

INDEPENDENT SCHOOL DISTRICT 719  
PRIOR LAKE - SAVAGE AREA SCHOOLS

## **204 SCHOOL BOARD MEMBER VIOLATION OF POLICY**

### **I. PURPOSE**

The purpose of this policy is to provide the process through which school board member violation or perceived violation of district policy has occurred.

### **II. DEFINITIONS**

### **III. GENERAL STATEMENT OF POLICY**

The school board will follow Minnesota law when addressing inappropriate behavior by a board member. The below processes pertain only to board member violations of district policies that are not dictated by Minnesota law, which follow a different district and legal process.

The board and each of its members are committed to faithful compliance with board policies. The board recognizes that its failure to deal with deliberate or continuing violations of its policies risks the loss of confidence in the board's ability to govern effectively.

The purpose of these parameters and steps is to attempt to resolve any perceived violations at the lowest possible level involving the fewest number of individuals. It is anticipated that most perceived violations will be resolved by private conversation with the board member in question. In the event of willful and continuous violations, the board will seek remedy by applying any of the following measures as described in this policy.

1. Private conversation: If a Board member is perceived to have violated the policies or commitments of the Board, any member may address their concerns with the member who is perceived to be in violation, as indicated in the general statement of policy.
2. Referral to Board Chair: If a member observes that specific behavior continue after addressing through private conversation, the member may refer the concern to the Board Chair for resolution. The purpose of this step is to attempt to resolve any perceived violations at the lowest possible level, involving the fewest number of individuals. If the Board Chair believes there is a potential violation, then the Board Chair will arrange a conversation in a private setting between the member in question and one member of the executive committee, if necessary. In all cases, disciplinary actions should include the board chair, unless the board chair feels they must recuse themselves. If the board chair is suspected of the violation, the concern would be referred to the vice chair.
3. In the event of a perceived serious or continuing violation by the same member, the matter will be brought before the full school board at a scheduled meeting.

4. Discussion between the member in question and the full Board: If after reviewing and receiving the finding of facts demonstrating continued willful and sustained behavior by the offending member, the full board may refer the matter for review and disposition at the next scheduled regular meeting. The adjudicated member will receive advance written notice of the discussion, including a statement of the alleged violation. Final discussion and disposition of this issue will occur with the full board.

#### Potential Remedies

- Remedial or corrective action: After review and discussion with the member in question with consideration of rebuttals by the member, the member may be subject to additional training, temporary removal from committees.
- Removal from committees: Possible removal from any leadership or committee positions to which the member in question has been appointed.
- Referral to law enforcement or another agency within the jurisdiction.
- Removal from the board by consensus vote: Any removal must be according to state statute and not infringe upon any rights due to the subject being removed. The charged member will be given an opportunity to respond to any concerns and will be removed only after discussion and only on majority vote of the Board members present.
- Statement regarding compliance with Board Norms or Policies: The school board reserves the right to issue statements regarding the board's interpretation of its policies and any instances of individual board member's noncompliance.
- Censure of Board Member: A member may request that the board censure a board member only after attempting to address an issue at lower levels. The member in question will be censured only after being provided an opportunity to respond to the concerns and after discussion and only by majority vote of the Board. The motion to censure must describe the board member's actions that are the subject of the censure.
- Removal of Board Member: Minnesota state law allows school boards to remove, for proper cause, any member or officer of the board and fill the vacancy. Such removal must be by a concurrent vote of at least four members at a meeting of whose time, place, and object the charged member has been duly notified, with the reasons for such proposed removal, and after an opportunity to be heard in defense against the removal. (Per Statute MN 123B.09)

School Board Adoption: November 9, 2020

An Equal Opportunity School District