

# Board & Administrator

FOR SCHOOL BOARD MEMBERS

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## Board member misbehavior is the board's problem to fix

In Gary R. Brochu's webinar Board Member Boot Camp: Board Member Conduct, he delivered a strong message to boards plagued by an individual member's poor behavior: "Board member misconduct should be dealt with by board members, not the superintendent," Brochu said.

Brochu said appropriate board member conduct is important. "The easy answer to why is no one wants board meeting evenings to be unbearable," he said.

Other reasons for why the board should be addressing a problem with member conduct include:

1. The board is a collective body, not a collection of individuals.
2. The school board's primary responsibility is to provide governance for the district.
3. A board's "power and influence is based on public perception -- its reputation and relationships," Brochu said. "This is what gives a board the ability to do things."

4. One board member can severely undermine the board's reputation. It just takes one to destroy the board's reputation in the community, Brochu said.

5. There are no easy answers to fixing poor member conduct.

Brochu, Shipman & Goodwin, LLP, Hartford, Conn., recommends boards take a series of steps to address member behavior the board deems inappropriate. They are:

- Identify and address misconduct by trustees, but don't necessarily do it publicly.
- Take a progressive response. Brochu recommends this first be a private meeting with the president about the behavior, or a board peer or a small group of board members.

Then try remedial actions such as a training, workshop, or retreat, Brochu suggests. For information, [gbrochu@goodwin.com](mailto:gbrochu@goodwin.com); [https://pgi.webcasts.com/viewer/event.jsp?ei=1160556&tp\\_key=579725304b](https://pgi.webcasts.com/viewer/event.jsp?ei=1160556&tp_key=579725304b). ■

### What is your superintendent's role?

The first point in the job description a board gives its superintendent should say: "The superintendent reports to the full board" -- this is the most effective way to convey that the superintendent works for and at the direction of the board, and not any individual board member or the board president. Here's is a brief overview of your superintendent's role:

1. Planning. Although the board makes long-term plans, the superintendent is responsible for making short-term plans to achieve the current year's budget and objectives.
2. Organizing. A superintendent must organize an internal structure necessary for the district to deliver an education to its

students. As the board's manager, the superintendent should be able to create the kinds of jobs and internal structure he or she thinks will most effectively meet the district's mission.

3. Staffing. The superintendent is in charge of hiring, firing, supervising, evaluating, promoting, and disciplining employees.
4. Directing and leading. The superintendent gives direction and communicates with staff. As a board member, you direct and lead only one person -- the superintendent.
5. Controlling. The superintendent monitors and controls the operations of your school district. ■

## Public spectacle at meetings will damage the board

When the board's meetings become a public spectacle, even a source of amusement to the community, the board has a big problem on its hands. Let's listen in on some of the feedback the Beaufort, N.C., County Board of Education has been receiving on a local publication's website over its deliberations on spending up to \$35,000 for help in running effective meetings.

- "This school board is comic relief for everyone who is on Facebook."
- "They ALL need to be replaced. This is just crazy that the school board needs to hire a baby sitter because they can't conduct their meeting like adults."
- "At some point, we need to put adults in charge of the board. This is downright silly if not embarrassing. These fools get elected to run our schools, educate our kids, and conduct themselves in a manner that is commensurate with their responsibilities. If they can't find [it in] themselves to do this, they should leave."

For information, <http://www.islandpacket.com/news/local/community/beaufort-news/article154897224.html> and [https://storify.com/Island\\_Packet/readers-talk-school-board-in-fighting](https://storify.com/Island_Packet/readers-talk-school-board-in-fighting).

A simpler (and much less costly) solution for meeting behavior problems is some basic rules for board behavior, such as the following:

1. Agree to not take disagreements personally.
2. Show respect to others.
3. Make a commitment to effective deliberation.
4. Commit to open, honest communication.
5. Maintain confidentiality.
6. Focus on students' best interests.

In a situation where trust between board members is gone, there is little chance of school board productivity, the district is under greater scrutiny, and the ability of the board to govern the district is undermined.

When those conditions exist, there is a loss of confidence in the board that is charged with the education of the district's students. ■

## Put a stop to micromanagement of the superintendent

Here are some solutions to prevent role mix-up and avoid board micromanagement of the administrator:

1. Have a conversation (board and superintendent), or bring in a consultant, to talk about roles. During these talks, review the district's policy on roles and discuss why it is in place and why it is important the policy be followed -- for example the consequences to the district when there is a "confusion of roles."
2. Develop an operating agreement that spells out who does what in the major governance and operating areas. The board and its superintendent should discuss who does

what and why. This should go a long way to clear the air and set expectations.

3. Make sure the school district has policies in place that clearly define roles and that are supported by the written operating agreement.
4. Review operating agreements and policies annually, and make the review part of a new board member orientation program.
5. Try a board self-evaluation. If the board has clear policies and an operating agreement in place, hold a board self-evaluation based on those policies and the operating agreement. ■

## Know the difference between policy and administrative regulation

In its resources for school board secretaries, the Oregon School Boards Association provides these definitions to clarify the distinction between policy and administrative regulations.

Board policies "set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the college president or superintendent and his/her staff can discharge their assigned duties with positive direction. They tell what is wanted."

"Policy is: A guideline adopted by the board to chart a course of action."

Administrative regulations are "detailed directions developed ... to put policy into practice. They tell how, by whom, where and when things are to be done."

"An administrative regulation: Provides the details for carrying out policy and enforcing it."

For information, go to [http://www.osba.org/Resources/Article/Board\\_Policy/Policy\\_Definition.aspx](http://www.osba.org/Resources/Article/Board_Policy/Policy_Definition.aspx). ■