

Williamsburg Community School District

SECTION: LOCAL BOARD PROCEDURES

TITLE: CONDUCT OF INDIVIDUAL BOARD MEMBERS

Policy Guide

ADOPTED: 10/16/12

REVISED:

008 CONDUCT OF INDIVIDUAL BOARD MEMBERS

Section 1. Purpose

The purpose of this Policy is to articulate the parameters and limitations established by the Board of School Directors regarding the authority of individual Board members to act independent of the Board.

Section 2. Authority

As a Board, the Public School Code, as amended, provides the nine elected Board members (hereinafter "collective Board" or "Board") with the authority to govern the operations of the Williamsburg Community School District. Much of the Board's authority to oversee the day-to-day operation of the School District has been delegated by the Board to the School District's Administrators. These Administrators, as well as other School District employees, are ultimately accountable to the collective Board. Individuals Board members do not have the authority to direct the duties or activities of the Administrators, or other School District employees, without a prior delegation of authority from the collective Board.

Section 3. Operational Philosophy

The collective Board should work with and through the School District's Administration to address all matters of concern regarding the educational, financial, operational and other affairs of the School District. In order to accomplish this objective, individual Board members must refrain from using their positions as Board members to independently pursue or address matters which are reserved unto the collective Board or the Administration. The School District cannot be run in an effective and efficient manner if individual Board members violate the policies and procedures established by the Board.

Further, in order to effectively fulfill its responsibilities, the collective Board must have timely, accurate and detailed information regarding the affairs of the School District. It is the Administration's responsibility to obtain and provide the Board with the information to make timely and informed decisions. Individual Board members have the right to request the information that they believe is necessary to

make informed decisions, subject to the limitations, policies and procedures established herein by the Board.

Further, each Board member is expected to conduct him or herself in accordance with this policy and other policies and procedures approved by the Board. The Board recognizes that when individual Board members act independent of the collective Board, it creates confusion for the School District's employees; it damages the Board's ability to effectively work with and through the Administration; it undermines the working relationship between the Board members; it creates confusion in the community; and it increases the potential for legal issues involving the School District, its Board members and employees.

Section 4. Procedures

Confidential Personnel Matters. From time-to-time, individual Board members obtain information related to an employee of the School District and based upon that information the Board member may have concerns regarding the employee. Many times, this information is obtained by the Board members from third parties, such as parents, students, and/or members may develop concerns regarding an employee. In these situations, the Board approved procedure is as follows:

1. If the concerns relate to an employee other than the Superintendent, the Board member need to notify the Board President and the Superintendent in writing of his or her concerns and the specific reasons for the concerns.
2. If the Board member's concerns are based in any part upon information provided to the Board member by a third party, the Board member needs to provide the Board President and Superintendent with the source of the information (names and contact information).
3. If appropriate, the Board President and Superintendent will notify the School District's Solicitor of the concerns expressed by the Board member.
4. The Superintendent of his or her designee will initiate an investigation into the concerns expressed by the Board member.
5. At the next reasonable opportunity, the Superintendent will notify the collective Board that an investigation has been initiated in response to concerns expressed by the Board member.
6. The Solicitor will remind the Board members of their confidentiality obligations and their role in addressing potential employee discipline matters.
7. Board members will refrain from getting involved in the investigation other than to report unsolicited information which may be relevant to the investigation.

8. Upon completion of the investigation, the Superintendent shall determine whether disciplinary action is warranted.
9. If disciplinary action is warranted, the Superintendent will work with the Solicitor to impose the discipline in conformity with the law.
10. If disciplinary action is not warranted, the Superintendent will report the findings to the investigation to the Board in executive session.
11. If the concerns relate to the Superintendent, the Board member needs to ask the Board President for an executive session at which the Board member needs to notify the Board and Solicitor in writing of his or her concerns and the specific reasons for the concerns.
12. If the Board member's concerns are based in any part upon information provided to the Board member by a third party, the Board member needs to provide the Board and Solicitor with the source of the information (names and contact information).
13. The Solicitor shall recommend the appropriate course of action based upon the information provided by the Board member.
14. Board members will refrain from making public comments regarding confidential personnel matters.
15. Board members will refrain from discussing confidential personnel matters with individuals who are not legally permitted to have access to the information.

Section 5. Personal Opinions

The Board recognizes and acknowledges that as elected officials, individual Board members have the right to express their opinions regard the education, financial, operational and other affairs of the School District. However, without a prior delegation of authority from the collective Board, individual Board members do not have the right to speak or act on behalf o the Board and/or the Administration. Officers elected by the Board such as the Board President and Vice President have the right to speak on behalf of the Board. A Board member who has been appointed to serve as a Committee Chairperson has the right as the Committee's Chairperson to speak on behalf of the Committee.

The Board does not authorize, endorse or condone the use of social media sites, networks or forums by Board members. The Board does not have the authority to prohibit Board members from utilizing social media sites, networks or forums. However, if a Board member chooses to communicate information that the Board member has obtained in his or her capacity as a Board member via social media sites, networks and/or forums, such as Facebook, Twitter, MySpace, etc., the Board member's actions are individual in nature and are undertaken in contradiction to the collective Board's policy regarding the use of social media sites, networks and/or

forums. Individual Board members are strictly prohibited from posting non-public, confidential and/or privileged documents on social media sites, networks or forums.

Section 6. Electronic Communication

The Board is obligated to conduct its business in compliance with applicable laws and regulations, including Pennsylvania's Sunshine Act. The Board and the Administration may utilize e-mails and other forms of electronic communication to coordinate and schedule Board meetings, executive sessions and committee meetings; to timely inform the Board of events at the School District; to provide the Board with information, meeting agendas, legal opinions and copies of documents; and to communicate regarding matters that are exempt from the Sunshine Act, such as, personnel and legal matters. The collective Board should not use e-mails or other forms of electronic communication to discuss matters that are before the Board or matters that may come before the Board for action because such discussions may be in violation of the Sunshine Act.

Section 7. Individual Presentations

From time-to-time, individual Board members may wish to present information or a report to the Board. For example, if a Board member attends a conference or seminar hosted by the National School Boards Association or the Pennsylvania School Boards Association, the Board member may wish to share the information gathered at the conference. In addition, individual Board members may have issues important to them and they may wish to share information they have gathered with the Board. In these situations, the Board approved procedure is as follows:

1. At least seven (7) days in advance of the Board meeting, the Board member shall notify the Board President and Superintendent in writing that he or she wishes to make a presentation to the Board.
2. The notification should include the topic of the presentation; the anticipated time needed for the presentation; whether the administration will need to have technology available for the presentation; and what technology will be needed for the presentation.
3. The Board President in consultation with the Superintendent will either grant the request and make the necessary arrangements, or deny the request and provide the Board member with a short explanation of the reasons for the denial.
4. If granted, a Board member's presentation will be limited to ten (10) minutes and it will be placed at the end of the next meeting's agenda, unless the Board President agrees to place the presentation earlier in the agenda.

5. If granted, the Board member is required to provide the other Board members and the Superintendent with a written summary of the Board member's presentation at least five (5) days in advance of the meeting so that the other Board members and the Superintendent have an opportunity to review the material and prepare questions.
6. The Board President has the right to limit the scope, length and/or frequency of an individual Board member's presentation if the Board President determines that the request is irrelevant to the matters before the Board; is intended to harass or undermine the Administration; is in violation of an employee's rights under an applicable Federal or State statute or regulations; is in violation of a student's rights under an applicable Federal or State statute or regulation; is related to a matter previously decided by the Board and for which the Board is unlikely to reconsider the decision; or is likely to result in the disclosure of confidential information.
7. In the event that the Board President denies a Board member's request, the Board member may put forth a motion to overrule the Board President's decision at any subsequent public Board meeting. If the Motion is approved by the Board, the Board member will be permitted to make his or her presentation at the next public Board meeting.

Section 8. Communication with Media

The Board recognizes and acknowledges that as elected officials, individual Board members have the right to communicate with various media outlets (newspapers, web-based news outlets, television stations, etc.). However, without a prior delegation of authority from the collective Board, individual Board members do not have the right to communicate with media outlets on behalf of the Board and/or the Administration. Officers elected by the Board, such as the Board President and Vice President, have the right to contact and/or communicate with media outlets on behalf of the Board. A Board member who has been appointed to serve as a Committee Chairperson has the right as the Committee's Chairperson to communicate with media outlets on behalf of the Committee. Individual Board members are strictly prohibited from releasing or disclosing non-public, confidential and/or privileged documents to media outlets without a prior delegation of authority from the collective Board.

Section 9. Undue Influence

Each individual Board member has contact at varying degrees with the School District's employee, coaches, volunteers, and other individuals associated with the School District. In addition, each individual Board member participates in varying degrees in events and activities sponsored, hosted or participated in by the School District. Without a prior delegation of authority using or attempting to use their position as a Board member to gain preferential treatment related to any such events

or activities, including events and activities that occur off of School District property.

Individual Board members are expected to follow the security and established building procedures applicable to members of the public when they are on School District property for non-Board related events and activities.

Section 10. Enforcement of Policy

The Board expects the Administration to report perceived violations of this policy by individual Board members to the Board President and Superintendent who shall share and discuss the information with the collective Board. In the event that the Board President is the individual Board member at-issue, the Administration shall report the perceived violation to the Board Vice President and Superintendent who shall share and discuss the information with the collective Board. Violations of this policy by individual Board members may result in corrective action being taken by the collective Board based upon the seriousness of the violation.