

SCHOOL ADMINISTRATIVE UNIT 79

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SCHOOL BOARD LEGAL STATUS

State law provides that public schools will be operated and maintained by local School Boards. As agents of the state, School Boards are required to carry out state laws pertaining to public education and to carry out the policies and regulation of the State Board of Education.

The Gilmanton School Board is an instrument of the New Hampshire legislature and derives its authority from the New Hampshire constitution, New Hampshire Statutes, and rules of the State Board of Education.

Statutory – Regulatory References:

RSA 189:1, 189:1a

RSA 671:4, 194:1-3

RSA 186:5

RSA 197:1

RSA 671:4

N.H. Code of Administrative Rules – Section Ed. 303

Updated: September 9, 1999

Reviewed: February 10, 2003

Gilmanton School District Policy

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SCHOOL BOARD POWERS AND DUTIES

This School Board shall exercise all the powers and duties prescribed to them by applicable state and federal laws and rules of the New Hampshire State Board of Education.

Legal References:

RSA 189:1-a, Duty to Provide Education

RSA 195:5, Cooperative School Districts: School Board Powers and Duties

N.H. Code of Administrative Rules – Section Ed. 303.01, Duties of School Board

Updated: September 9, 1999
Reviewed: February 10, 2003
1st Reading: April 13, 2009
2nd Reading: April 27, 2009
Adopted: April 27, 2009

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BOARD MEMBER AUTHORITY

The authority of individual Board members is limited to participating in actions taken by the Board as a whole when legally in session. Board members shall not assume responsibilities of administrators or other staff members. The Board or staff shall not be bound in any way by any action taken or statement made by any individual Board member except when such statement or action is pursuant to specific instructions and official action taken by the Board.

Each Board member shall review the agenda and any study materials distributed prior to the meeting and be prepared to participate in the discussion and decision-making for each agenda item. Each agenda will provide an opportunity for Board members to comment on District activities and/or educational issues. These comments may become topics for future Board discussion.

Board members may occasionally serve on committees or organizations for the purpose of reciprocal communication and reporting back to the Board. Committee assignments will be made by the Chairperson with Board approval.

Each member is obligated to attend Board meetings regularly. Whenever possible, each Board member shall give advance notice to the Chairperson or Superintendent of his/her inability to attend a Board meeting.

Legal References:

RSA 91-A:2, Meetings Open to Public

RSA 91-A: 2-a, Communication Outside Meetings

N.H. Code of Administrative Rules – Section Ed. 303.01, Substantive Duties of School Boards

Updated: September 9, 1999

Reviewed: February 10, 2003

1st Reading: April 13, 2009

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Revised: December 13, 2011

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ROLES AND DUTIES OF THE BOARD CHAIRPERSON

Duties of the Chairperson

The Chairperson shall preside at all meetings of the Board and shall perform other duties as directed by law, New Hampshire Department of Education rules and by this Board. In carrying out these responsibilities, the Chairperson shall:

1. Sign the instruments, acts and orders necessary to carry out state requirements and the will of the Board;
2. Consult with the Superintendent in the planning of the Board meeting agendas;
3. Confer with the Superintendent on crucial matters that may occur between Board meetings;
4. Appoint members to serve on specific committees, subject to full Board approval;
5. Call emergency meetings of the Board as necessary;
6. Be the public spokesperson for the Board at all times except as this responsibility is specifically delegated to others; and
7. Preside at and be responsible for the orderly conduct of all Board meetings.

As presiding officer at all meetings of the Board, the Chairperson shall:

1. Call the meeting to order at the appointed time;
2. Announce the business to come before the Board in its proper order;
3. Enforce the Board's policies relating to the order of business and the conduct of meetings;
4. Put motions to a vote and announce the vote result.

The Chairperson shall have the right, as other Board members have, to offer motions, discuss questions and vote.

1st reading: November 8, 2011

2nd reading: December 13, 2011

Adopted: December 13, 2011

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SCHOOL BOARD ELECTIONS

The School Board shall consist of an odd number of members elected by the qualified voters of the District at the annual District elections held in March.

The term of office of each member of the School Board shall be for a period of three (3) years.

Statutory References:

RSA 671:4

RSA 671:22

RSA 195:19-a (Cooperative School Boards)

RSA 195:19-b (Cooperative School Boards)

1st reading: January 21, 2003

2nd reading: February 10, 2003

Adopted: February 10, 2003

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BOARD MEMBER QUALIFICATIONS

To become a candidate for any school district office, a person must be a registered voter in the district. No person holding the office of member of the school board shall at the time hold the office of district moderator, treasurer or auditor. No person employed on a salaried basis by School Administrative Unit 79 shall be a school board member. Salaried positions shall include, but are not limited to, the following: teacher, custodian, administrator, secretary, school bus driver (if paid by the district), school lunch worker and teacher's aide.

Statutory References:

RSA 671:18

1st reading: January 21, 2003

2nd reading: February 10, 2003

Adopted: February 10, 2003

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BOARD MEMBER RESIGNATION

The Board believes that any citizen who files for and seeks election to the Board should do so with full knowledge of and appreciation for the investment in time, and dedication expected of all Board members and that the citizen's intent to serve reflects his or her intention to serve a full term of office. Every effort will be made on the part of the administration and Board to promote new Board members understanding of the duties/responsibilities of the office.

However, if for reasons of health, change in domicile, or any other compelling reason a member does decide to terminate service, the Board requests earliest possible notification of intent to resign so that the Board may appoint qualified citizens to complete their term.

Vacancies shall be filled in accordance with RSA 197:26 and RSA 671:33.

Statutory References:

RSA 197:26

RSA 671:33

Updated: September 9, 1999

Revised: February 10, 2003

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BOARD MEMBER REMOVAL FROM OFFICE

A Board member may not be removed from office except as provided in RSA 32:12 and RSA 42:1-a.

Statutory References:

RSA 32:12

RSA 42:1-a

1st reading: January 21, 2003

2nd reading: February 10, 2003

Adopted: February 10, 2003

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UNEXPIRED TERM FULFILLMENT

The Gilmanton Board shall fill vacancies occurring on the Board by appointment until the next School District election.

The Board shall fill vacancies occurring on the school board. Appointees of the Board shall serve until the next District election, when the voters of the District shall elect a replacement for the remainder of the unexpired term.

Statutory Reference:

RSA 197:26

RSA 671:33

Updated: September 9, 1999

Revised: February 10, 2003

Revised: June 22, 2009