

Annual Reorganization Meeting Checklist

PRE-MEETING ACITIVITY

- All board members elected at the annual school district meeting take oath of office (*usually by the town clerk*)
- Board members review the Essential Work of the School Board

MEETING

- Superintendent calls the meeting to order and facilitates the election of the board chair
- Elections & Appointments
 - Officers
 - Board Chair (ONLY one)
 - Once the chair is elected, he/she facilitates the remainder of the meeting.
 - Vice Chair (optional, but best practice)
 - Clerk
 - Supervisory union board representatives (if necessary)
 - Committees
 - Distribute the standing committee charges
 - Discuss and/or make changes to the charges
 - Appoint board member(s) to each committee
- Operational decisions
 - Set regular board meeting schedule
 - Schedule annual board work session (retreat)
 - Designate places for posting meeting agendas & minutes
 - Agree on whether to use Robert's Rules for Small Boards
 - Discuss and adopt Code of Ethics
 - Identify communications practices
 - Discuss board development opportunities and attendance
 - Discuss local and statewide education advocacy responsibilities
 - Designate newspaper for notification of meetings

Reminder: An elected board member may NOT be paid for any services within the supervisory union/supervisory district unless they have authorization from the Vermont Secretary of Education.

BOARD REORGANIZATION MEETING DATA SHEET

BOARD: BSU BCEMS BTMES SHS-CVCC DATE OF REORGANIZATION MEETING: ___/___/___

ALL BOARD MEMBERS STARTING A NEW TERM HAVE COMPLETED AN OATH OF ALLEGIENCE AND OFFICE WITH TOWN OR CITY CLERK PRIOR TO MEETING: YES: ___ NO: ___

BOARD CHAIR: _____

BOARD VICE-CHAIR: _____

BOARD CLERK: _____

- BSU BOARD REPRESENTATIVES:**
1. _____
 2. _____
 3. _____

COMMITTEE ASSIGNMENTS:

FINANCE: _____

FACILITIES /TRANSPORTATION: _____

BSU CURRICULUM: _____

BSU POLICY: _____

BSU FINANCE: _____

BSU NEGOTIATIONS: _____

_____: _____

_____: _____

AUTHORIZE CHAIR TO SIGN TEACHER CONTRACTS: YES: _____ NO: _____

AUTHORIZE CHAIR TO SIGN OTHER CONTRACTS: YES: _____ NO: _____

REGULAR BOARD MEETING DAY(S)/TIME(S): _____

BOARD RETREAT/TRI-BOARD DATE(S): _____

LOCATIONS FOR POSTING AGENDAS & MINUTES: _____

AGREEMENT ON THE USE OF ROBERTS RULES OF ORDER: YES: _____ NO: _____

ADOPTION OF CODE OF ETHICS: YES: _____ NO: _____

DISCUSSION OF COMMUNICATION PRACTICES: YES: _____ NO: _____

BOARD DEVELOPMENT OPPORTUNITIES: YES: _____ NO: _____

BOARD ADVOCACY: YES: _____ NO: _____

DESIGNATED NEWSPAPER(S): _____

Oath of Office

- By law, new board members must take the oath of office before entering upon the duties of their office.
 - i.e. attending their first board meeting
- This includes board members who are starting a new term, but who are not new to the office.
- The town/city clerk usually performs this function.

From the Vermont Constitution:

§ 56. OATHS OF ALLEGIANCE AND OFFICE

The Oath or Affirmation of Allegiance – select which one you will use:

[oath] You _____ do solemnly swear that you will be true and faithful to the State of Vermont, and that you will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. So help you God.

or

[affirmation] You _____ do solemnly affirm that you will be true and faithful to the State of Vermont, and that you will not, directly or indirectly, do any act or thing injurious to the Constitution or Government thereof. Under the pains and penalties of perjury.

The Oath or Affirmation of Office – select which one you will use:

[oath] You _____ do solemnly swear that you will faithfully execute the office of _____ for the _____ of _____ and will therein do equal right and justice to all persons, to the best of your judgment and ability, according to law. So help you God.

or

[affirmation] You _____ do solemnly affirm that you will faithfully execute the office of _____ for the _____ of _____ and will therein do equal right and justice to all persons, to the best of your judgment and ability, according to law. Under the pains and penalties of perjury.

Selection of the Board Chair

- Important attributes:
 - Promote the development of a strong board team that understands its role and performs its essential work
 - Establish a strong connection with the administration to build common vision and strong sense of teamwork
 - Organize and conduct productive meetings
 - Promote lawful / ethical operations
- Longevity on the board should be considered but should not be the primary consideration when electing the board chair.

Selection of the Board Clerk

- Responsibilities
 - Ensure that a permanent record of the proceedings of the board (minutes) are kept.
 - Ensure that draft minutes are available to the public and posted on the district's website within five days.

Election of Officers

- Superintendent calls the meeting to order and opens the floor for the election of:
 - Board chair
- Once elected, the chair leads the meeting and opens the floor for the election of
 - Vice-chair (not required, but good practice)
 - Clerk

Select Supervisory Union Board Representatives:

- **Three** members from each school board that operates a school are appointed by the school board to serve on the supervisory union board.
- Districts that do not operate a school are only entitled to **one** representative on the supervisory union board.
- These supervisory union representatives are the only board members eligible to vote at supervisory union board meetings.
- All non-voting board members may attend SU meetings.

Committees

- Board committees are to help the board do its job, not to help or advise the staff.
- Unless the purpose of a board committee can be stated in writing, the committee is probably unnecessary.
- If a committee is proposed, it should have a clear and documented charge.
 - Purpose
 - Authority
 - Membership
 - Term
 - Voting
 - Timeline
 - Outcomes
 - Resources
- It is the responsibility of the full board to define the committee charge which should be included in policy or recorded via the motion that created the committee.

Make Operational Decisions

- Designate regular meeting schedule and location
- Schedule annual board work session (retreat) where board goals and work plan will be developed
- Designate places for posting meeting agendas
- Agree on the use of Robert's Rules
- Discuss and Sign Code of Ethics
- Identify communications practices
- Designate newspaper(s) for publishing meetings of the electorate.

Robert's Rules

All boards are required by law to operate under Robert's Rules of Order.

- Decisions made by boards using traditional Robert's Rules must be preceded by a motion, a second, ensuing deliberation, and, finally, a vote.

Robert's Rules of Order

Motions Chart Based on Roberts Rules of Order Newly Revised (10th Edition)

State law requires that "A school board meeting shall be conducted in accordance with the Vermont Open Meeting Law and Robert's Rules of Order." Use the Robert's Rules chart below when the Board is running a meeting or conducting a formal public hearing. The chart will help the Board chair and members maintain an effective deliberation and decision making process. Boards with fewer than twelve members may choose to operate less formally using the Robert's Rules for Small Boards system outlined on the next page.

§	YOU WANT	YOU SAY	INTERRUPT	2ND	DEBATE	AMEND	VOTE
21	Close meeting	Move to adjourn	No	Yes	No	No	Majority
20	Take break	Move to recess for...	No	Yes	No	No	None
19	Register complaint	Point of order	Yes	No	No	No	None
18	Make follow agenda	Call for the orders of the day	Yes	No	No	No	None
17	Lay aside temporarily	Move to lay the question on the table	No	Yes	No	No	Majority
16	Close debate	Move the question	No	Yes	No	No	2/3
15	Limit or extend debates	Move that debate be limited to...	No	Yes	No	Yes	2/3
14	Postpone to a certain time	Move to postpone the motion to ...	No	Yes	Yes	Yes	Majority
13	Refer to committee	Move to refer the motion to ...	No	Yes	Yes	Yes	Majority
12	Modify wording of motion	Move to amend the motion by ...	No	Yes	Yes	Yes	Majority
11	Kill main motion	Move the motion be postponed indefinitely	No	Yes	Yes	No	Majority
10	Bring business before assembly (a main motion)	Move that (or "to")...	No	Yes	Yes	Yes	Majority

Communications

- Identify chief spokesperson for board and discuss communication protocols responding to inquiries from the press and other interested parties.
- Discuss the purposes of communicating the work of the board
 - Inform and engage the community
 - Respond to inquiries from the press and other interested parties
 - Share the success of the students, staff and school
 - Programs, Events
 - Print, Electronic, Video

Communications

Review district policy/procedures on public comment and handling complaints

A school board meeting is a public meeting; it is not a meeting of the public.

Facilitate Community Conversations

Board meetings are public meetings, but they are not a meeting of the public

16 V.S.A. §554(b): a reasonable opportunity to appear and express views on any matter considered by the board shall be given to any person in the school district

1 V.S.A. 312(h): public comment shall be subject to reasonable rules established by the chair

Code of Ethics

- Act within the scope of my official role
 - Chain of Command
- Uphold the highest ethical standards
 - Conflict of Interest
- Respect my peers, my constituents, and confidentiality considerations
 - Communications

CODE OF ETHICS FOR VERMONT SCHOOL BOARD MEMBERS

As a member of my local school board, I will remember that my primary concerns must be the educational welfare of the students in my district and excellent return on investment for taxpayers. I agree to conduct myself in accordance with the following commitments. I will:

Act within the scope of my official role:

- 1) Recognize that a board member's responsibility is to see that schools are well run, but not to run them
- 2) Act only as a member of the board and not assume any individual authority when the board is not in session, unless otherwise directed by the board
- 3) Give no directives, as an individual board member, to any school administrator or employee, publicly or privately
- 4) Avoid making commitments that may compromise the decision-making ability of the board or administrators

Uphold the highest ethical standards:

- 1) Not receive anything of value, by contract or otherwise, from the school district or supervisory union unless it is received:
 - a. as a result of a contract accepted after a public bid
 - b. in public recognition of service or achievement
 - c. as a board stipend reimbursement or expense allowed by law for official duties performed as a member of such board;
- 2) Not solicit or receive directly or indirectly any gift or compensation in return for making a recommendation or casting a vote;
- 3) Agree to recuse and remove myself from board deliberation and votes when necessary to avoid the appearance of conflict of interest;
- 4) Not agree to the hiring of a superintendent, principal, or teacher already under contract with another school district unless assurance is first secured from the proper authority that the person can be released from his or her contract.

Respect my peers, my constituents, and confidentiality considerations:

- 1) Voice opinions respectfully and treat with respect other board members, administrators, school staff, and members of the public;
- 2) Maintain confidentiality of information and discussion conducted in executive session and uphold applicable laws with respect to the confidentiality of student and employee information;
- 3) Attend all regularly scheduled board meetings insofar as possible.

I agree to abide by the principles outlined in this Code of Ethics and will do everything in my power to work as a productive member of the leadership team.

Signature

Date

Board Development

- Recommend new members meet with board chair and superintendent
- Discuss and coordinate attendance at board development activities throughout the year
 - Identify and assign responsibilities
 - Create an annual plan / calendar

Advocacy

- Understand the role of the local and supervisory union board in engaging in legislative advocacy
 - Designate responsibility to a specific board member to keep the board informed and engaged on current legislative issues
- VSBA
 - Education Legislative Report
 - Legislative Alert
 - Regional Representatives

3.B. VERMONT OPEN MEETING LAW

According to 16 V.S.A. §554, school boards must follow Vermont's open meeting law (1 V.S.A. §§310-314). Under that law, all meetings of a public body are declared to be open at all times. No resolution, policy, appointment, or formal action will be valid unless it was taken or made at an open meeting. A meeting is defined as a quorum of the members of a school board gathered for the purpose of discussing the business of the Board or for the purpose of taking action. This means that all school board meetings, including meetings of committees and subcommittees, must be open to the public and must give reasonable opportunity for public participation.

The public must be given notice of a school board meeting. The amount and type of notice required depends on the type of meeting held. The following chart highlights these differences:

Meeting Type	Notice to Board			
	Members	Notice to Public & Media	Agenda	Minutes
Regular Time & place stated in board policy or bylaw.	No legal requirement	No legal requirement but must be provided to media and concerned persons upon request.	Posted to the website, in the municipal office and at least two other public places 48 hours before meeting. It also is available to media and concerned persons upon request.	Posted to the website and available within 5 days of meeting indicating: Members present Other active participants Motions made & their disposition Results of votes, with record of each member's vote if roll call requested by board.
Special Not fixed by policy or bylaws, called for a specific purpose	Written or oral notice 24 hrs in advance unless waived	Publicly announced (give to news media) at least 24 hours prior to meeting; posted in municipal clerk's office and 2 other locations in town. An individual may request in writing to be notified of special meetings.	Posted in same location as regular meeting, 24 hours before meeting. (Can only discuss items posted on warned agenda)	Same as regular meeting.
Emergency To respond to unforeseen occurrence or condition requiring immediate attention.	No legal requirement.	Public notice of meeting given as soon as possible before the meeting.	Posted in same locations as regular meeting as soon as possible. (Can only discuss items posted on warned agenda)	Same as regular meeting.
Electronic One or more members of the public body may participate in a meeting electronically	At least one member of public body (or designee) must be physically present at each designated location	24 hours notice in municipal office and 2 designated places Designate physical location(s) for the public to participate	Same.	Same.

Executive Session Tips for Board Members

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According to 1 V.S.A. §313, a board may only go into executive session upon a motion and vote to do so. The motion must state the “nature of the business of the executive session,” be supported by a majority of the board, and be recorded in the minutes. Boards may not enter executive session without first meeting in open session and then voting to enter executive session.

Because a vote is required to enter executive session, we do not recommend that executive session be a standing item on every agenda. If the board knows it plans to discuss a topic that falls under one of the allowable reasons to enter closed session, then on the agenda for that meeting the board should indicate the nature of that specific topic and an intent to vote to enter executive session.

Boards may only enter executive session to discuss a limited number of topics. One category requires the public body to make a specific finding that “premature general public knowledge would clearly place the...public body or person involved at a substantial disadvantage.” The topics that require this specific finding to be made are:

- contracts;
- **labor relations agreements with employees;**
- arbitration or mediation;
- grievances, other than tax grievances;
- pending or probable civil litigation or a prosecution, to which the public body is or may be a party;
- confidential attorney-client communications made for the purpose of providing professional legal services to the body

For example, just because a board intends to discuss a contract with a bus company does not mean they can automatically vote to enter executive session. Rather, first they need to determine that discussing the contract in open meeting would place the board or company involved at a substantial disadvantage.

Other permissible reasons to enter executive session are:

- The negotiating or securing of real estate purchase or lease options
- The employment or evaluation of a public officer or an employee – provided, however, that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting

- A disciplinary action against a public officer or employee, except if such an individual seeks a public hearing after formal charges are brought
- A clear and imminent peril to the public safety
- Discussion or consideration of records or documents that are not public documents under the access to public records act, provided that when the board discusses the exempted record it may not also discuss the general subject to which the record or document pertains
- The academic records or suspension or discipline of students
- Municipal or school security or emergency response measures, the disclosure of which could jeopardize public safety

Because the statute requires that the motion to enter executive session state the "nature of the business to be discussed", we recommend boards give reasons that are more specific than "legal issues" or "personnel matters". This is consistent with the interpretation of the Secretary of State.

Rather, we recommend the board make a motion to enter executive session that cites one of the statutorily permissible reasons. Here are some examples:

- "I move to enter executive session for the purpose of discussing the evaluation of an employee."
- "I move to enter executive session for the purpose of discussing an employee's contract, because doing so in public session will clearly place that employee at a substantial disadvantage."
- "I move to enter executive session for the purpose of discussing the suspension of a student."

While in executive session, a board may only discuss the subject matter referenced in the motion to enter the session. Attendance in executive session is limited to members of the board, and in its discretion "its staff, clerical assistants and legal counsel, and persons who are subjects of the discussion or whose information is needed." 1 V.S.A. §313(b). Minutes are not required to be taken, and we do not recommend that they be taken.

A board cannot take any action in executive session, except actions related to the securing of real estate options. Ultimate action on all other items must be taken by motion and vote in open session. The motion for that vote should provide enough information (subject to confidentiality considerations) to allow members of the public to understand the nature and substance of the action taken.

Guidelines Teams Can Use in Achieving Consensus

1. **Use a discussion leader to ensure all points of view are heard.**
2. **Avoid arguing for your own position.**
Present it as lucidly and logically as possible, but listen to the other members' reactions and consider them carefully before you press your point.
3. **Inquire of others**
See that you understand what they are saying. Ask for information, clarification and explanation.
4. **Look for points of similarity.**
Most groups have more agreement than they realize.
5. **Do not assume that someone must win and someone must lose.**
When discussion reaches a stalemate, examine the interests behind people's positions. Look for the next alternative for all parties.
6. **When there are differences, look for good points in both positions.**
See if the two positions (or more) can be combined to take advantage of all. A new position might include ideas of each and might yield totally new ideas.
7. **Do not change your mind simply to avoid conflict.**
When agreement seems to come too quickly and easily, be suspicious. Explore the reasons and be sure everyone accepts the solution for basically similar or complementary reasons. Yield only to positions that have objective and logically sound foundations.
8. **Differences of opinion are natural and expected.**
Seek them out and try to involve everyone in the decision process. Disagreements can help the group's decision because with a range of information and opinions, there is a greater chance that the group will hit upon more adequate solutions.