

# School Board Basics - How Schools Are Run

## Frequently Asked Questions

### **Who serves on the school board?**

The school board consists of lay representatives – people who live in the community and are selected by the community (or, if it's an appointed school board, selected by either the mayor or county freeholders). They're your neighbors: parents, grandparents, local business owners, retirees – ordinary citizens. They are non-partisan and they receive no pay or benefits for their public service.

### **What is the role of the school board and the superintendent?**

The school board has a dual role: To represent the concerns of the citizens, taxpayers and parents to the school administrators, and to represent the needs of the students and school district to the citizens, taxpayers and parents of the community. The school board does not operate the district on a day-to-day basis; that is the job of the superintendent, who is the district's chief executive. Rather, the school board sets the policies, goals and objectives for the district – and it holds the superintendent responsible for implementing the policies and achieving the goals.

### **I have a problem with my school. Isn't the school board the appropriate body to address it?**

Maybe. We recommend working up the chain of command. For instance, if a parent has a problem with a teacher, the parent should first address it with the teacher and, if the issue is not resolved, the parent should turn to the principal or supervisor, and then the superintendent. The school board should be the "court of last resort." Many times citizens can get answers to their questions simply by calling the appropriate person in the school district (i.e., principal, school board secretary or superintendent).

### **Do I have an opportunity to speak at the board meeting?**

State law requires a public comment period at board meetings. Boards are allowed to establish reasonable restrictions on the time, place and manner of public comment. For instance, school boards typically set guidelines on the length of an individual's comment (e.g., a certain amount of time per person), so no one person dominates the meeting. There is no required format for public comment; some boards have one public-comment period in the middle of the meeting, some have two public-comment sessions during a board meeting.

### **What is proper protocol for public participation?**

Comments from citizens generally go through the chair at the board meeting, usually the board president. Boards use the public comment period as an opportunity to listen to citizen concerns, but not

to debate issues or enter into a question-and-answer session or a "cross examination" between the public and individual members. Be aware that not all issues brought before a board meeting will be resolved that evening; boards may respond to public comment by seeking additional information or by delegating the authority to investigate the issue to the superintendent or his/her designee. While public education can be an emotional issue, and understandably so, the board will strive to maintain a certain level of decorum at the meeting. Many meetings are recorded or televised, and students often attend or participate in the meetings. As such, citizens are expected to maintain tone of courtesy and civility.

### **How does the board set its rules at the meeting?**

A local school board's parliamentary procedure is a matter of local policy. Most boards follow Roberts Rules of Order, which describes how meetings are run, how motions and votes are taken and other procedures. The school board's secretary can inform citizens on rules of order and other issues of board policy.

### **The board goes into a closed-door meeting each meeting. Why can't the public witness what occurs there?**

New Jersey's Open Public Meetings Act (also known as the Sunshine Law) specifies nine areas that are to be discussed in "executive" or closed-door session. Among the most common are privacy issues (including employee privacy as well as matters dealing with individual students and student discipline); anticipated litigation and issues involving attorney-client privilege; negotiations with labor unions and negotiating strategy; matters involving the purchase of property; and any issues dealing with security that could undermine safety if made public. Sometimes, citizens will want to know why a school board took a vote regarding a particular staff member (e.g., not re-hiring a teacher or principal). However, school board members are not allowed to publicly discuss evaluative aspects of the staff member's employment, unless the employee authorizes it.

### **What is the board agenda?**

While school boards publicly post an annual notice describing the date and location of meetings, they are not required by law to post an agenda for each meeting. However, most do have an agenda. If they do, the agenda must reasonably reflect the matters to be discussed. However, the board is not precluded from addressing an issue that arises just because it was not on the agenda.

### **My school board seems to rapidly work through the agenda, without much debate. Why is that?**

School boards sometimes have a "workshop" or "caucus" meeting where they discuss issues in greater detail, but don't vote on the issues. In addition, boards may utilize a committee structure, where certain members of the board, often working with the superintendent or key administrators, study a specific issue and make recommendations to the full board for a vote. By the time the board has a regular

"agenda" or "business" meeting where it votes on issues, the agenda items have usually been vetted or studied already.

### **What is the difference between school board's policy and state regulations and statutes?**

Statutes are the laws that are enacted by legislators in Trenton. Usually the law will contain broad language on an issue, and it will authorize the appropriate state agency (which would be the New Jersey Department of Education, or NJDOE, in the case of school law) to write regulations, also called "administrative code," that detail how the law will be carried out. Local public schools must adhere to state statute and regulations. There are many aspects of school management that the state does not manage. Those are covered by the local school board's policies, which are the school board's rules and guidelines that detail how the district will operate. Policies address many issues ranging from student discipline and dress codes to whether the district will rent the gym to community groups after school hours. The state generally does not delve into the oversight of local board policies unless there is a specific law requiring boards to have policies on an issue (such as school bullying), or if the local board's policies are found to be arbitrary or capricious, or have otherwise run afoul of state laws and regulations.

### **What role does the New Jersey School Boards Association (NJSBA) and the New Jersey Department of Education play?**

The New Jersey School Boards Association is a service organization that provides training, assistance and advocacy for local school boards. However, NJSBA is not a state regulatory agency and does not have authority over local school districts. The New Jersey Department of Education (NJDOE) is the state agency that regulates public schools. If a citizen has an issue that cannot be resolved by working up the chain of command locally, he or she can bring it to the attention of the NJDOE. The department has county offices run by "executive county superintendents," and the county offices can often serve as an effective liaison between local residents and the NJDOE. Under the umbrella of the NJDOE is the School Ethics Commission, which hears cases involving conflicts of interest and possible violations of the School Ethics Act. The state Commissioner of Education, who is the chief of the NJDOE, also hears many cases dealing with education issues.

*Source: New Jersey School Boards Association – Parent Connections*

<http://www.njsba.org/parents/faq.php?pc=3>