



Board Governance Policies

[Updated Oct. 2022]

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Vision: The Des Moines Public Schools Exist So That Graduates Possess the Knowledge, Skills, and Abilities to Be Successful at the Next Stage of Their Lives.

1.0 Goals

Board Goals

- **Goal 1: The Percent of All Fourth Grade Students Proficient on the ISASEP ELA Assessment Will Increase From 57% in June 2022 to 67% in June 2026**
- **Goal 2: The Percent of Black Male Fourth Grade Students Proficient on the ISASEP ELA Assessment Will Increase From 29.5% in June 2022 to 67% in June 2026.**
- **Goal 3: The Percent of Black Male Eleventh Grade Students Proficient on the ISASP Mathematics Assessment Will Increase from 17.7% in June 2022 to 45% in June 2026.**

2.0 Guardrails

Board's Guardrails for the Superintendent

1. The Superintendent shall not allow inequitable treatment of students or the continuation of systems that allow for it.
2. The Superintendent shall not allow the social emotional learning needs of marginalized students to be unaddressed.
3. The Superintendent shall not allow the composition of the teaching and learning staff to diverge regarding demographics and cultural responsiveness, from the student population while utilizing hiring practices conducted in accordance with the District's Affirmative Action Plan and Equal Employment Opportunity/Non-Discrimination Process.
4. The Superintendent shall not allow an environment for both students and staff that is unsafe and unwelcome.
5. The Superintendent shall not cause or allow any practice, activity, decision, or organizational circumstance that is financially imprudent, unnecessarily risks district assets, or violates commonly accepted business and professional practices.

3.0 Delegation

3.1 Delegation to the Superintendent

The Board will instruct the Superintendent through written policies that represent the visions and values of the community.

Accordingly:

1. The Board will develop, codify, and maintain Goals that represent the vision of the Community and Guardrails that represent the values of the community.
2. The Board will develop and maintain Guardrails; actions that the Superintendent may not use or allow in pursuit of the school system's student outcome goals.
3. As long as the Superintendent uses any reasonable interpretation of the Board's Goals and Guardrails, the Superintendent is authorized to establish district and/or administrative policies and procedures, make all decisions, take all actions, establish all practices, and pursue all activities. Such decisions of the Superintendent shall have full force and authority as if decided by the Board.
4. The Superintendent is responsible for creating and informing the board of an emergency succession plan annually, at the beginning of the fiscal year.

3.2 Superintendent's Role

The Superintendent, as the Board's sole executive officer for managing school system operations, shall be responsible for accomplishing any reasonable interpretation of the Board's goals within the boundaries provided by the Board's guardrails, and state and federal law.

State and federal law require Board adoption of policies on a variety of topics. The Board's adopted policies in the district procedure manual constitute compliance with these legal requirements. In accordance with state law, the Superintendent shall be responsible for preparing recommendations for policies to be adopted by the Board, overseeing implementation of adopted policies, and developing appropriate administrative procedures. In recommending policy for Board adoption, the Superintendent shall identify when the Board is required to adopt policy or has statutory decision-making authority that cannot be delegated to the Superintendent. Required board policy addressing administrative issues shall be handled by consent agenda, with the Superintendent informing the Board of substantive changes.

Any operational issues not required to be Board adopted shall be addressed in district procedure manual and the Board shall take necessary steps to remove such issues from board policy.

3.3 Superintendent's Evaluation

The Superintendent is the only staff person accountable to the Board of Directors for operational achievement and conduct.

Accordingly:

1. The Board shall annually evaluate the Superintendent based on the school system's achievement of the Board's goals and compliance with the Board's guardrails.

3.4 Governance-Management Connection

The Board's official connection to the operational organization, its achievements, and conduct will be through the Superintendent.

Accordingly:

1. The Superintendent will inform the referring Board Member of the resolution of any referred comment/complaint.

3.5 Unity of Control

Only officially passed motions of the Board are binding on the

Superintendent. Accordingly:

1. Decisions or instructions of individual Board Members, officers, or committees are not binding on the Superintendent except in rare instances in which Board has specifically delegated this authority.
2. If Board Members or committees request information or assistance for items not posted on the Board agenda and without Board authorization, the Superintendent may refuse such requests that require, in his/her opinion, a significant amount of staff time, not to exceed 15 minutes.
 - A. Requests should be submitted to the Superintendent and Board Leadership via email with "Request for Information" included in the subject line. Requests should detail what information is requested, why the information is being requested, and when the information is wanted.
 - B. If a request is refused and the Board Member or committee still wishes to pursue it, the same written request should be sent into the Board Chair and Superintendent via e-mail asking it to be placed on a subsequent agenda for full Board consideration.
 - a. If it is determined that the majority of the Board would like the information requested in order to help them fulfill their Board duties, the Superintendent will assign the appropriate staff member to fill the request. The information will be sent to the entire Board.
 - b. If the majority of the Board does not agree to the request, then the request should be revised or dropped.
3. Requests for information regarding an agenda item for the upcoming Board meeting must be in by noon on Thursday before the Tuesday Board meeting. If the information cannot be gathered before the Tuesday Board meeting, it will be sent out to the entire board before the next meeting.
4. Requests for information that arise at the Board table in a meeting or work session must be agreed upon by a majority of the Board. Board Support will record the request as an action step for the Superintendent.

[Revised June 5, 2018]

3.6 Superintendent Accountability and Performance

The Superintendent is the only staff person accountable to the Board of Directors for operational achievement and conduct.

Accordingly:

1. Neither the Board nor any individual Board Member will give instructions to persons who report directly or indirectly to the Superintendent.
2. The Board will not evaluate, either formally or informally, any staff other than the Superintendent.
 - A. Board Members must remain cognizant that DMPS personnel are the responsibility of the Superintendent, not the Board.
 - B. When a Board Member has concerns about the performance of DMPS employees which relate to employee, student, Board or community safety, the Board Member will notify the Superintendent and, when appropriate, the Des Moines Police Department.
3. The Board may only approve or reject candidates brought forth by the Superintendent. The Board, individually or collectively, shall not engage in lobbying for specific hiring decisions.
4. Board Members may not advise the Superintendent on specific hiring decisions unless such input is sought. Board Members shall refer potential candidates to the DMPS website or Human Resources Department.
5. Board Members shall refrain from writing letters of recommendation for or lobbying for any person seeking employment with DMPS.
6. The Board will systematically and rigorously monitor Superintendent job performance to determine the extent to which Goals are being achieved and whether Guardrails are being honored. Information that does not address policy compliance will not be considered in the evaluation of Superintendent performance.
 - A. Monitoring is simply to determine the degree to which Board policies are being met.
 - B. The Board will acquire monitoring data by one or more of two methods:
 - a. By internal report, in which the Superintendent discloses, in writing, policy interpretations and compliance information to the Board.
 - b. By external report, in which an external, disinterested third party selected by the Board assesses compliance with Board policies.
 - C. In every case, the Board will judge whether (a) the Superintendent's interpretation is reasonable and (b) whether data demonstrate accomplishment of or compliance with the Superintendent's interpretation.
 - D. In every case, the standard for compliance shall be any reasonable Superintendent interpretation of the Board policy being monitored. The Board is the final judge of reasonableness and will always judge with a "reasonable person" test (what a reasonably prudent person would do in that context). Interpretations favored by individual Board Members or by the Board as a whole shall not constitute a "reasonable person" test.
 - E. All policies instructing the Superintendent will be monitored at a frequency and by any of the three above methods chosen by the Board. The Board may monitor any policy at any time by any of the three methods designated in item B but will ordinarily depend on the Board Report Schedule as established in the yearly agenda planning cycle and posted in the Appendix of the Board's Governance Policy Manual.
 - a. "Off-cycle" monitoring reports - a monitoring report that is additional to those already calendared in the annual planning cycle - for a Goal or Guardrail may be requested for inclusion by the full board on an upcoming agenda according to Governance Process Policy 1.4, 3H.
 - b. Changes to interpretation of policy - When the Superintendent deems it necessary to update interpretation of an existing Board policy, the Superintendent shall notify the Board of any changes to interpretation. Changes to interpretation should also be highlighted on monitoring reports being reviewed by the Board.
 - F. If, at any time, a Board Member becomes concerned that the Superintendent may have (1) breached any term of the Superintendent's contract, (2) violated state or federal statute, or (3) violated DMPS Policy, the following process will be used:

- a. The concerned Board Member will bring their concerns to the Board Chair who will assist in resolving the issue(s).
 - b. If the concerned Board Member does not feel that the resolution is satisfactory the Board Member may request, through the Board Chair, that an item be placed on the next regular meeting agenda. The matter may be handled as a closed meeting item if a Closed Session is requested by the Superintendent. The concerned Board Member must inform the Board Chair in writing of the specific nature of any concern(s) that prompted the request.
 - c. In addition, the Board Chair may, of their own accord, place an item on a regularly scheduled meeting agenda item to discuss concerns about the professional performance of the Superintendent.
- G. In the event that a closed meeting is requested and called, the Board must listen to the concern(s) and make a determination if the issue raised is truly cause for concern.
- H. If the majority of the Board determines that there is a violation or breach of one of the items listed, the following process will be followed:
- a. The exact nature of the concern or deficiency will be documented and discussed with the Superintendent.
 - b. A plan for remediation or disciplinary action may be adopted, to include action(s) to be taken and timelines.
 - c. The Board Chair shall monitor any performance remediation plan for compliance and the results will be made part of the Superintendent's annual performance evaluation.
 - d. It shall be the responsibility of the Board Chair to ensure that all documentation relating to performance deficiencies shall be appropriately placed in the Superintendent's personnel file.
- I. The Superintendent will be responsible for developing, implementing, and maintaining a data informed professional learning plan on a yearly cycle to address growth areas as identified by assessment tools.

[Revised May 21, 2019]

[Revised October 1, 2019]

4.0 Governing

4.1 Governance Commitment

Des Moines Public Schools exist to improve student outcomes. The Des Moines Public School Board of Directors exists to represent the Vision and Values of the community.

4.2 Board Performance

The Board will monitor its process and performance. Self-monitoring will include comparison of Board activity and discipline to Governance Process and Governance policies and to the Student Outcomes Focused Governance Framework. The Board will discuss its process and performance quarterly.

4.3 Board's Guardrails for the Board

The Board shall operate within the Board's role (as defined above) and the Board's operating procedures (as defined below). The Board, either collectively or through the actions of individual Board Members, shall not:

- Invest less than 50% of its minutes each month into monitoring student outcome goals
- Perform or appear to perform any of the responsibilities delegated to the Superintendent
- Violate any Board-adopted policy or district procedure

4.4 Governing Styles & Values

The Board will govern lawfully, observing the principles it has adopted, with an emphasis on (a) student outcomes, encouragement of diversity in viewpoints, (c) strategic leadership, (d) clear distinction of Board and Superintendent roles, (e) collective decision-making, (f) the future, and (g) governing proactively.

Accordingly:

1. The Board will cultivate a sense of group responsibility. The Board, not the staff, will be responsible for excellence in governing. The Board will be the initiator of governing policy. The Board will not use the expertise of individual members to substitute for the judgment of the Board, although the expertise of individual members may be used to enhance the understanding of the Board as a body.
2. The Board will direct, control, and inspire the District through the careful establishment of board written policies reflecting the Board's visions and values of the community. The Board's major focus will be on the intended long-term results, not on the administrative or programmatic means of attaining those results.
3. All policies of the Board are contained in this document, and they remain in effect unless amended or deleted by Board action.
4. The Board will orient new Board Members in the Board's governing process and these policies.
 - A. Training will be liberally used to orient new members, candidates for Board membership, and the community, as well as to improve existing member skill and understanding of the principles of the Board's governance model.
 - B. All Board members will receive orientation to the Des Moines Public School District and the role and responsibilities of the Board. The orientation will be the responsibility of the Board Chair or their designee with the assistance of the Superintendent and their staff. Board members will be responsible for taking advantage of orientation opportunities.
5. The Board will allow no officer, individual, or committee of the Board to hinder or be an excuse for not fulfilling its commitments.

[Revised June 5, 2018]

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4.5 Board Job Responsibilities

On behalf of the “stakeholders” of the Des Moines Public Schools’ community, the Board of Directors will ensure appropriate organizational performance by assuming direct responsibility for the following:

1. The Board will monitor Student Outcome Focused Goals and Guardrails and will fulfill any statutory or other external mandates imposed upon it by law, rule, regulation, or contract.
 - A. These Board Governance Policies have been, in accordance with state and federal law, enacted and approved by the Board. The mandated portions of these Board Governance Policies cannot be altered without a vote of the Board. The Board has delegated responsibility for implementation and enforcement of these Board Governance Policies to the Superintendent and/or the Superintendent’s designee.
 - B. The Board will update the community on an annual basis on the performance of the school system relative to the goals and guardrails.
 - C. The Board will receive input from the community at least every three years which will inform the goal setting process.
 - D. The Board will review board approved goals every three years with the intention to keep, modify, or deleted stated goals.
2. The Board will evaluate the Superintendent and remuneration will be decided based on the degree of accomplishment of the Goals while honoring the Guardrails will be decided.
3. The Board will approve an annual budget that align with achieving our Goals while honoring our Guardrails, establish the tax rate, and approve the levees

[Revised June 5, 2018]

[Revised 2022]

4.6 Concerns about Board Member Performance

The Board will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, and ensuring the continual development of governance skills. Although the Board can change its governing policies at any time, it will scrupulously observe those currently in place.

1. If a Board Member believes that another Board Member has violated the Board Member Code of Conduct, the concerned Board Member should discuss the alleged violation with the other Board Member in private prior to taking any other action, unless the nature of the allegation requires immediate escalation to the Board Chair.
2. If, after step one, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member may submit, in writing, the allegation to the Board Chair (arbiter). If the Board Chair is involved in the allegation, the concerned Board Member may instead submit the allegation, in writing, to the Board Vice Chair or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter instead.
3. The Board Members involved will conference to discuss the alleged violation. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to avoid such escalation.
4. If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board Chair will place it on the agenda for the next regular meeting or call a special meeting of the Board to discuss the alleged violation. The Board Chair may call upon the District's counsel or an external legal advisor to investigate the nature of the alleged violation.
5. If, after the special meeting of the Board to discuss the alleged violation, the Board determines that additional consideration of the alleged violation or Board action is warranted, the allegation and the investigative findings will be considered again at another meeting.
6. In order for the alleged violation to be considered for action at another meeting, one of the following three motions must be made and seconded: a motion to dismiss the allegations, a motion to admonish, or a motion to censure.
 - A. In order to protect the overriding principle of freedom of speech, the Board shall not impose admonition or censure on any of its members for the exercise of their First Amendment rights.
 - B. A motion to dismiss allegations concludes any procedures before the Board. Once a motion to dismiss allegations has passed concerning a given alleged violation, no other motions concerning that alleged violation are in order. A motion to dismiss allegations requires a majority vote to pass.
 - C. An admonition is a one-time action which serves as a warning. A motion to admonish must be presented in writing and must contain the exact language of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass.
 - D. A censure is an action that is permanent until lifted by the Board via a majority vote of the Board. A censure serves as a penalty imposed for wrongdoing. Censure carries no fine or suspension of the rights of the Board Member as an elected official but does immediately suspend all Board Member privileges such as, but not limited to, holding an officer role and anything else not explicitly guaranteed to Board Members by Iowa Code. A motion to censure must be presented in writing and must contain the exact language of the alleged violation and the proposed censure. A copy of the motion to censure must be provided to the accused Board Member at least seventy- two (72) hours prior to discussion of the motion. A motion to censure requires a two-thirds majority vote to pass. A motion to censure can only be lifted by a motion approved by a majority vote that occurs at least one (1) meeting after the motion to censure was passed.

4.7 Agenda Planning

The Board will prepare and follow an annual agenda plan that includes (1) a complete review of Student Outcome Focused Goals and Guardrails and (2) continuous improvement in Board performance through Board education, enriched input, and deliberation. Accordingly:

1. The Board's annual planning cycle will conclude each year on June 30, so that administrative planning and budgeting can be based on accomplishing a one-year segment of long-term Ends.
2. The Board's planning cycle will start on July 1 with the Board's development of its agenda for the next year.
 - A. The Board and Superintendent will identify priorities for Student Goals and other issues to be resolved in the coming year and will identify the information gathering necessary to fulfill its role. This may include consultations with selected groups in the community, other methods of gaining community input, governance education, and other education related to Student Goals issues, (e.g., presentations by futurists, advocacy groups, demographers, other providers, staff, etc.).
 - B. The Board Chair and Vice Chair will, at the commencement of the Board's annual planning cycle, prepare a tentative agenda plan for the following year's meetings.
3. The Chair and Vice Chair will determine the agenda for any particular meeting, although Board Members may request or recommend any appropriate matters for Board consideration.
 - A. The Board Chair and Board Vice Chair shall work with the Superintendent during an Agenda Planning Meeting to determine any items that management needs placed on the agenda. The tentative agenda does not become the final agenda until it is approved by the Board.
 - B. Any Board Member may request that a subject be included on an agenda for a meeting. That request shall be forwarded in writing to the Board Chair and Superintendent no less than fourteen (14) calendar days prior to the regular board meeting. The Board Chair shall ensure that any topics the Board or individual Board Members request to be addressed shall be on the agenda unless the Board Chair declines the request—which a majority vote of the full Board can override—or the Board Chair shall specify which future agenda on which the item shall be scheduled. If the Board Chair declines a request for an item to be placed on the agenda, then the Board Chair will provide written rationale for that action.
 - C. No item can be placed on the board meeting agenda less than seven (7) calendar days in advance of the board meeting unless delay in acting or discussing the added item could seriously affect the operation of the District. No item should be placed on the board meeting agenda less than seventy-two (72) hours in advance of the meeting unless the Board Chair determines that an urgent public necessity exists.
 - D. Board Members who have questions about a particular board meeting agenda item will follow 4.10 "Directors' Individual Responsibilities" Board Policy.
 - E. The Superintendent shall be sure that adequate materials are provided for each board meeting agenda item and the information will be relayed to Board Members at least seven (7) calendar days prior to the meeting.
 - F. The Board may, by majority vote, remove an item from the agenda if adequate materials are not provided in a timely manner.
 - G. "Off-cycle" monitoring reports - a monitoring report that is additional to those already calendared in the annual planning cycle (See appendix 1.0) - for a Guardrail or Student Outcome Focused Goal on an upcoming agenda. A written request shall be forwarded to the Board Chair and Superintendent including the policy or policy subset number and the rationale for the request no less than thirty (30) calendar days prior to the regular board meeting at which the monitoring report is requested. The Board Chair shall ensure that the off-cycle report request be on the upcoming agenda in accordance with subset 3C of this policy section for which a majority Board vote determines the Superintendent's requirement to fulfill the request. If the request is to be fulfilled per Board action, the Board Chair shall specify the future agenda on which the monitoring report shall be scheduled no less than thirty (30) days from original request. If the Board Chair declines a request for an off-cycle monitoring report to be placed on the agenda, then the Board Chair will provide written

rationale for that action.

4.8 Chair/Vice Chair Role

The Chair, serving as the chief governance officer, ensures the integrity of the Board's process and, secondarily, represents the Board to outside parties.

Accordingly:

1. The assigned result of the Chair's job is that the Board conducts itself consistently with its policies and those legitimately imposed upon it from outside the organization.
 - A. Meeting discussion content will include only those issues that clearly (according to Board policy) belong to the Board to decide or to monitor.
 - B. Deliberation will be fair, open, thorough, timely, orderly, and kept to the point.
2. The Chair is authorized to make decisions consistent with the Board's Governing Process and Governance policies, with the exception of (a) employment/termination of the Superintendent, or (b) instances where the Board specifically delegates portions of this authority to others. The Chair is authorized to use any reasonable interpretation of these policies.
 - A. The Chair is empowered to preside at board meetings with all of the commonly accepted power of that position, such as ruling and recognizing.
 - B. The Chair has no authority to make decisions about policies created by the Board. The Chair has no authority to supervise or direct the Superintendent.
 - C. The Chair may represent the Board to outside parties in announcing Board-stated positions and in stating decisions and interpretations within the area delegated to them. The Chair may delegate this authority but remains accountable for its use.
 - D. The Chair may appoint Board Members to serve on Board Committees, unless specified otherwise in Board policies.
 - E. The Chair may appoint Board Members as needed to serve as representatives to the organizations for which the board is a member as follows:
 - The Iowa Association of School Boards (IASB) Delegate Assembly
 - The Council of the Great City Schools (CGCS) Board of Directors
 - Urban Education Network of Iowa (UEN) Steering Committee
3. The Vice Chair's job is to support the Board Chair in fulfilling their responsibilities to ensure the integrity of the Board's process.
 - A. The Vice Chair will participate with the Chair in agenda planning.
 - B. The Vice Chair may serve as Board Chair substitute.
 - C. The Vice Chair assumes the duties of the Board Chair in their absence, as requested by the Chair.
 - D. The Vice Chair has no authority to make decisions about policies created by the Board. The Vice Chair has no authority to supervise or direct the Superintendent.
4. The Chair and Vice Chair are elected by the Board at the annual organizational meeting as established by Iowa Code 279.1 The process will be as follows:
 - A. In Board election years, all candidates shall be notified of the organizational meeting process including board officer elections prior to the school board election.
 - B. Any board member or board member-elect interested in seeking a board officer position will prepare a written submission stating their desire to serve as Chair or Vice Chair, their reason for wanting to hold the position, how they will maintain board focus on action steps it has prioritized to reach a state of Mastering Student Outcomes Focus, and other information deemed appropriate by the interested individual. Written submissions will be sent via email to all board members no later than 5:00 p.m. the Friday following the election.
 - C. A call for nominations for each position shall be made at the meeting; and, following the close of nominations, a paper ballot vote will be taken separately for each office.
 - D. In years where there is no school board election, the officer selection will proceed as set out above with submission of interest no later than 5:00 p.m. the Friday preceding the organizational meeting.

4.9 Board Member Code of Conduct

The Board commits itself and its members to ethical, professional, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board Members.

Accordingly:

1. Board Members must demonstrate loyalty to representing the vision and values of the community, unconflicted by loyalties to staff, other organizations, or any personal interests as members of the District.
2. Board Members must avoid conflict of interest with respect to their fiduciary responsibility.
 - A. There must be no self-dealing or any conduct of private business or personal services between any Board Member and the organization except as procedurally controlled to assure openness, competitive opportunity, and equal access to inside information. A member of the board of directors of a school corporation shall not have an interest, direct or indirect, in a contract for the purchase of goods, including materials and profits, and the performance of services for the director's school corporation. A contract entered into in violation of this section is void. This section does not apply to contracts for the purchase of goods or services which benefit a director, or to compensation for part-time or temporary employment which benefits a director, if the benefit to the director does not exceed two thousand five hundred dollars in a fiscal year, and contracts made by a school board, upon competitive bid in writing, publicly invited and opened.
 - B. When the Board is to decide upon an issue about which a member has a conflict of interest, that member shall disclose the conflict to the Board and absent herself or himself without comment from not only the vote but also from the deliberation. This conflict of interest shall be noted in the minutes and shall include deliberation and voting on employment contracts when a director's spouse benefits from said contract.
 - C. Board Members must not engage in any outside employment or activity which is in conflict with the Board Member's official duties and responsibilities. Board Members must not use their Board positions to obtain staff employment for themselves, family members or close associates. Should a Board Member apply for staff employment, he or she must first resign from the Board. Board Members must not attempt to exercise individual authority over the organization.
 - D. Defining and Identifying Potential Conflicts of Interest: The following circumstances shall be considered potential conflicts of interest warranting disclosure to the Board and/or recusal from action by the affected Board Member.
 - a. A Board Member, or Board Member's spouse, child, parent, or sibling, is a party to a contract or has a financial interest in a transaction with DMPS. Financial interest, as used in this Board Policy, means the person having a 5% interest in an entity contracting or entering into an agreement for services with the District, and/or the person receiving annual compensation equal to or exceeding \$1,000 from an entity contracting with the District.
 - b. A Board Member, or Board Member's spouse, child, parent, or sibling, is a trustee, director, board member, associate, employee, consultant, or advisor of an entity engaged with DMPS in a contract or transaction for goods or services.
 - c. A Board Member, or Board Member's spouse, child, parent, or sibling, is engaged in some capacity or has a financial interest in a business or enterprise that partners with DMPS.
 - d. A Board Member shall not vote to employ or appoint any person who is a parent, sibling, or child of the Board Member or the Board Member's spouse. Furthermore, applicants to DMPS positions are restricted from using Board Members as references.
 - e. A Board Member voting for or against any measure if they have received or have been promised any gift or payment of any item or value on condition of vote.
 - E. Procedures for Managing Conflicts of Interest: In the event of a conflict of interest or potential conflict of interest, Board Members who disclose a conflict of interest will abstain from voting and recuse themselves from all discussions on the matter. Upon abstaining, the Board Member shall state the conflict and the reason for abstaining. Furthermore, Board Members will be prohibited from influencing the matter outside of the Board's decision-

making process. All Board Members will be required to report inappropriate influence or pressure to the Board Chair as prohibited by this Board Policy.

- a. All actions, disclosures, and discussions regarding conflicts of interest will be recorded in Board Meeting minutes and posted on the DMPS website.

F. Measures to Avoid Conflicts of Interest

- a. DMPS shall not employ Board Members for more than \$2500 in annual compensation, even on a substitute or part-time basis. Board Members may volunteer in the District.
- b. Former Board Members shall not be eligible for employment or business/employment contracts with DMPS for a period of six months after having left the board.
- c. The Board shall not enter a contract or financial transaction where a conflict of interest, as defined by this Board Procedure, exists unless the conflict has been properly disclosed and managed. Every Board Member shall submit to the Board Chair and Superintendent an annual Conflict of Interest Disclosure Statement identifying any relationships, positions, or circumstances in which they are involved that contributes to a conflict of interest or the appearance of a conflict of interest as defined by this Board Procedure and every Board Member is required to keep the Conflict of Interest Disclosure Statement current.
- d. Board Members shall not sell, lease, or provide personal property or real estate to DMPS. A Board Member may donate personal property or real estate to DMPS.

3. Board Members must not attempt to exercise individual authority over the organization.

- A. Board Members' interaction with the Superintendent or with staff must recognize the lack of authority vested in individuals except when explicitly Board authorized.
- B. Board Members' interaction with public, media or other entities must recognize this limitation and that Board Members are not to speak for the Superintendent, or to speak for the Board except to repeat explicitly stated Board decisions.
- C. Except for participation in Board deliberation about whether the Superintendent has achieved a reasonable interpretation of Board Policies.
- D. Board Members will not publicly express individual judgments of performance of the Superintendent or employees of DMPS.
- E. A Board Member aware of credible information that suggests that a Board policy has been violated, by either the Board or the Superintendent has an affirmative obligation to bring the concern to the Board Chair or, in the event the Board Chair is the subject of the violation, to the Vice Chair.

4. Board Member Communication with the Superintendent

- A. The Superintendent will communicate requested information to all Board Members in a reasonable time without interfering with the regular conduct of DMPS business.
- B. The Superintendent will distribute to all Board Members any information requested by a Board Member.
- C. Board Members may communicate with other individual Board Members or the Superintendent for the purposes of asking clarifying questions, providing clarifying information, or socializing under circumstances that do not conflict with or circumvent open meetings laws.
- D. Board Members who wish to share information relevant to DMPS business or issues before the Board may provide the information to the Board Chair or Superintendent for placement on the agenda or, if appropriate, distribution to all Board Members in the Superintendent's Weekly Memo.
- E. The Superintendent will release significant information to the Board Members as promptly as possible.

5. Board Member Communication with DMPS Staff

- A. Board Members will respect the chain of command and refrain from initiating discussion of Board matters or matters on the Board Meeting agenda with any DMPS staff other than the Superintendent except as directed by the Superintendent or when the individual is designated as the contact on the meeting agenda. The only exception to this Board Procedure is domestic partners of Board Members.
- B. If Board Members are contacted by DMPS staff without the permission of the

Superintendent, Board Members will follow the Board Policy, "Board Member Communication with Owners/Community Members."

- C. Board Members will contact the Superintendent concerning contact from a DMPS staff member if the communication pertains to financial well-being of the district, anyone bringing physical harm to themselves, staff and or students, and any other concerns that would put the district in jeopardy.
 - D. If contact from a staff member implicates the Superintendent in any way, Board Members need to first share information with the Board Chair, the Board Chair will reach out to district legal counsel for next steps.
6. Board Member Communication with Owners/Community Members
- A. Board Members are encouraged to participate in community activities as liaisons between the Ownership and DMPS. When doing so, Board Members are expected to:
 - a. Relay information about DMPS in a positive and truthful manner.
 - b. Refer questions about specific DMPS activities/issues to the appropriate staff person or spokesperson when they do not know the answers.
 - B. The Board encourages community input but will not necessarily respond or act on the basis of anonymous calls, letters, or emails unless the communication pertains to criminal, health, or safety issues.
 - C. A Board Member retains the right to speak to anyone as an individual but must understand that the listener might interpret any comment as being an "official" statement of the Board.
 - D. In speaking as an individual, Board Members should:
 - a. Clarify that they are speaking as an individual and not for or on behalf of the Board or the District.
 - b. Should remind media representatives of any position or action that the Board has officially taken related to the issue in question.
7. Board Member Responses to Comments or Complaints
- A. Board Members will listen and remain impartial.
 - B. Board Members will not divulge confidential, privileged, or proprietary information in violation of federal or state law or regulation or Board/District policy procedures.
 - C. Board Members will ask if the commentator/complainant has followed DMPS' procedures and/or chain of command.
 - D. If the commentator/complainant does not know the procedures or chain of command, Board Members should provide the following information and advice:
 - a. The commentator/complainant should first speak with the appropriate staff member. If not satisfied, then;
 - b. The commentator/complainant should go to the appropriate administrator in charge of the school or department where the comment/concern arose. If not satisfied, then;
 - c. The commentator/complainant should contact the appropriate central office administrator. If not satisfied, then;
 - d. The commentator/complainant should conference with the Superintendent (or designee).
 - E. The Board Member will inform the Superintendent if an issue has advanced to or beyond step B and will include the nature of the comment/complaint, the commentator/complainant and to whom the commentator/complainant has been referred.
 - F. When the "Board" receives an email, Board Leadership will respond to the email and send a copy of the response to the board. If board members have any questions about the response, they are directed to reach out to Board Leadership.
 - G. When a Board Member receives a personal email from their Des Moines Public Schools (DMPS) account that requires district assistance the Board Member will follow the Board Policy, "Board Member Communication with Owners/Community Members." If the email pertains to financial well-being of the district, anyone bringing physical harm to themselves, staff and or students, and any other concerns that would put the district in jeopardy send elevate the email to the Superintendent and copy Board Leadership.
 - H. This procedure shall not apply to comments/complaints alleging criminal activity or

- emergencies where DMPS' students or staff members are in imminent danger.
- i. Board Members should use reasonable judgement when posting and replying on social media and follow Board Member Code of Conduct. Board members should consider implications of joint or group communications on social media under Iowa Open Meetings and Iowa Open Records Act.
8. Board Members must respect the confidentiality appropriate to issues of a sensitive nature.
 - A. Given the legal and sensitive nature of closed meetings, Board Members understand that the law requires that all such Meetings are strictly confidential.
 - B. When it is apparent to the Board that it would be in the best interest of the students, staff, community, or Board to make a statement regarding anything that occurs in or results from a closed meeting, the Board Chair will compose an official public statement that meets with the approval of a majority of the Board. Any such statement will comply with limitations set bylaw.
 - C. If individual Board Members are pressed for information regarding closed meetings, that Board Member will state clearly that they can give no information other than what is posted on the agenda. If pressed further, the Board Member will refer the inquiry to the Board Chair or Superintendent.
 9. Board Members will support the legitimacy and authority of the final determination of the Board on any matter, regardless of the member's personal position on the issue.
 10. If an individual Board Member is found to be in violation of his or her responsibilities either pursuant to this Code of Conduct or Iowa law, the Board may take action which includes but is not limited to the following: scheduling a meeting with the Board Chair or Vice Chair and legal counsel to address the violations; a written letter of reprimand from the Board Chair, or in the event the Chair is in violation, from the Vice Chair; subjecting the member who is in violation to reprimand or censure at a board meeting; forwarding information regarding the member's violation(s) to outside agencies for further investigation and action.
 - A. The Board may vote by a simple majority to publicly admonish a Board Member after only one undisclosed conflict of interest so long as in all other respects the Board follows the "Concerns About Board Member Performance" Board Policy (4.6).
 - B. The Board may vote by a simple majority to publicly report the Board Member to the Iowa Ethics and Campaign Disclosure Board.
 - C. The Board may vote by a simple majority, after conferring with legal counsel, to publicly report the Board Member to the Iowa Attorney General and/or local prosecutor when appropriate.

Iowa Code §§ 55; 71.1; 277.27; 279.7A; 301.28 (2007).
[Revised September 1, 2015] [Revised October 5, 2022]

4.10 Directors' Individual Responsibilities

The Board consists of four members elected by Director Districts and three members elected at-large. The individual and collective participation of its members is integral to the leadership success of the Board.

Therefore, each Board Member is expected to fulfill the following responsibilities:

1. Attendance - As contemplation, deliberation and decision-making require collaboration and participation, Board Members are expected to attend Board meetings, work sessions, and fulfill committee assignments.
2. Preparation and Participation - Board Members will prepare for Board meetings, work sessions, and committee meetings (see Agenda Planning ...) and will participate productively in discussions.
3. Board Member Performance at Meetings: All Board Members are expected to conduct themselves professionally and in accordance with their written commitment to the Board Member Code of Conduct during all meetings and public forums. Examples of behavior that will not be tolerated are rude remarks, interruptions, yelling, name calling and disrespectful verbal or body language.
 - A. During Board Meetings, all members will conduct themselves according to such rules or procedures as the Board or Board Chair may adopt from time to time.
 - B. If, during a meeting or public forum, any Board Member conducts themselves in a manner that is intolerable or prevents the accomplishment of goals, the Board Chair may adjourn the meeting. If a majority of the Board affirmatively votes to overturn the adjournment, then the meeting must continue.
 - C. Differences of opinion, if respectfully submitted, are not to be construed as unacceptable behavior but rather as alternate views on a subject and should be encouraged.
4. Members as Individuals: The Superintendent is accountable only to the Board as an organization, and not to individual Board Members. Therefore, the relationship between the Superintendent and individual members of the Board, including the Chair, is collegial, not hierarchical.
5. Volunteerism: Members of the Board choosing, as individuals, to volunteer in operational capacities in the District are subject to the direct supervision of the Superintendent or responsible staff person.
6. Stakeholder Input: Board Members should consider all input brought forward by and actively solicited from individuals and groups including those in Director Districts elected to when applicable, making final decisions in the best interest of the whole District placing the needs of all students at the forefront.

4.11 Board Member Visits to Schools

Board Members may visit school building with a focus on improving student outcomes.

1. Individual Board Members should send a request to the Superintendent of any desired visit twenty-four (24) hours in advance of the visit unless the Board Member is attending a function to which the Principal has invited them. If the Superintendent determines that the desired date and time is inappropriate for any reason, the Superintendent shall work with the Board Member to identify an appropriate date and time. This Board Policy applies to individual Board Members, not Board Committees.
2. Board Members must check in at the Principal's office following district guidelines and must have their identification badge visible.
3. All visits are to be escorted or directed by the Principal (or designee).
4. Board Members will not interrupt scheduled learning periods or interfere with the learning process.
5. Board Members will not assume a supervisory or evaluative role with staff or students.
6. Board Members will not initiate conversations regarding staff concerns.
7. Board Members will not convey the impression they are available to fix concerns. During a visit, if staff concerns arise, Board Members shall follow Board Policy, "Board Member Communication with Owners/Members."
8. Board Members will not assume a participator role with staff or students unless specifically requested by the Principal (or designee). This Board Policy does not pertain to visits as a parent, as a spectator to school events or other events open to the general public.

4.12 Board Committee Principles

Board committees, when used, have one essential role -- to strengthen and support the work of the Board. Board committees are not to interfere with delegation from Board to the Superintendent, or from the Superintendent to other staff. Committees, composed of Board Members, may be selected for special assignments. Such committees shall be appointed by the Board Chair and shall terminate upon completing their assignments or may be terminated by a vote of the Board at any time.

Accordingly:

1. Board committees are to help the Board do its job, not to help, advise or exercise authority over staff.
2. Board committees most commonly assist the Board by undertaking activities not delegated to the Superintendent, by preparing policy alternatives and implications for Board deliberation, or by performing specific monitoring functions. Board committees will normally not have direct involvement with current staff operations.
3. Board committees may not speak or act for the Board except when formally given such authority for specific and/or time-limited purposes.
4. Board Members may serve on other boards, committees, and councils because of their status as elected officials. In these situations, the Board Member does not serve in the official capacity as the Board representative, but as an individual.
5. Terms of service on committees will be reviewed by the Board Officers annually.
6. Board Member may be asked to serve on external boards as a representative for DMPS. In this role, board members will serve as a liaison to the DMPS School Board of Directors but will not represent the board and/or school system.

4.13 Governance Budget

The Board will consciously invest in its ability to govern competently and wisely. Accordingly:

1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
 - A. Training and retraining will be used appropriately to orient new Board Members, and to maintain and increase existing Board Member skills and knowledge.
 - B. Outside monitoring assistance, including fiscal audit, will be arranged as needed so that the Board can exercise confident control over organizational performance.
 - C. Engagement and outreach strategies will be used as needed to ensure the Board understands owner viewpoints and values.
 - D. Costs may include but are not limited to: board training; travel/reimbursements (attendance at conferences, workshops, Board meetings, etc.); audit and other third-party monitoring of organizational performance; Board-hosted community linkage/outreach events; Board meeting and retreat costs; and Board committee functions.
2. The Board will establish its Governance budget for the next fiscal year within the regular yearly budget cycle.

