taken.
- After policy introduction ~~the first reading~~, the superintendent will make the policy available for public review.
- Once the board gives a policy final approval, the superintendent will have the policy posted online. If necessary, the superintendent will ~~or~~ distribute a copy of the policy to each building administrator and district office administrator.
- The policy manual coordinator will send the policy to the SCSBA for final formatting and posting.
- In the absence of highly unusual circumstances, the administration must not allow proposed policies to “linger” unresolved and dormant for longer than 60 calendar days after presentation to the board.
- Without official board authorization, no administrator is permitted to physically or otherwise “just remove” a policy from the manual or online manual. A policy may be deleted by official board action only.
- The superintendent will supervise a review of the policy manual on a continuing basis. The district may seek the aid of SCSBA policy services in performing this review.

Issued ^

# Recommended for Deletion

## Administrative Rule BDD-R Guidelines for Processing Policies and Regulations

Issued 9/87

All new or revised policies will be presented in writing to the board by the district's policy coordinator for at least two readings at regularly scheduled board meetings. Thus, a policy proposal presented at one regular board meeting should be voted on at the next regularly scheduled board meeting. This is, in itself, a board policy.

If legalities are involved, no board action will be taken until the district's attorney or an attorney for the State School Board's Association reviews and pronounces the proposal to be legally defensible and wise.

Once the board approves a policy, the district's policy coordinator will insure that a record of the policy's approval is recorded in the board's minutes and master policy manuals. This should be done within three (3) days after the policy is approved by the board. The policy coordinator will also deliver "District Issued" copies of the policy to board members, building administrators, and district office administrators. The policy coordinator will then arrange for the finished policy to be printed by the South Carolina School Boards Association and placed in each of the district's manuals.

In the absence of highly unusual circumstances, proposed policies should not be allowed to "linger" unresolved and dormant for longer than sixty (60) calendar days after presentation to the board.

It is understood that in preliminary considerations of a policy proposal, the district superintendent will be thoroughly aware of the contents of such proposal and will be involved in any decision as to whether a given proposal is to be presented to the board for consideration.

After each school board meeting the policy coordinator will study the minutes from the meeting to identify actions of the board which might have the effect of policy that would warrant revisions in policies.

Without official school board authorization, no administrator is permitted to physically "just remove" a policy from the manual. Deletion of a policy is by official board action only.

In addition to policy manuals which are distributed to the board and district administrators, one manual will be placed in each school office and library, the town library, the Chamber of Commerce Office, and the county board of education office. Other manuals may be distributed as necessary.

The policy coordinator will supervise a review of each policy manual under district control at least once annually. Essential check-points will be the following.

- currency;
- legality
- preciseness of language
- relevancy.

Issued 1/83;

Revised 5/85, 5/19/87, 9/87

# Recommended for Deletion

## Policy BDA Policy Development System

Issued 5/85

The board adopts the policy development codification and dissemination of the National School Boards Association (EPS/NSBA).

Adopted 5/85

**Lexington District One Schools**

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# Recommended for Deletion

## Policy BDB Policy Drafting

Issued 5/585

Proposals for new policies, or changes to existing policies, may be initiated in writing by any board member or by any individual or group of citizens, students or employees. The policy proposals so initiated will be referred to the superintendent for detailed study prior to board discussion of the proposal.

Adopted 5/85

**Lexington District One Schools**

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# Recommended for Deletion

## Policy BDBA - Attorney Involvement in Policy Development

Issued 5/585

The superintendent will seek the counsel of the school attorney or other appropriate counsel when, in his/her opinion or the board's, there may be a question of legality or proper legal procedure in the development of a proposed school board policy.

Adopted 5/85

**Lexington District One Schools**

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# Recommended for Deletion

## Policy BDBB Staff Involvement in Policy Development

Issued 5/85

In the development of policies, the board will delegate to the superintendent the responsibility of seeking the advice and counsel of appropriate personnel.

The purpose of this provision is that the board may gain the most complete and reliable information possible on which to base decisions.

(Cf. GAC)

Adopted 5/85

**Lexington District One Schools**

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# Recommended for Deletion

## Policy BDBC Community Involvement in Policy Development

Issued 5/85

Any citizen of the district may recommend policies to the board. Such policies or policy revisions will be referred to the superintendent for administrative study and recommendation prior to consideration

Adopted 5/85

**Lexington District One Schools**

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# Recommended for Deletion

## Policy BDBD Student Involvement in Policy Development

Issued 5/85

Most students desire a strong voice in the decisions which affect them, and their efforts are welcomed by the board.

The board views student participation in school affairs as an extension of the educational process. This district will encourage students to participate through planned programs and procedures in the government of the school and in curriculum evaluation. Students may recommend policies and policy changes to the board through student government channels or through procedures established by the school administrator.

The board desires the administration to make it clear to students that although they may recommend changes in policy to the board, the board alone is responsible for determining policy.

(Cf. JCB)

Adopted 5/85

**Lexington District One Schools**

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# Recommended for Deletion

## Policy BDC Policy Adoption

Issued 5/85

Policies may be adopted or changed at any regular meeting of the board by a majority vote provided the board has at least 30 days prior written notice of the proposed policy. To systematize and expedite policy action, a policy proposal presented at one regular board meeting should be voted on at the next regularly scheduled board meeting.

Adopted 5/85

Constitutional and Statutory Provisions:

S.C. Code, 1976, as amended:

[Section 59-19-110](#) - Rule-making power of boards.

**Lexington District One Schools**

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# Recommended for Deletion

## Policy BDH Suspension of Policies

Issued 5/85

The operation of any section or sections of Board policies not established by law or contract may be temporarily suspended to meet extreme emergencies by a majority vote of Board members present at a regular or special, legally constituted meeting.

Adopted 10/1/72; Revised 12/16/75, 10/83, 5/85

**Lexington District One Schools**

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# BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

Code **BBAA-R** Issued **DRAFT/21**

Board members will adhere to the following in carrying out their responsibilities.

## Requesting Information

It is important for board members to be informed about the district and the performance of its students. The superintendent regularly provides board members with information in the form of the pre-meeting board packet and presentations at board meetings. Board members who seek additional information should make such requests to the superintendent. Information provided as the result of such a request will be sent to each board member.

If the information sought by individual board members is not readily available without an amount of staff effort that the superintendent deems significant, board members will be asked to obtain the approval of a majority of the board so that information requests do not result in unnecessarily high costs or distract staff from their primary responsibilities. Under no circumstances will board members engage in an investigation of staff or student issues.

Individual student information is confidential, and board members only have access to such information when it is necessary for performing a function in their official capacity. Pursuant to the Family Educational Rights and Privacy Act (FERPA), the administration may redact confidential student records from any information request unless board members are acting in their official capacity and have a legitimate educational interest in the records.

Board members will maintain the confidentiality of information, documents, and records received or reviewed in their role as board members.

## Action on Complaints or Requests Made to Board Members

When a board member receives complaints or requests from staff, students, parents/legal guardians, or members of the public, he/she must remain impartial as such matters may later come before the board in its quasi-judicial capacity; otherwise, the board member will have to recuse himself/herself from later hearing the matter in the quasi-judicial hearing. The board member will refer the individual to the appropriate staff member in accordance with the district's chain of command. The board member will timely submit the complaint or request to the superintendent for action.

## Requesting the Addition of Items to Board Meeting Agendas

A board member wishing to suggest an agenda item will notify the board chair and/or the superintendent, ~~and a decision will be made whether to add the item to the agenda.~~ in writing at least six business days prior to the meeting at which they desire the board consideration of the proposed item. , and a decision will be made whether to add the item to the agenda. If (option: three or more, a majority of, etc.) board members request the addition of an item, it will be added to the agenda. The proposed agenda item must be within the scope of the board's duties and appropriate for consideration. The proposed agenda item will be placed on the agenda for approval at the next meeting. At the next meeting, during discussion of the proposed agenda item, the superintendent will provide the

## PAGE 2 - BBAA-R - BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

board with an estimate of the time and staff resources that will be required to prepare for a thorough and appropriate discussion of the proposed agenda item. If ~~(option: three or more, a majority of, etc.)~~ board members request the addition of an item, it will be added to the agenda.

### Requesting Legal Opinions

All ~~requests~~ **Requests** for formal legal opinions from the district's legal counsel regarding board issues will be directed through the board chair or the superintendent. ~~A board member wishing to obtain a legal opinion~~ **who** will bring such requests to the full board. A majority vote must be obtained to initiate a request for a legal opinion. Any opinion provided will be disseminated to the full board. Board members with personal legal questions should seek advice from their own private attorneys.

The board acknowledges the Board Chair, on occasion, may need to solicit legal opinion prior to responding to requests in the capacity as the official spokesperson for the Board. In such event, the Chair will notify the Board of this request and any subsequent correspondence with legal counsel.

For additional information on legal services, including the handling of district legal matters that do not directly involve the board or any specific board member, see policy BDG, *Board Attorney/Legal Services*.

### Responding to Requests from the Media

The board chair serves as the spokesperson for the board. The superintendent serves as the spokesperson for the district. If a board member speaks to the media in his/her individual capacity, he/she will inform the media he/she is not speaking for the board.

[Option: The district may wish to add additional procedures.]

Issued ^