

## CHAPTER I

### ORGANIZATION OF THE DISTRICT SCHOOL SYSTEM

#### 1.01 THE DISTRICT SCHOOL SYSTEM

- A. Clay County District Schools (“District”) shall include all public schools, classes and courses of instruction and all services and activities directly related to education in the District which are under the direction of District school officials.
- B. The District shall be considered part of the state system of public education. All actions of District school officials shall be consistent and in harmony with state laws and rules, regulations, and minimum standards of the State Board of Education. District school officials, however, shall have the authority to provide additional educational opportunities which are authorized but not necessarily required by law.

(Ref. F.S. §§ 1001.31, 1001.32(1)) (Amended \_\_/\_\_/18)

**Board Policies 1.02(A) through 1.02(E)(3)**  
***INTEGRATING FEBRUARY 12, 2018 WORKSHOP REVISIONS***

**1.02 THE DISTRICT SCHOOL BOARD**

**A. Responsibility and Authority**

1. The School Board is responsible for the organization and control of the public schools of Clay County District Schools (“District”) and is empowered to determine the policies necessary for the operation and the general improvement of the school system. The School Board shall limit its actions to establishing policies and rules and meeting the requirements prescribed by federal and state law and rules of the State Board of Education and Commissioner of Education. The School Board, after considering recommendations of the Superintendent, shall be authorized to perform duties and exercise those responsibilities which it finds necessary for the improvement of the District in carrying out the purposes and objectives of Florida’s Education Code.
2. The role of School Board members is to take official action collectively, not individually. School Board members have authority only when the School Board is meeting in official session and a quorum is present. The authority and responsibility of individual School Board members does not extend to the execution of the policies adopted by the School Board. Individual School Board members have no authority and shall not attempt to act as administrators of the school system. School Board members may visit the schools and all departments of the District in order to be better informed concerning all phases of the school system.
3. All personnel of the school system are responsible, through the Superintendent, to the School Board as an entity and not to individual School Board members.
4. Each individual School Board member is entitled to full information and data necessary in his/her judgment to the proper casting of a vote on any matter which comes before the School Board for action. Any complaint registered with a School Board member shall be conveyed to the Superintendent. If the complaint merits School Board action, it should be placed on the agenda for its regular or special meeting.
5. The School Board constitutes a body corporate and political subdivision of the State of Florida which officially operates in the name of “The School Board of Clay County, Florida.” The School Board is the contracting agent for the District. In all suits against the School Board, service of process shall be on the School Board Chair, or in his or her absence, the Superintendent, or, in the absence of the Chair and the Superintendent, on any other School Board member. The Chair, the Superintendent, and any School Board member may designate the School Board Attorney to receive service of process in their absence.

(Ref. F.S. §§ 1001.33, 1001.40, 1001.41, 1001.42, 1001.4205 (Amended \_\_/\_\_/18))

#### **B. Membership of the School Board**

The School Board of Clay County consists of five (5) members, each of whom shall be a qualified elector of the district in which he/she serves and each of whom shall be a resident of the residence area from which he/she is elected. Each School Board member shall be nominated and elected for a term of four (4) years by qualified electors of the entire Clay County School District. Each member of the Board shall serve as the representative of the entire School District rather than as the representative of the School Board member's residence area.

(Ref. F.S. §§ 1001.34, 1001.363) (Amended \_\_/\_\_/18)

#### **C. Organization and Officers**

1. A Board Chair and a Board Vice-Chair shall be elected annually by the School Board at its organization meeting held in November of each year. In an election year, the date of the organization meeting shall coincide with the requirements of section 100.041(3)(a) of the Florida Statutes. If a Chair or Vice-Chair vacancy occurs during their term(s) of office, the School Board shall elect a new Chair and/or Vice-Chair at its next regular or special meeting immediately following the vacancy.
2. The Chair shall preside over all School Board meetings, appoint committees, and perform such other duties as may be prescribed by law or by action of the School Board. The Vice-Chair shall so preside in the absence of the Chair and shall perform such other duties of the Chair. The Chair and Vice-Chair shall be bonded as provided by law. In the absence of the Chair and Vice-Chair, a Chair Pro tem shall be elected by a majority of the Board members present at a Board meeting for the purpose of presiding over such meeting.
3. The Superintendent shall be the Secretary and Executive Officer of the School Board. At the annual organization meeting, the Superintendent shall preside as Chair until the organization of the School Board is completed.

(Ref. F.S. §§ 1001.07, 1001.32, 1001.371, 1001.42(h), 1001.49) (Amended \_\_/\_\_/18)

#### **D. Legal Counsel**

The School Board shall obtain an attorney, from outside its own membership, who shall act as legal advisor to the School Board and the Superintendent. The School Board shall provide a written contract for its attorney. Special counsel may be retained to assist the

Board Attorney in any litigation or other matters when specifically approved by the School Board.

(Ref. F.S. §§ 1001.41, 1001.43(10), 1012.22, 1012.23, 1012.26) (Amended \_\_\_/\_\_\_/18)

## **E. Regular and Special Board Meetings and Workshops**

### **1. Notice and Public Access**

- a. The time and date of all regular monthly meetings of the School Board shall be determined at the Board's annual organization meeting in November of each year. Regular meeting dates may be changed by action of the School Board.
- b. Special meetings may be called by the Superintendent, the School Board Chair, or a majority of School Board members. The Superintendent shall provide notice of all such meetings.
- c. Workshop meetings may be called by the Superintendent, School Board Chair, or a majority of School Board members for the purpose of discussing matters which constitute the business of the school system and which provide the Board with greater knowledge of particular issues. Each Board member shall be formally notified of such workshop sufficiently in advance of the session to enable all members to arrange for their attendance. Although the Board will not take statements or presentations from the public at its workshops, questions from the public shall be permitted.
- d. With the exception of those meetings noted in paragraph (f) below, all School Board meetings and workshops shall be open to the public and an opportunity to address the School Board shall be provided to the public during regular and special meetings.
- e. No final action shall be taken by the School Board at a workshop. Any such action may be taken by the School Board only at a duly-noticed regular or special School Board meeting and in strict compliance with section 286.011 of the Florida Statutes ("Government in the Sunshine Law").
- f. Non-Public Meetings, Sunshine Law Exemptions – Pursuant to the Public Employees Relations Act, Chapter 447, Florida Statutes, all discussions between the chief executive officer of the public employer, or his or her representative, and the legislative body or the public employer relative to collective bargaining are closed and exempt from the Sunshine Law. However, collective bargaining negotiations between the public employer's chief executive officer, or his or her representative, and a public employee bargaining agent are open to the public. Also, certain due process and disciplinary hearings and proceedings before the Board which concern individual students are closed and exempt from the Sunshine Law. Further, meetings between the School Board and its attorney(s)

held pursuant to Florida Statute 286.011(8) are not open to the public. Finally, certain meetings concerning sealed competitive bids are exempt from the Sunshine Law.

- g. Due public notice of all regular, special, and workshop meetings of the School Board shall be provided. Except in the case of an emergency or other unavoidable and extraordinary circumstances, public notice of a regular School Board meeting should be given seven (7) days prior to the meeting. In any event, for purposes of this policy, "due public notice" shall consist of a written publication of the date, time, and purpose of the meeting in a newspaper of general circulation in Clay County, Florida, at least two (2) days prior to the meeting. When newspaper publication is impracticable, written publication of the date, time, and purpose of the meeting shall be posted at the courthouse at least two (2) days prior to the meeting. Further, written notice of the date, time, and purpose of any meeting shall be posted to the School District's website and shall be provided directly to each School Board member at least two (2) days prior to the meeting. The Superintendent is responsible for dissemination of such notice to School Board members and to the public.

(Ref. F.S. §§ 286.011, 286.0113, 1001.372, 1002.22, 1002.221; Article I, section 24(b), Fla. Const.; 20 U.S.C. § 1232, *et. seq.*, Family Educational Rights and Privacy Act ("FERPA")) (Amended \_\_/\_\_/18)

## **2. Place of Meetings**

All regular meetings of the School Board shall be held in the Teacher In-service Center at Fleming Island High School, 2233 Village Square Parkway, Orange Park, Florida, except when the public interest is better served by holding the meeting elsewhere. When such a determination is made, the meeting shall be held at some other appropriate public place within the Clay County School District as determined by the School Board. The Superintendent shall take such action as may be required to give due public notice of any changes to the location of any meeting.

School Board meetings must be accessible to all members of the public, including persons with disabilities. Reasonable accommodations and methods through which persons with disabilities may request such accommodations shall be provided.

(Ref. F.S. §§ 286.26, 1001.372) (Amended 03/18/04; \_\_/\_\_/18)

## **3. Rules of Order**

All School Board meetings shall be guided by the current edition of Robert's Rules of Order. Except when required by Florida Statute, State Board of Education Rule, or School Board Policy, a simple majority will carry all actions of the School Board. The Chair shall be responsible for maintaining order and control of all meetings.

(Ref. F.S. § 1001.372) (Amended 01/15/15; \_\_/\_\_/18)