



# Nebraska State Board of Education

## Bylaws

Adopted January 5, 2024

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## **BLW 1**

### **Definition and Application of Board Bylaws**

Bylaws of the State Board of Education (Board), designated by letters BLW, are the basic rules relating principally to the Board as an organization. The bylaws are binding upon the Board.

All Board bylaws shall be included on the webpage of the Board.

#### Revision History

- Created: 12/02/2022
- Last Revised: 2024
- Reviewed: 2023
- Approved: 01/05/2024

#### Board Action History

- 12/02/2022 – BLW 1  
(NEW)
- 01/05/2024 – BLW 1  
(Clarified language in definition; revised to include consistent language throughout the document.)

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## **BLW 2**

### **Board Officers**

The Board will organize and elect a President and Vice President at the January meeting. The Commissioner of Education (Commissioner) will preside over the election of officers of the Board. Votes to elect officers will be taken by secret ballot, but the minutes must indicate how many votes each candidate received. A majority vote of the members of the Board is required to elect a President and Vice President.

The President shall preside at all meetings and perform all other duties prescribed by law or by the Board.

The Vice President shall perform the duties of the President in case of absence or disability of the President.

In the event the office of President becomes vacant, the Vice President shall serve until a successor has been elected. If more than three meetings remain before the Board is scheduled to organize itself in January, the Board shall elect a successor at its next regularly scheduled meeting.

The members present shall determine, by motion and majority vote, who presides if the President and Vice President are both absent from a meeting. For purposes of electing a presiding member in such cases, the meeting shall be temporarily chaired by the member with the longest service on the Board. If two or more members have equal length of service, the temporary chair shall be selected by lot.

The Commissioner, as the Executive Officer, shall be the Secretary of the Board and is responsible for the accurate recording and maintenance of Board meeting minutes. The Commissioner shall designate a staff member to act as the recording secretary to record minutes during the meetings of the Board, record votes and disseminate the minutes.

### Revision History

- Created: 1976
- Last Revised: 2024
- Reviewed: 1984; 1995; 2003; 2006; 2009; 2015; 2019; 2022; 2023

- Approved: 01/05/2024

#### Board Action History

- 12/10/1976  
Prior BBA (List of Officers),  
Prior BBAA (Election of Officers),  
Prior BBABA (President Duties),  
Prior BBABB (Vice President Duties),  
Prior BBABC (Secretary Duties).
- 12/07/1984  
Prior 9121 BOP (President Duties),  
Prior 9122 BOP (Vice President Duties),  
Prior 9123 (Secretary Duties).  
(Renumbered same 1976 policies; BBA and BBAA deleted.)
- 12/08/1995 – Prior B3  
(Combined 1984 policies and added provision dealing with absence of both President and Vice-President.)
- 10/03/2003 – Prior B3  
(Added limit of 3 meetings remaining before reorganization for Vice-President to serve if presidency becomes vacant.)
- 09/07/2006 – B3  
(Text unchanged.)
- 10/08/2009 – B3  
(Clarified that the Commissioner is not a member of the State Board, consistent with LB 549 [Laws, 2009].)
- 04/03/2015  
(Deleted language stating Vice President shall serve if presidency becomes vacant with three or fewer meetings remaining before January meeting.)
- 03/03/2017 – B3(B1)  
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. B3 is now B1.)

#### Board Action History (cont'd)

- 12/02/2022 – B1  
(Transferred language from prior B15 about Commissioner’s specific duties as secretary of the Board)
- 12/02/2022 – B1(BLW 2)  
(Reorganized Board bylaws and policies with new designated letters for categories of bylaws [BLW], board operating policies [BOP] and agency management policies [AMP]. B1 is now BLW 2.)
- 01/05/2024 – BLW 2  
(Specified what officers are elected at January meeting; clarified that “organize the Board” means elect officers; added statement to indicate that majority vote of the members of the Board is required to elect officers; revised to include consistent language throughout the document.)

#### Cross-References

- 79-301(3) R.R.S. – Commissioner as Executive Officer.
- 79-315 R.R.S. – State Board’s power to organize itself, Commissioner as Secretary of the Board.
- 79-310 R.R.S. – State Board of Education, members

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### **BLW 3**

#### **Board Meetings**

The Board will comply with all applicable requirements of the Open Meetings Act when any meeting of the Board is to be conducted.

#### Meeting Dates and Notifications

The Board shall meet regularly at least four times in a calendar year. In January of each year, the Board will meet on the first Thursday and Friday following the first Monday. When the Board meets in other months, the meetings will be held on the first Thursday and Friday of the month or as determined by a majority vote of the Board. The time and place of meetings will be set by the President in consultation with the Commissioner.

Publicized notice of the time and place of each meeting of the Board shall be given at least five days in advance by the following methods:

1. A copy of the notice shall be published on the website of the Department.
2. The Commissioner shall e-mail a copy of the notice to each member of the news media requesting notification.
3. Each agenda shall contain the time and place of the next regularly scheduled meeting.
4. Each set of minutes will reflect the next scheduled meeting date.

#### Committee Meetings

Standing committees of the Board may meet in conjunction with regularly scheduled board meetings to review and make recommendations on agenda items for the current or future board meetings.

Standing committees may also meet at the direction of the committee chair or on the request of a committee member. In addition, the President may request a committee to meet and deliberate on a specific topic or activity.

### Special Meetings

Special meetings of the Board may be called by the President upon written notice, given at least five days preceding the meeting, or, in the absence of such call by the President, the Commissioner shall call such special meetings upon the written request signed by a majority of members of the Board.

### Revision History

- Created: 12/02/2022
- Last Revised: 2024
- Reviewed: 2023
- Approved: 01/05/2024

### Board Action History

- 12/02/2022  
Prior B5  
Prior B7  
Prior B15  
(Transferred language of B5, B7, and B15 into one bylaw. Existing language was reordered.)
- 01/05/2024 – BLW 3  
(Moved statement referring to open Meetings Act requirement as first statement to place emphasis on requirement; clarified language in publicized notice of meeting place and time; removed Meeting Agendas, Consent Agendas, Board Meeting Minutes information from bylaw to Board Operating Policies – as a new BOP 1.14 Meeting Agendas and Minutes; moved language under Committee Meetings that is unrelated to when committees meet and also move who calls the committee meetings to BOP 1.14; removed direct reference to state statute (Emergency Meetings and Videoconferencing.))

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## **BLW 4**

### **Board Committees**

The Board hereby establishes standing committees for the purpose of studying, reviewing, and making recommendations on topics within the authority of the Board as follows.

#### Executive Committee

The Executive Committee is responsible for reviewing and recommending policies and procedures for the review of performance of the Commissioner; advising the Commissioner on legislative matters while the state legislature is in session; making recommendations to the Board on the position of the Department on specific bills and legislative resolutions; and reviewing Board policies, including the bylaws, and recommending to the Board changes to Board policy. The Executive Committee shall serve as a consultant group for the Commissioner. The President and Vice President shall serve as chair and vice chair of the Executive Committee, respectively. The President shall appoint two other members who do not serve as chair of another standing committee.

#### Budget and Finance Committee

The Budget and Finance Committee shall advise and make recommendations to the Board for possible action in connection with the Department budget and finance proposals.

The Budget and Finance Committee shall be given the additional responsibility to review the budgets for the Trust Funds of the Department and make recommendations to the Board for approval.

Planning and Evaluation Committee

The Planning and Evaluation Committee shall review and make recommendations to the Board on matters related to planning and evaluation activities and functions of the state school system.

Additional duties of the Planning and Evaluation Committee include, but are not limited to, advising and making recommendations to the Board for possible action on the development of school accountability plans; community achievement plans; program or activity performance reviews; school accountability, accreditation, and approval; statewide assessment; and content area standards.

Rules and Regulations Committee

The Rules and Regulations Committee shall review and make recommendations to the Board on matters related to education policy, primarily in the form of administrative rules and the relationship to state and federal statutes.

Additional duties of the Rules and Regulations Committee include, but are not limited to, advising and making recommendations to the Board for possible action on the development, revision, or repeal of the administrative rules of the Department, including the personnel rules.

All standing committees shall have the responsibility to initiate legislative proposals and position statements of the Board, related to the purpose of the respective committee, to be considered by the Board for approval.

Committee chairs shall provide a report, including committee recommendations at regular Board meetings. A vote by the Board is required to adopt any committee recommendations.

Board appointments to the standing committees will be made by the President in consultation with the Vice President. Requests for membership on the committees may be made to the President by individual Board members. The chair and vice chair will be appointed by the President for each standing committee. The President and Vice President shall not serve as chair or vice chair of a standing committee, except for the Executive Committee. The committee chair is responsible for presiding over committee meetings. The committee vice chair shall act in the absence of the chair. Each standing committee shall have staff assigned by the Commissioner to assist and advise the committee.

In addition to standing committees, ad hoc committees may be formed by the President or the Board to carry out specified tasks. Members may be appointed by the President or the Board. After any ad hoc committee presents its final report to the Board, that committee will disband unless a new directive is given by the President or the Board.

#### Revision History

- Created: 1977
- Last Revised: 2024
- Reviewed: 1984, 1995, 2000, 2003, 2006, 2015, 2016, 2020, 2022, 2023

- Approved: 01/05/2024

#### Board Action History

- 08/19/1977 – Prior BBC  
(Discussed temporary committee appointments, actions not binding unless approved by Board, listed 3 committees.)
- 12/07/1984 – Prior 9131 BOP  
(Same text as BBC, renumbered.)
- 12/08/1995 – Prior B5  
(Same text as 9131 BOP, except for deletion of reference to 3 committees.)
- 05/12/2000 – Prior B5  
(Complete revision. Discussed and listed 5 standing committees and committee meeting procedures.)
- 10/03/2003 – Prior B5  
(Complete revision. Different list of 4 committees. Added space for cross-references and Legislative history.)
- 09/07/2006 – B5  
(Minor changes. Deleted Curriculum Committee from list.)
- 09/04/2015 – B5  
(Added language that any Board member may request a current copy of the appraisal instrument from Commissioner’s Office.)
- 05/06/2016 – B5  
(Added three standing committees – AQuESTT Teaching and Learning Domain/AQuESTT Student Success and Access Domain/Budget and Finance.)
- 12/02/2016 – B5  
(Added the Strategic Planning, Performance and Improvement Standing Committee.)
- 03/03/2017 – B2(B5)  
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. B5 is now B2.)
- 03/05/2021 – B2  
(Added clarifying language to Legislative Committee and Strategic Planning, Performance and Improvement Committee descriptions.)

#### Board Action History (cont'd)

- 01/07/2022 – B2  
(Board reorganized committees into four committees rather than seven)
- 12/02/2022 – B2  
(Information about standing committee meetings was moved to BLW 3. Existing language reordered so statement on legislative priorities and position statements was earlier in the text.)
- 12/02/2022 – B2(BLW 4)  
(Reorganized Board bylaws and policies with new designated letters for categories of bylaws [BLW], board operating policies [BOP] and agency management policies [AMP]. B2 is now BLW 4.)
- 01/05/2024 – BLW 4  
(Reorganized specific committee information to be placed at the beginning of bylaw; added clarifying language to the purpose of Board committees and to the formation of ad hoc committees, who appoints members, and that they may be given a new directive; deleted phrases to reflect current practice that the role of the vice-chair is to preside over meetings in the chair's absence.)

#### Cross-References

- 79-315 R.R.S. – State Board's power to organize itself

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## BLW 5

### Parliamentary Authority/Rules of Order

The Board shall observe the current edition of Robert’s Rules of Order Newly Revised (RONR) except as otherwise provided by law, Board policy, or suspension of RONR by the Board. Votes will be conducted by roll call, with the order of members called rotated with each vote. The motion to suspend the rules requires a majority vote of members present and voting.

#### Revision History

- Created: 1979
- Last Revised: 2024
- Reviewed: 1984, 1995, 2003, 2006, 2013, 2017, 2021, 2022, 2023
- Approved: 01/05/2024

#### Board Action History

- 03/20/1979 – Prior BCBF  
(No copies available of prior versions.)
- 12/07/1984 – Prior 9325.3 BOP  
(Changed Robert’s Rules version and added majority suspension.)
- 12/08/1995 – Prior B14  
(Changed Robert’s Rules version. Added copies for all members and rotating roll call votes.)
- 10/03/2003 – Prior B14  
(Changed version of Robert’s Rules.)
- 09/07/2006 – B14  
(Same Bylaw text)
- 03/03/2017 – B14(B8)  
(Reorganized Board Policy Reference Manual with new designated letters for categories of policy [P], bylaws [B] and position statements [S]. B14 is now B8)
- 08/05/2021 – B8  
(Four-year review by Policy Committee, added new cross reference)

### Board Action History (cont'd)

- 12/02/2022 – B8  
(Language on motion to suspend the rules was edited for clarification. Not all Board members want full copy of the rules.)
- 12/02/2022 – B8(BLW 5)  
(Reorganized Board bylaws and policies with new designated letters for categories of bylaws [BLW], board operating policies [BOP] and agency management policies [AMP]. B8 is now BLW 5.)
- 01/05/2024 – BLW 5  
(Changed Procedure to Authority in title; moved language regarding voting conducted by roll call; removed “Copies of RONR may be provided to Board members.”)

### Cross-References

- 84-1413(2) R.R.S. – Roll call vote.
- 79-315 R.R.S. – Board can organize itself.

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## BLW 6

### Review and Amendment of Board Bylaws

All Board bylaws are to be reviewed by the Executive Committee during odd-numbered calendar years with a report to the Board by the last regular meeting of that year. The Commissioner shall have legal counsel review all bylaws annually for compliance with law and provide a report of any changes needed or recommended to the Executive Committee. Proposed bylaw amendments require notice at the previous meeting and at least a two-thirds affirmative vote of the members of the Board to be adopted. Board bylaws shall remain in full force and effect until amended or rescinded by the Board and are binding upon the Board until changed by the Board.

#### Revision History

- Created: 12/02/2022
- Last Revised: 2024
- Reviewed: 2023
- Approved: 01/05/2024

#### Board Action History

- 12/02/2022 – Prior B12  
(Language transferred from prior B12 to set review and amendment guidelines. Added language for concurrent reviews of bylaws and policies every two years.)
- 01/05/2024 – BLW 6  
(Clarified language regarding bylaw reviews and previous notice.)

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