

0000 BYLAWS

NOTE: Bold Policy ##### and Bold Title indicates those Administrative Guidelines (AGs) required by Board Policy.

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0100 *Definitions* [see Policy language]

0110 *Official Description* [see Policy language]

0111 *Name*

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0120 *Powers and Philosophy* [see Policy language]

0121 *Board Authority*

0122 *Board Powers*

0130 *Functions* [see Policy language]

0131 *Legislative*

0131.1 *Bylaws and Policies*

AG 0132 *Executive Function*

A. Board shall exercise its executive power, in part, by the appointment of an Executive Director who shall enforce the statutes of the State of Indiana, administrative guidelines of the State Board of Education, and the policies of this Board.

B. Executive Director shall consult with the Board in regard to the development and/or revision of policies.

C. Administrative guidelines shall be binding on the employees and the students of SSSMC when issued.

D. Interlocal Agreement (August 2010) provides, in part, under Article 3 (Section 3.03) that the Executive Director shall be responsible for carrying out all policies, programs, and activities developed, formulated, and approved by the Board.

E. Executive Director, by direction of the Board, shall recommend to the Board, the employment, promotion, or removal of employees or persons on the staff of SSSMC and will exercise such other authority as shall be delegated by the Board.

- 0132.1 *Selection of Director* [see Policy language]
- 0132.2 *Administrative Authority* [see Policy language]
- 0133 *Judicial*
- AG 0134 *Operational* (Added 7.29.14)

The programs and services offered through or supported by the SSSMC shall be provided in one (1) of

four (4) different methods:

- A. by SSSMC for all members;
- B. by SSSMC through contract with a limited number of participating members;
- C. by a member under an agreement between the hosting member and other participating members;
- D. by cash transfer tuition basis with an application of enrollment from a non-resident parent/guardian or non-member public agency (see AG 6150).

- AG 0140 *Membership* [see Revised Policy]

The Board consists of four (4) members as Superintendents of the participating member school corporations or their designees with proxy voting authority.

- 0141 *Number*
- 0142 *Composition*
- 0142.5 *Orientation*
- 0143 *Board Member Authority*
- 0143.1 *Public Expressions of Board Members*
- 0144 *Operations*
- 0144.2 *Board Member Ethics*
- 0144.3 *Conflict of Interest*
- 0144.4 *Defense and Indemnification of Board Members*
- 0144.5 *Gifts and Gratuities*

- AG 0150 *Organization* [see Policy language]

The Interlocal Agreement (August 2010) provides, in part, under Article 3 (Section 3.02) that the Board shall organize each year by July 31st.

- 0151 *Organizational Meeting* [see Policy language]

- AG 0151.1 *Board of Finance* [see Policy language]

The Board shall establish a Board of Finance for the SSSMC consisting of the members of the Board. The SSSMC's Board of Finance shall meet at least once each calendar year during the period after the first Monday and on or before the last day of January.

- AG 0152 *Officers* [see Policy language]

Officers shall serve for one (1) year and until their respective successors are elected and shall qualify. The Board may appoint an Executive Secretary and shall appoint a Treasurer who is not the Executive Director or a Board member.

AG 0154 *Motions* [see Policy language]

The Board shall, at the organizational meeting:

- A. designate a day, place, and time for regular meetings which shall be held at least once every Quarter;
- B. authorize the President of the Board to appoint individual Board members to any necessary committees or as representatives to various organizations; and
- C. appoint a legal counsel.

AG 0155 *Committees* [see Policy language]

Committees appointed directly by the Board or President shall constitute a “governing body” as defined in the Open Door Law and shall keep minutes of its meetings. With a specific charge to do so a committee shall conduct studies, receive information, make recommendations to the Board, and act in an advisory capacity, but shall not take action on behalf of the Board. Each Board committee shall be convened by a chairperson chosen by the committee from among its members and who shall report for the committee.

Meetings of committees appointed by the Executive Director that report to the Executive Director shall:

- A. not be subject to the Open Door Law, but
- B. shall be subject to the Access to Public Records Act.

The President shall, as soon after the organizational meeting as practicable, appoint members of the Board to standing committees where they shall serve a term of one (1) year. Ad hoc committees may be created and changed at any time by the President or a majority of the members present at any meeting at which the need for a committee becomes evident or by the Executive Director with the approval of the Board. Members of ad hoc committees shall serve until the committee is discharged.

A member may request (or refuse) an appointment to a committee. Refusal to serve on any one committee shall not be grounds for failure to appoint a member to another committee.

AG 0160 *Meetings* [see Revised Policy 11/15/13]

A majority of the full Board members present at a meeting shall constitute a quorum, and no business shall be conducted in the absence of a quorum (0162). As used in the policy, a “meeting” means a gathering of a majority of Board members for the purpose of taking “official action” as defined by I.C. 5-14-1.5-2(d) on public business (0164.4).

The Board will give notice of regular, special, and emergency Board meetings to Board members, news media, and the general public in compliance with Indiana law on the organization and operation of the governing body of a school cooperative and the Open Door Law (I.C. 20-26-4-3). Notice of any meeting of the Board shall also contain the following statement: “The Board’s meeting site is fully accessible to all persons. Any person requiring further accommodation should contact Melissa Cunniff in the SSSMC’s administrative office at 317/789-1650”(0165).

Public notice of regular Board meetings will be given only once a year by posting a copy of the notice at the administrative offices of SSSMC and delivering such notice to all

news media which submit an annual written request for such notice for the next calendar year to the Board on or before December 31st of the preceding calendar year (0165.1).

The Board shall also give public notice to persons who give the Board a written request for notice of meetings not later than December 31st of the preceding calendar year. The Board shall give this notice by e-mail or by publishing notice of regular meetings (or any subsequent meeting changes) on the Board's (SSSMC) Internet website at least forty-eight (48) hours in advance of the meeting (excluding weekends and legal holidays) (0165.1).

A Special Meeting of the Board must be held when called by the President or Executive Director and the notice is to be received by Board members at least seventy-two (72) hours before the Special Meeting is to convene. At a Special Meeting, the Board may take any action permitted at a regular meeting. Executive Sessions are excluded from the definition of Special Meeting (0165.2).

Members of the Board may not participate in a series of meetings (gatherings) if the series consists of at least two (2) gatherings and the series of gatherings meets all of the criteria in Policy 0165.5.

The Executive Director shall prepare and submit to each Board member a written agenda at least two (2) before the meeting. Besides the list of various matters to come before the Board, each agenda shall contain the following statement:

"This is a meeting of the Governing Board in public for the purpose of conducting the SSSMC's business and is not to be considered a public community meeting. There will be time for public participation indicated by the designated agenda item."

A copy of the agenda shall be posted at the entrance to the meeting location prior to the meeting (0166).

The Board may meet in an executive session (closed to the public) after giving proper notice for the purposes outlined in Policy 0167.2. A regular or special meeting may not be recessed or adjourned for the purpose of conducting an executive session (0167.4).

The minutes of an executive session shall:

- A. show the date, time, and place of the session;
- B. the members either present or absent; and
- C. the identification of the subject matter considered by specific reference to the enumerated instance(s) for which public notice was given.

The Board shall certify in the minutes that it discussed no subject matter in the executive session other than the subject matter specified in the public notice (0168.2).

0161	<i>Parliamentary Authority</i>
0162	<i>Quorum</i>
0163	<i>Presiding Officer</i>
0164	<i>Call/Board Operation</i>
0164.1	<i>Regular Meetings</i>
0164.2	<i>Special Meetings</i>
0164.3	<i>Emergency Meetings</i>

0165 *Notice*

AG 0165.1 *Regular Meetings* [see Policy language]

Generally, the agenda of each regular meeting shall be mailed or delivered to each Board member no later than two (2) days prior to the meeting (0166). Each agenda shall contain the following statement:

This meeting is a meeting of the School Board in public for the purpose of conducting the business of Southside Special Services of Marion County (SSSMC) and is not to be considered a public community meeting. There will be time for public participation as indicated by a designated agenda item (0166).

The notice (agenda) of any meeting of the Board shall also contain the following:

The meeting site is fully-accessible. Any person requiring further accommodation should contact Melissa Cunniff, Executive Secretary (789-1650) at the SSSMC's central office (0165).

A Board member or his/her designee with a vote proxy must be physically present in order to cast a valid vote. The Interlocal Agreement (August 2010) provides that the Governing Board member may designate an alternate with voting privileges to serve in his/her absence (Section 3.01). All actions requiring a vote may be conducted by voice, show of hands, or roll call provided that the vote of each member is recorded (0167.1).

0165.2 *Change of Regular Meetings*

0165.3 *Special Meetings*

0165.4 *Recess*

0165.5 *Series of Meetings (Gatherings)*

0166 *Agenda*

0166.1 *Consent Agenda*

0167 *Conduct*

AG 0167.1 *Voting* [see Policy language]

A Board member or his/her designee with vote proxy must be physically present in order to cast a valid vote. The Interlocal agreement (August 2010) provides that the Governing Board may designate an alternate with voting privileges to serve in his/her absence (Section 3.01).

A Board member who is not physically present at a meeting of the Board, but who communicates with members of the Board during the meeting by telephone, computer, videoconferencing, or any other electronic means of communication that permits the member to hear and be heard by the Board members and public present at the meeting:

- A. may participate in any Board discussion, but
- B. may NOT participate in a vote taken at the meeting; and
- C. may NOT be considered to be present at the meeting for purposes of the existence of a quorum.

AG 0167.2 *Executive Session* [see Policy language]

The minutes of an executive session shall show:

- A. date, time, and place of the session;
- B. members either present or absent; and
- C. the identification of the subject matter considered by specific reference to the enumerated instance(s) for which public notice was given.

The Board shall certify in the minutes that it discussed no subject matter in the executive session other than the subject matter specified in the public notice.

- 0167.3 *Public Participation at Board Meetings*
- 0167.4 *Adjournment*
- 0167.5 *Use of School Corporation Electronic Mail by Board Members*
- 168 *Minutes*
- 168.1 *Open Meeting*
- 168.2 *Executive Session*

- 0170 *Duties [see Policy language]*
- 0171 *Officers*
- 0171.1 *President*
- 0171.2 *Vice-President*
- 0171.3 *Secretary*
- 0171.4 *Treasurer*
- 0172 *Legal Counsel*
- 0174 *Reports*
- 0175 *Membership*
- 0175.1 *Board Conferences, Conventions, and Workshops*
- 0175.2 *Advisory Committees*