

Board & Administrator

FOR SCHOOL BOARD MEMBERS

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Board member has her heart set on micromanaging

Meddling, power-hungry board members who want to manage the schools are rare. But when you have one on your board, they can be real misery-makers.

A Texas board has one member who wants to assign work to employees, monitor the superintendent's work daily, and sit on staff committees to "direct" staff work. The board member gets very unpleasant when she does not get her way.

The board has to accept responsibility for the problem this individual is creating. If she wants to run the district, then that is what she will do if the board can't control her.

To date, this superintendent and board have addressed this issue through various methods — none of which have worked.

The methods tried include: having board members speak to the problem member one-on-one; enlisting the board's attorney to speak with the member; pointing out the authority to manage staff detailed in the administrator's contract; and bringing in the state school boards' association to work through the problem.

Before you let voters fix the problem, the board may want to attempt three final strategies.

1. Point out the board member will likely have the opposite effect of her intended result. No staff member on a committee will want to go against a board member's vote. Many people may wait until they are sure of the board member's perspective, and then "go along to get along." In the end, you are left with school employees who aren't doing their best work for the schools.

2. Just do the board's work. The full board, by conducting its business without this trustee's support, may relegate the individual to a frustrated minority. By doing this, you also let the public see the board's business being conducted with a lone dissenting vote from an obstructionist.

3. Ask that every item the board member requests from staff be provided to the full board. This should be a paper-wasting reminder to all board members that requesting reports from staff, giving them direction, and managing projects cannot be considered part of any board member's official capacity unless specifically authorized by the board itself. This board member is overstepping the bounds of an individual board member's authority. It is up to the full board to do something about it. ■

Should the superintendent bring the board multiple recommendations for a new principal?

Given their druthers, there are some board members who would like the superintendent to present the board with three viable candidates for any principal opening in the district. Then, the board would pick.

But that is not how hiring a new administrator should work. Remember, the superintendent is responsible for personnel management in the district, and that includes hiring staff.

Here is how the hiring of principals should work in practice:

The superintendent (and her staff) interviews candidates and then brings to the board his recommendation for the new principal. The board either approves it or votes the recommendation down.

If the board votes down the superintendent's recommendation, the superintendent's job then becomes bringing the board another recommendation for a new principal at a later meeting. ■

Absent state action, unsuccessful board candidate's 1st Amend. claims stall

Case name: *Munoz-Feliciano v. Monroe-Woodbury Cent. Sch. Dist.*, 115 LRP 13121 (S.D.N.Y. 03/25/15).

Ruling: The U.S. District Court, Southern District of New York granted a district's motion to dismiss a school board candidate's First Amendment retaliation claims. It concluded that there was no state action linking a candidate's speech on school-related issues to her unsuccessful run for a seat on the board.

What it means: A district may violate the First Amendment by retaliating against private citi-

zens who speak out on matters of public concern. However, unless there is specific evidence that district employees, in their official capacities, took adverse action with retaliatory intent, courts are unlikely to view campaign speech that "retaliates" against campaign speech as a violation of the First Amendment. Here, an unsuccessful candidate for the district's board of education did not offer "a single fact" to support her claim that an alleged "smear campaign" aimed at thwarting her election bid was connected to district employees or board members. ■

The board has 4 responsibilities to the district

Within your board's policymaking role, there is one area of responsibility that the board should keep at a high priority level: an effective working relationship with the superintendent. The board hires, supervises, evaluates, and, if necessary, fires the superintendent.

The board's first responsibility, and some say the most important one, is to hire a competent administrator to run the district by managing all aspects of its day-to-day affairs. The superintendent works for the board of education, while all other district employees work for the superintendent.

By hiring a superintendent, you are adding a competent education professional to your board team.

Most board members have little inclination,

not to mention the time, necessary to manage the day-to-day business of the district. By hiring and then supporting a professional who keeps things running smoothly, you ensure that the district is well managed and in a position to fulfill its mission. That's why the board should manage this relationship effectively. Do this by:

- * Respecting the superintendent's authority as outlined in his contract and job description.
- * Respecting the administrator as a professional.
- * Not engaging in back channels of communication with school staff.
- * Evaluating the superintendent each year.
- * Giving him goals to achieve each year. ■

Exercise caution when tempted to cut off public input

Should the school board ever cut off public input at the board meeting? It depends. Generally speaking, the board should never interrupt a calm, well-organized speaker to move that the meeting be adjourned or to call for a vote.

On the other hand, the board's meetings are public meetings, not meetings run by the public. If public input is turning into a melee, the board president should call for order and end public input.

When necessary, the board also has the right to suspend public input on an issue until a later meeting. This would occur when a meeting runs late and board members want to avoid making a hasty decision.

Consider a policy that explains the board's intentions about ending public input. Sample language could read, "The board does not begin consideration of any new item of business during any regular meeting after 11 p.m. In the event the

board is unable to complete its business items due to this time limitation, the meeting shall recess until the following evening." ■

How do you stack up on board 'culture'?

The Michigan Association of School Boards in its *Indicators of Effective Boards and Board Members* provides these observations about positive board culture and conduct at meetings. Board members should:

- * "Value differences of opinion and don't let differences degenerate into personality conflicts."
- * "Focus the board agenda and meeting on issues related to improving student achievement."
- * "Publicly support the superintendent and staff."
- * "Seek to build consensus and an environment of trust and respect among their fellow board members."

For more information, visit www.masb.org/indicators-of-effective-boards-and-board-members.aspx. ■