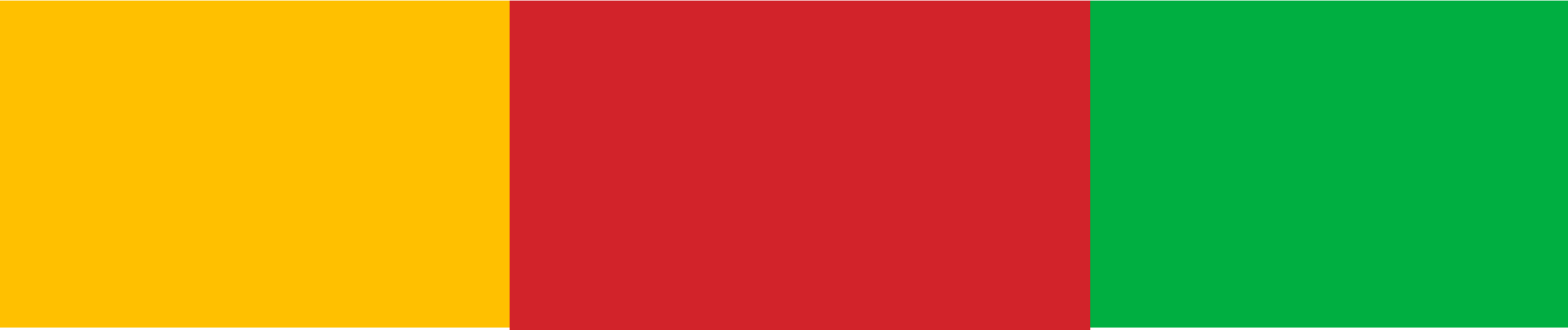




THE ORGANIZATIONAL MEETING



December 11, 2019



Welcome!

Introductions:

- Terry Morrow, Director of Legal and Policy Services
 - tmorrow@mnmsba.org
- Gail Gilman, Director of Strategic Planning and Board Leadership
 - ggilman@mnmsba.org

or call (800) 324-4459

If you cannot hear the audio portion of the webinar, please call Goto Webinar at (877) 582 - 7011 for assistance.



Webinar Resources

1. PowerPoint
2. First Monday in January Booklet
3. New Board Member Orientation Year-at-a-Glance
4. Dates with Meeting Restrictions
5. Sample Board Calendar
6. MSBA Policy Manual
7. MSBA Service Manual
8. MSBA's Website: www.mnmsba.org

(Learning Center, Webinars, Webinar Resources)



Webinar Overview

- **When** is the organizational meeting held?
- **What** does the organizational meeting include?
- **Who** conducts the organizational meeting?
- **How** does the board accomplish these tasks?

We will respond to questions at the end, time permitting. Please submit your questions in the box available on the right. If we don't get to all the questions, we will send those questions and responses to webinar registrants via email.



Webinar Recording

Available later today or tomorrow

Within the Member Login

- Learning Center
- Webinars
- Organizational Meeting



M.S. § 123B.14 OFFICERS OF INDEPENDENT SCHOOL DISTRICTS

Subdivision 1. Officer selection. On the first Monday of January of each year, or as soon thereafter as practicable, the board must meet and organize by selecting a chair, clerk, and a treasurer, who shall hold their offices for one year and until their successors are selected and qualify. The persons who perform the duties of the clerk and treasurer need not be members of the board and the board by resolution may combine the duties of the offices of clerk and treasurer in a single person in the office of business affairs. They may appoint a superintendent who shall be . . . a member of the board, but not entitled to vote therein. [emphasis added]



Sample Agenda

1. Call the meeting to order. The acting chair calls the meeting to order
(and conducts the meeting until a successor is elected by the board)
2. Seat new board members
The acting chair may administer a ceremonial oath of office to the new board members (depending on the board's election cycle and practice).
3. Approve the meeting agenda
4. Elect a chair (who presides over remainder of meeting)
5. Elect a vice chair, if appropriate
6. Elect a clerk
7. Elect a treasurer



Sample Agenda (continued)

8. Set dates, times, and location(s) for regular board meetings
9. Conduct other business
 - Designate district depositories
 - Name board's legal counsel and authorized contacts
 - Fix board members' compensation, if any
 - Appoint board committee members
 - Designate a board representative to the Minnesota State High School League



Date of the Meeting

- The first Monday in January or as soon thereafter as practicable
- When the first Monday in January is the New Year's Day holiday, a board meeting cannot be held that day
- If the organizational meeting needs to be rescheduled due to weather, how will that be accomplished?
 - 1. call a special meeting and provide notice or*
 - 2. the original posting includes provisions for inclement weather*



When Are Meetings NOT Allowed to Be Held?

When setting the meeting schedule, be aware that school board meetings are not allowed on certain days or at certain times:

1. Holidays, see M.S. § 645.44, Subd. 5
2. Election days from 6 p.m. to 8 p.m.
General and Primary Elections
3. Precinct caucus days after 6 p.m.
4. Sundays not recommended

For a full list, check the resource, “Dates with Meeting Restrictions”



Call to Order

Where to start...

✓ Chair to lead the meeting

1. Last year's chair if still on board
2. Last year's vice chair if still on board
3. Other officers from last year
4. Board determines acting chair

**The superintendent does NOT lead the meeting*

✓ Clerk to take minutes



Oath of Office

- Official oath is part of the election process

Signed

- May want to have a ceremonial oath of office

Reminder to board members, staff, and community

- **Welcome** new school board members!

Mentoring: *New Board Member Orientation Year At-a-Glance*



A Mentor Can Help New Board Members

- Explain role and responsibilities
- Provide smooth transition
- Orientation Manual
- Timeline
- A mentor is a seasoned board member



Procedures for Election of Officers

State statutes are silent as to the method of electing officers, except that the election must be by open vote and not by any form of secret ballot (M.S. § 13D.01, Subd. 4).

Therefore:

- Each board establishes its own procedure
- Procedures should be established before the meeting
- Follow established procedures (unless changed)
- Established procedures can be changed if majority of board members agree
- Strict rotation not recommended



Election of Officers

Chair, clerk, and treasurer are required

Vice chair is optional

(MSBA Model Policy 202 SCHOOL BOARD OFFICERS)

- Person who performs duties of clerk and treasurer need not be a board member. The board by resolution may combine the duties of the offices of Clerk and Treasurer in one person in the Office of Business Affairs of the School District. **The officers cannot be combined.**

Duties may be further delegated to other administrative staff.



Election of Officers (continued)

- The acting chair asks for nominations.
Any member of the board may nominate any other board member, and nominations do not require a second.
- If no other nominations are immediately received, the acting chair should pause and repeat the call for nominations.
- The acting chair should again pause and repeat the call for nominations a third time to ensure that any board member wishing to make a nomination has ample opportunity to do so.



Election of Officers (continued)

- *Under most rules of procedure, a motion to close nominations before such an opportunity is provided should be declared out of order. In fact, among bodies with rules that permit motions to close nominations, Robert's Rules of Order Newly Revised calls for a two-thirds majority vote to adopt the motion.*
- After the third call for nominations, if no other nominations are forthcoming, the acting chair should close the nominations for the office.
A motion to reopen nominations may be adopted on a majority vote.



Example

The board might follow the procedure provided below (from *The First Monday in January* booklet, p. 4):

Acting Chair: “Nominations are now in order for the office of chair.”

Board Member James: “I nominate Jane Smith.”

Acting Chair: “Jane Smith is nominated. Are there any other nominations for the office of chair?”

Acting Chair: “Are there any further nominations for the office of chair?”

Acting Chair: “Are there any further nominations for the office of chair?”

Acting Chair: “If there are no further nominations ... [pause] ... nominations for the office of chair are closed.”



Voting

- If single nomination, election by acclamation
- If multiple nominations, vote is required
- Open Meeting Law requires all votes to be recorded

No straw votes

No unrecorded paper ballots

- Majority vote required

Majority of those voting

Tie vote fails for lack of a majority

If more than two choices, a plurality is insufficient



Order of the Vote

The voting procedure used may follow whatever order the board typically employs to vote on motions. The acting chair may:

1. Ask for a show of hands
2. The acting clerk may conduct a roll-call vote
ALL individual votes and voters must be recorded



Election of Officers

Example 1: A six-member board votes for candidates as follows:

- 3 votes for candidate A
- 2 votes for candidate B
- 1 vote for candidate C

The officer is NOT elected—a plurality of three votes is insufficient— a majority of four votes is required.



Election of Officers (continued)

Example 2: A six-member board votes for candidates as follows:

- 3 votes for candidate A
- 2 votes for candidate B
- 1 abstention

Candidate A is elected; the abstention counts with the majority (three) of those voting (five), constituting, for legal purposes, a 4 – 2 election.



Election of Officers (continued)

Example 3: A quorum of five board members is present and vote for candidates as follows:

- 3 votes for candidate A
- 2 votes for candidate B

Candidate A is elected; three votes is a majority of the quorum in attendance.



Election of Officers (continued)

Example 4: A quorum of four board members is present and vote for candidates as follows:

- 3 votes for candidate A
- 1 vote for candidate B

Candidate A is elected by a majority of the quorum of four.



Election of Officers (continued)

Example 5: A quorum of four board members is present and vote for candidates as follows:

- 2 votes for candidate A
- 1 vote for candidate B
- 1 abstention

Candidate A is elected by a majority of the quorum of four, because the abstention counts with the majority of those voting. The recorded vote is 2 – 1 – 1. The legal effect is a 3 – 1 election.



Unable to Elect Chair?

If a tie between two candidates occurs, a second vote should be taken, followed by a third vote prior to the close of the meeting, and, if the board is still unable to elect a chair, the election of a chair should occur at subsequent meeting(s), for as many meetings and votes that may be required, until one candidate is elected.

If a second vote to elect a new chair is unsuccessful, the board could:

- 1) Elect the other officers before attempting to vote a third time to elect a chair
- 2) Conduct the other business of the board, then attempting to vote a third time to elect a chair before the close of the meeting.

**The acting chair presides until the deadlock for chair is broken, even if other officers have been selected.*



Elect Other Officers

- Vice Chair is optional
- Clerk
- Treasurer

The duties of the clerk and treasurer may be combined by resolution and delegated to a single person in the office of business affairs.

The officers cannot be combined.



Other Business

- Designate District Depositories
- Select Official Newspaper
- Set the Regular School Board Meeting Schedule



Regular Meeting Schedule

The school board establishes its regular meeting schedule that must be kept in the school district office and may be posted on the district's bulletin board.

Sample Calendar resource may be helpful.

The school board may want to establish a way to reschedule meetings due to inclement weather or other unforeseen circumstances without three days' notice for a special meeting.



Other Business (continued)

- Select legal counsel and authorized contacts
- School board member compensation
- Assign board members to committees
 - * Duty may be delegated to school board chair*
 - MSBA Model Policy 213*
- Designate a board representative to the Minnesota State High School League



Appendix

Brief summary of contents

- **Elections**
- **Qualifying after the election**
- **Term of office for school board members**
- **Seating new school board members**
- **Sample resolution to combine and delegate the duties of the clerk and treasurer**



Webinar Review

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QUESTIONS ?





THANK YOU

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