

**Addendum
Board Meeting
October 13, 2022**

Board Chair 101

Effective School Board Leadership

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Success

The success of a school board depends greatly on its chair. The chair is responsible for leadership of the team, board operations, and setting the overall direction of the board's work, plus running efficient and productive meetings.

Whether you're a current board chair, an aspiring chair for your newly organizing board, or a board member who is about to vote on your chair for the next year, it is critical to understand the importance and complexity of this crucial role on the board.

Roles of the School Board Chair

Team Leader

- Promote the development of a strong team that understands its role and performs its essential work.

Link to Administration

- Maintain a strong connection with the administration to build common vision and teamwork.

Meeting Leader

- Organize and conduct effective meetings.

Legal Guardian

- Promote lawful and ethical operations.

Key Role of the Chair: Leadership

Lead the development of a strong board team that understands its role and performs its essential work.

Develop the Team

Relationships

- Build a relationship with each member

Welcome New Members

- Ensure they receive a thorough orientation
- Assign a mentor

Inclusion

- All members understand they are an integral part of the board

Board Dynamics

- Be mindful of the needs and interests of each member

Ground Rules

- Operating Protocols

Learning Together as a Team



The Role of the School Board

Trustee

- Provide oversight on behalf of the community of public education

Education

- Ensure high quality education for all students

Investment

- Ensure the public gets a good return on its investment

Operations

- Ensure that the system operates effectively and ethically

The Role of the Supervisory Union Board

Oversee education for the region through the Supervisory Union, promoting equal education opportunity across the SU, assuring mutual accountability with superintendent, and seeking greater student opportunity and operating efficiency.

Key Role of the Chair: Partnership

Establish a strong connection with the administration to build common vision and partnership.

Good governance is neither

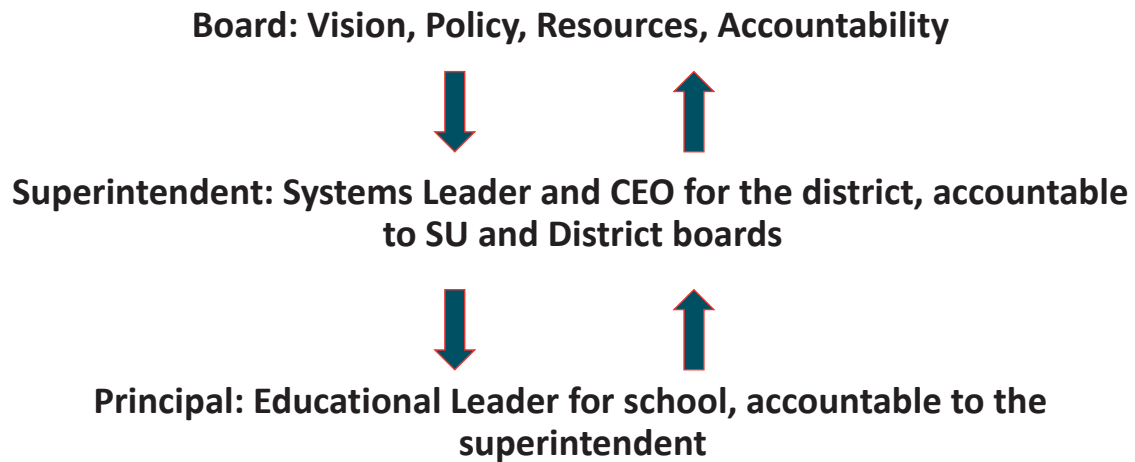
Rubber stamping



Micromanaging



Chain of Command: Board, Superintendent, and Principal



Guidance, Support, and Oversight

- Set Goals
- Evaluate the Superintendent
- Communicate
- Identify and resolve issues as a district board
- Address appropriate issues through the SU board



Key Role of the Board Chair: Meetings

Organize and conduct effective meetings.

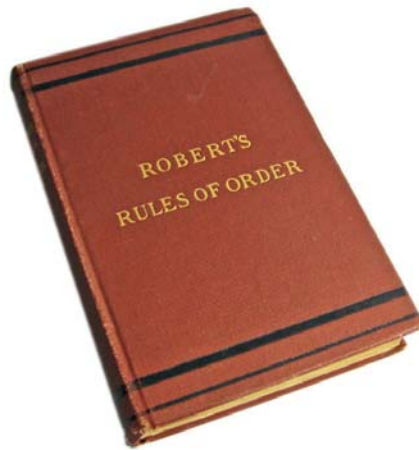
Conduct Effective Meetings

- Build clear and intentional agendas
- Follow Robert's Rules of Order
- Obey open meeting and public records laws
- Facilitate community conversations
- Work for consensus

Build Effective Agendas

- Align agendas with board goals
- Include a manageable number of issues, so that each item can be given necessary consideration, while keeping meetings to a reasonable length.
- Limit action to items that the board has had time to consider
- Ensure clarity, so the public can be informed of the topics to be discussed

Become Familiar with Robert's Rules



Obey Open Meeting and Public Records Laws

1 V.S.A. §312(a): *All meetings of a public body are declared to be open at all times...No resolution, rule, regulation, appointment, or formal action shall be binding except as taken or made at such an open meeting.*

1 V.S.A. §316(a): *Any person may inspect or copy any public record of a public agency...*

1 V.S.A. §317(b): *Public record means any written or recorded information, regardless of physical form or characteristics, which is produced or acquired in the course of public agency business.*

Follow Executive Session Requirements

- Boards must first meet in public session and then vote to enter executive session by a motion that “indicates the nature of the business” to be discussed.
- Permissible reasons for entering executive session are listed in 1 V.S.A. §313. No other matter may be considered.
- Boards may invite their attorney, administrative staff, and persons who are subjects of the discussion or whose information is needed.
- No binding action may be made in executive session. Ultimate action must be taken by motion and voted in open session (1 V.S.A. §313(a)).

Facilitate Community Conversations

Board meetings are held in public, 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

Key Role of the Board Chair: Legal Guardian

**Promote lawful and ethical operation
by the board**

Guidelines for Lawful and Ethical Operations

Unified Voice

- Be clear you have no power apart from the board

Confidentiality

- Maintain confidentiality of executive session

Oversight

- Assure that schools are well run, and don't try to run them

Conflict of Interest

- Avoid even the perception of conflict of interest

Majority Rules

- Recognize and accept the validity of all board decisions

Establish a Code of Ethics

As a board member I will:

Act within the scope of my official role

Uphold the highest ethical standards

Respect my peers, my constituents, and confidentiality considerations

Manage Potential Conflicts of Interest

Policy

- Every board must have a conflict of interest policy. 16 V.S.A. § 563(20)

Legal and Ethical Duty of Board Members

- Avoid conflicts of interest
- Avoid the appearance of a conflict of interest

Disclosure and Recusal

- Members with potential conflict should follow the procedures

Accountability

- Chairs can help members hold each other accountable for following policy

Executive Session Tips for Board Members

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Vermont School Boards Association
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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.