SECOND READING BY BOARD

po0144.5

BOARD MEMBER BEHAVIOR AND CODE OF CONDUCT

ADOPTED Jun 16, 2021 · REVISED May 20, 2026

0144.5 - **BOARD MEMBER BEHAVIOR AND CODE OF CONDUCT**

The Board functions most effectively when individual Board members act ethically, professionally, and responsibly. School Board members serve as a member of the School District's governing body and do not have individual authority to represent a policy or enforce positions that are not supported by a majority of the Board as evidenced by official action of the Board (See Bylaw 0143 - Authority of Individual Board Members).

Board members accept responsibility for the well-being and positive leadership of the School District, for protecting the interests of the School District as a legal entity, and for facilitating governance for the purpose of delivering the highest quality educational and related services to all of the District's students. Conduct by Board members that compromises the reputation or legal position of the District is prohibited.

Any authority delegated to the Board President in this bylaw ~~policy~~ is automatically vested in the Board Vice President in the event that either the Board President is unavailable or the Board President is the Board member accused of violating this bylaw ~~policy~~.

General Expectations of All Board Members

A. Attend all scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings. Board members are expected to review agenda materials prior to a Board meeting and to submit questions to the Superintendent in advance of the meeting, whenever practicable, to allow for efficient and respectful meetings; this expectation does not in any way intrude upon a Board member's right to ask questions or engage in discussion at a Board meeting.

B. Be familiar with and follow applicable local, State, and Federal laws and regulations.

C. Be familiar with and comply with Board bylaws ~~policies~~, including bylaws ~~policies~~ governing Board member conduct and Board member ethics, rules of incompatibility of office, qualifications of the office, and conflicts of interest (see Bylaw 0144.3 - Conflict of Interest).

D. Conduct themselves with integrity, honesty, and in a manner that reflects positively on the Board and on the District.

E. Be accountable for guiding and supporting the policy decision-making process that impacts students, staff, and the community. The operation of the District is the responsibility of the administration.

F. Establish and maintain a high level of honesty, credibility, and truthfulness in all matters dealt with by the Board.

G. Treat others with respect and dignity at all times, maintain decorum, and always communicate in a way that does not violate or illustrate disregard for Board policy concerning harassment or discrimination. This decency expectation applies in all communications, including while discussing sensitive or controversial matters, or matters involving disagreement.

H. At all times conduct themselves in the best interest of the School District, including avoiding implicating the District in unlawful activity or supporting or encouraging efforts to harm the reputation, legal standing, or to bring other material harm to the interests of the District or the Board.

I. Recognize they should endeavor to make policy decisions only after full discussion at publicly held Board meetings.

J. Render all decisions based on the available facts and independent judgment.

K. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community.

L. During Board meetings, work with the other Board members to establish effective Board policies and to delegate authority for the administration of the District to the Superintendent in accordance with Policy 1100 - District Organization.

M. Communicate to other Board members, in accordance with the Open Meeting Law, and the Superintendent expressions of public reaction to Board policies and school programs (see Board Member Communication section below, Bylaw 0143.1 - Public Expression of Board Members, and Bylaw 0167.5 - Use of Electronic Mail).

N. Inform themselves about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by the Wisconsin Association of School Boards, the Consortium of State School Board Associations, and the National School Board Associations.

O. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff.

P. Refrain from using their Board positions for personal or partisan gain.

Q. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law.

R. Remember always that their first and greatest concern must be for the educational welfare of the students attending the public schools.

S. No Board member shall act or fail to act as a member of the Board in violation of 946.12, Wis. Stats., regarding misconduct in public office.

T. Disclose any actual or perceived conflict of interest.

Board Member Communication

Board members are expected to refrain from engaging in communication on behalf of the Board or on behalf of the District unless authorized to do so by majority vote of the Board (See Bylaw 0143.1).

Any Board member who chooses to engage in individual communication on matters related to Board and/or District business is expected to clearly identify whether the Board member is communicating in the following capacity:

A. On behalf of the Board: normally, this is the function of the Board President or, in the President's absence, the Vice President. The Board may by majority vote delegate this responsibility to another Board member in a specific circumstance. In every case, the Board member communicating the Board's position shall do so as determined by the Board and avoiding individual interpretation or editorializing.

B. As an individual Board member, but not on behalf of the Board: a Board member who speaks, including online, in social media forums, or in any other public forum, on matters related to Board and/or District business, but not as an officially designated spokesperson of the Board. The Board member must specify that any statement is not sponsored by the District and is a personal viewpoint.

Board members who fail to adhere to this expectation, or who publicly communicate false or intentionally misleading information pertaining to Board action or District policy, will be asked to correct such communication in a way that is likely to reach the same audience as the false or misleading information. The Board President is authorized to communicate such requests to the pertinent Board member.

The Board President is authorized to issue public statements on behalf of the Board in the event a Board member expresses false or misleading information, or makes statements without properly identifying whether the member of the Board is speaking as an individual Board member. The President's communication should be limited to correcting the false or misleading statement, clarifying that the Board member was not speaking on behalf of the Board, and providing information relative to Board action if any on the subject matter.

~~[DRAFTING NOTE: The following section is in alignment with 2025 Wisconsin Act 89 (118.07(7), Wis. Stat.) for appropriate communication with students. Act 89 does not expressly pertain to Board members; however, this optional language is consistent with Act 89's expectations and could be adopted by the Board to align with employee and volunteer requirements. The statute does not define "appropriate content," but requires Districts to specify in policy what "appropriate content" means locally. Items A-E are recommended for a comprehensive definition, but Districts may choose a narrower definition or include additional parameters for its definition.]~~

[X] Appropriate Discussion Content When Using Personal Communication Devices (PCD)

[X] When using PCDs to communicate with student(s), Board members must use District-approved communication platforms to preserve communications to be reviewed by parents and administrators.

~~[ ] When Board members communicate with students using PCDs, discussions must be appropriate and related to legitimate school purposes. Whenever possible, Board members should direct students who contact them to contact an appropriate school staff member.~~

~~[ ] Appropriate content is content in a communication that fits into one of the following categories:~~

1. ~~( ) Instructional communication (assignments, coursework, academic support);~~
2. ~~( ) Scheduling or logistical information related to school programs (classes, clubs, athletics, events, field trips, rehearsals);~~
3. ~~( ) Safety or emergency communication when necessary;~~
4. ~~( ) Referring the student to the appropriate school staff member who can address the matter raised in any communication from a student;~~
5. ~~( ) _____.~~

[X] Communications must remain professional in tone, limited to educational or school-related matters, and consistent with District policies regarding staff–student boundaries. Board members should avoid one-on-one communication with students. (See Board Policy 1213 - Student Supervision and Welfare)

~~[Drafting Note: 2025 Wisconsin Act 89 does not create an exception for communication between employees and volunteers and their family members.]~~

~~[ ] Nothing in this section is intended to prohibit Board members from engaging in appropriate communication with their family members who are parents of students enrolled in the District. Parents may communicate with their own children using PCDs outside of District-approved platforms, provided such communications are personal in nature and not conducted in the Board member's official capacity. This exception does not permit Board members to engage in District-related communications with other students outside approved platforms, nor does it exempt them from applicable laws, policies, or expectations regarding professional conduct and conflicts of interest.~~

~~[END OF OPTIONAL SECTION]~~

Board Member Use of Electronic Communication Devices

To support effective governance and ensure transparency, Board members are encouraged to refrain from using electronic communication devices (such as cell phones or smartphones) during Board meetings - both in open and closed sessions - except when accessing agenda materials on a tablet or laptop.

The use of such devices during meetings may unintentionally create the appearance that a Board member is not fully engaged or could raise concerns that information is being shared or received in a manner not accessible to all Board members or the public.

The Board recognizes that emergencies and special circumstances not related to Board business may require occasional exceptions.

Handling of Complaints by Members of the School Board

As individual Board members are frequently confronted with complaints by teachers, parents, and the public in general, it seems prudent to establish guidelines for the handling of these complaints.

Board members must remember that as individuals they have no legal status and that the only time Board members can legally transact business is when meeting together as a Board in a legal session.

It is wise for a Board member to postpone the formulation of an opinion until hearing the issue discussed by the Board as a whole, where all the aspects of the problem are aired. A Board member should not obligate other members of the Board by predicting how they will vote.

Therefore, the following procedure is established for the handling of complaints made to individual Board members.

A. Neither the Board as a whole nor any individual member will entertain or consider communications or complaints from teachers, parents, or the general public until, or unless, such communications or complaints have been routed through the proper channels.

B. If a Board member is approached by a school employee on matters of school policy or school problems, the employee should be advised by the Board member to refer the matter to the principal or supervisor. If the employee is not satisfied by the determination of the principal or supervisor, the problem may be brought to the attention of the Superintendent. If the employee still feels the determination is unsatisfactory, the problem may be brought to the attention of the Board by letter or personal appearance.

C. Similarly, if a Board member is approached by a parent who has a complaint, the parent should be referred to the principal of the school of the teacher involved. If the parent is not satisfied by the determination of the principal, the problem may be brought to the attention of the Superintendent. If the parent still feels that the determination is unsatisfactory, the problem may be brought to the attention of the Board by letter or by personal appearance.

Board Member Interaction with Staff

The general expectations of Board member decorum and civility apply to interactions with employees; however, because the Board is the employer of all District staff, this responsibility is appropriate for special reference. Each Board member is an individual with the authority to bring matters to the Board and to influence matters related to staff. Therefore, it is imperative that Board members treat all employees with respect and as professionals. Board members are also required to comply with Board p ~~P~~olicies governing employee anti-harassment, nondiscrimination, and threatening behavior.

No Board member has inherent authority to require any staff member to respond to the Board member regarding a specific request for information or to direct any staff member to perform or not perform any task, except as provided by Board policy or as directed by a majority vote of the Board.

Board members access to and request for School District records and information is governed by Board Bylaw 0143.2 - Board Member Information Requests.

Board Member Records and Confidentiality

Board members are expected to maintain their own public records created on resources not controlled by and thus not maintained by the School District. Each Board member is an elected official responsible for preserving all public records the Board member creates, and complying with requests to inspect such records. The District has no obligation nor

responsibility to assist any Board member in fulfilling this responsibility with respect to records that are not maintained by the District.

Board members are encouraged to review Board policy defining and explaining public records, their maintenance, and public access (See Board Policy 8310).

Board members are expected to maintain and protect the privacy of District records, including student records, and communications received in closed session meetings of the Board. Board members must also protect and not disclose records consistent with, and governed by, the Family Education Rights and Privacy Act (FERPA).

Enforcement

Complaints alleging violations of the Board Member Code of Conduct may be brought by any parent, student, staff member or District resident and must be submitted to the Board President or, if the Board President is the member accused of violating this policy, to the Vice President, who under such circumstances shall perform the duties of the Board President described in this policy. All Complaints shall bear the name and signature of the complainant and include a detailed description of the alleged misconduct, any evidence supporting the allegations, and the action/relief being requested..

The Board President may choose to consolidate complaints for consideration if more than one (1) individual files similar complaints, but reserves the right to refuse to consider any subsequent complaint on the same matter unless previously unknown material facts are raised.

The President shall review the complaint and investigate the matter. The President may contact the School District's legal counsel for support in the investigation of the complaint and/or other matters related to the complaint. Upon completion of the investigation, if the conclusion reached is that the Board member violated the policy, the investigator shall brief the Board and may recommend action to be taken.

Board members are elected officials and therefore cannot be prevented from participating in Board meetings, or removed from office by the Board. However, the Board may consider the following:

A. formal censure by resolution passed by a majority of the Board in an open session meeting of the Board;

B. removal from Board committee assignments that is an exception to Bylaw 0155 - Committees;

C. restriction on Board member rights granted by policy, including requesting items for a Board meeting agenda;

D. referral to proceed with efforts to remove the Board member from office for cause, which means inefficiency, neglect of duty, official misconduct, or malfeasance in office;

E. referral to law enforcement if any alleged misconduct constitutes potentially unlawful conduct;

F. other efforts to pursue compliance with and adherence to the policy as determined by the Board and not prohibited by law.

If a complainant or any other person contacts an individual Board member, other than the Board President, to discuss a complaint or investigation under this policy, the Board member shall inform the person that the Board member has no authority to act in an individual capacity and shall refer the person to this bylaw or the Board President for further assistance.

Revised 2/23/22
T.C. 3/23/23
Revised 6/19/24
Revised 11/12/25

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Legal
17.13, Wis. Stats.
118.07(7), Wis. Stats.
946.12, Wis. Stats.
The Consortium of State School Board Associations
The National Association of School Boards
The Wisconsin Association of School Boards