

HAMILTON UNIFIED SCHOOL DISTRICT

“United from Start to Finish”



Board Governance Handbook

The Board of Education is entrusted by the community to uphold the Constitutions of California and the United States, to protect the public interest in schools, and to ensure that a high-quality education is provided to each student.

Board of Trustees

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Dr. Jeremy Powell, Ed.D.

Unity of Purpose, Roles and Responsibilities, Norms, Agreements

This handbook reflects the governance team’s work on the creation of a framework for effective governance. This involves ongoing discussions about unity of purpose, roles, and norms and agreeing on protocols for formal structures that enable the governance team to continue to perform its responsibilities in a way that best benefits all children.

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Building a Governance Team – Unity of Purpose

School district governance is the act of transforming the needs, wishes, and desires of the community into policies that direct the community's schools.

In a school district, the Board and Superintendent work together as a governance team. For a governance team to work together effectively, members need to: Maintain a unity of purpose; agree on and govern within appropriate roles; create and sustain a positive governance culture, and; create a supportive structure for effective governance.

What do we as a governance team want to accomplish? What do we stand for?

- Our shared purpose is to have the best learning environment for all students.
- We want to build trust and move the district forward.
- We want to be an effective team.
- We want to understand our individual jobs and collective responsibilities.
- We want to be a team with a common focused direction so we are not a distraction to the district or community but a catalyst for the focused efforts of employees, and the community can see evidence of this focused direction.
- We want to be partners with the staff in positive change.
- We want to oversee the putting together of a first-rate program and first-rate facilities, making sure we continue to improve – never resting on our laurels.
- We want to perpetuate a legacy of positive culture as people come and go.

Roles and Responsibilities

The role of Trustees is to stay focused on the big picture while fulfilling five responsibilities in a series of job areas. These five responsibilities are:

- We set the direction.
- We establish the structure.
- We provide support.
- We ensure accountability.
- We act as community leaders.

We carry out these responsibilities in each of the following job areas:

- Setting the District's Direction
- Student Learning and Achievement
- Finance
- Facilities
- Human Resources
- Policy
- Judicial Review
- Collective Bargaining
- Community Relations and Advocacy

The Superintendent assists the Board in carrying out its responsibilities in each of the job areas and leads the staff toward the accomplishment of the agreed-upon District vision and goals.

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Creating and Sustaining a Positive Governance Team Culture

Culture is the positive or negative atmosphere created by the way people in an organization treat each other. Teams have unwritten (implicit) or written (explicit) agreements about how they will behave with each other and others. These behavioral ground rules, often called norms, enable teams to build and maintain a positive culture or shift a negative one.

Governance Norms

To make meetings positive and productive experiences for all, we make the following collective commitments to each other.

WE AGREE TO –

- Keep from taking disagreements personally (individuality is embraced, and respected).
- To show respect (never dismiss/devalue others).
- Make a commitment to effective deliberation, each listening openly while everyone is allowed to express his or her point of view.
- Commit to open communication, honesty, no surprises.
- Commit the time necessary to govern effectively. This means being there, being knowledgeable, participating, understanding the full scope of being a Board Member, and being willing to take on all the responsibilities involved.
- Be collaborative (this is the way we operate)!
- Maintain confidentiality (builds trust).
- Look upon history as lessons learned; focus on the present and the future.

AND – ABOVE ALL –

- Focus on students' best interests – on what's best for the students! This is what we do! And it is the touchstone that allows us to have our differences.

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Board Governance Protocols

1. Leadership Responsibility and Roles of the Board

- 1.1. Board members carry authority only as a Board, not as individuals. Individuals can request action by bringing up a new idea, explaining their interest in a particular course of action, and working to get a Board majority to support moving in that direction. When a majority of the Board, sitting in a formal meeting, requests action, that request should be made in the context of the intended results (what is to be accomplished), not the methods (the “how”) to achieve those results.
- 1.2. To be effective representatives of the Board and district, members will:
 1. Always behave in a manner that reflects positively on the district.
 2. Refrain from obligating the Board and/or administration by actual speech or implication, unless authorized to do so by the Board.
 3. Represent the Board at various school events.
 4. Refer any concerns, questions, or comments to the superintendent as specified in the protocol for Responding to Concerns.
 5. Reinforce with the community the key messages agreed upon by the Board.
- 1.3. Responsibilities of Individual Board Members:
 1. Attend all Board and committee meetings and functions, such as special events.
 2. Be informed about the organization’s mission, services, policies, and programs.
 3. Review agenda and supporting materials before Board and committee meetings.
 4. Serve on committees or task forces and offer to take on special assignments.
 5. Inform others about the district.
 6. Follow conflict-of-interest and confidentiality policies.
 7. Refrain from making special requests of the staff
 8. Assist the Board in carrying out its fiduciary responsibilities, such as reviewing the annual budget and audit.
- 1.4. The role of the Board president is to:
 1. Confer with the superintendent before the Board meeting to prepare, as necessary for the Board meeting.
 2. Facilitate the Board meeting, supporting the effective flow of the discussion and encouraging input from all trustees while staying on task, moving forward, and maintaining proper meeting decorum.
 3. Model the tone and behavior the Board wishes to convey to the community.
 4. Following the Board meeting, the Board president with the superintendent will ensure there is appropriate follow-up and clarification of possible options for the Board.
- 1.5. In responding to concerns regarding the work of the district, Board members will:
 1. Receive the information, remembering that only one side of the story is being presented (listening).

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2. Repeat the information, paraphrase to ensure understanding.
 3. Remind the individual that a Board member has no authority as an individual and share the appropriate line of command and process to follow to address their concern.
 4. Re-Direct, thank them for sharing their thoughts and refer them to the appropriate staff member and, if necessary, encourage them to initiate the formal complaint process.
 5. Report. Promptly inform the superintendent, with the superintendent appropriately responding to the individual and/or Board member.
- 1.6. Responding to email: If a trustee receives an email request from a member of the public, the trustee will respond and copy the superintendent on the response. If the request is sent to the superintendent, he/she will copy the answer to all trustees.
- 1.7. Anonymous Complaints: As a standard practice, the Board and superintendent do not consider anonymous complaints unless they involve a safety concern. If an anonymous complaint is received by the superintendent's office or Board, the superintendent will evaluate the matter on a case-by-case basis. The superintendent may consult with the Board president to determine the appropriate course of action.

2. Board Meetings and the Agenda

- 2.1. Meetings of the Board are held in public but are not open-forum town hall meetings. Meetings will be conducted in such a way as to allow the public to provide input in the time allotted to ensure that multiple voices of the community inform Board deliberations; however, when the Board deliberates, it will be a time for the trustees to listen and learn from each other, taking public input into consideration without re-engaging the public.
- 2.2. Steps to consider in a disruptive meeting:
1. Respectfully address the disruptive behavior, ask the member to refocus and participate constructively.
 2. Provide a clear warning, explain that continued disruptions may result in dismissal from the meeting.
 3. Call for a brief recess, take a 5-minute break to allow for de-escalation.
 4. If necessary, ask the member to leave. If disruptions continue, redirect the individual to exit the meeting. Any threat of harm is grounds for immediate dismissal. Any disruptions that do not allow the Board to continue to conduct its business.
 5. Limit public attendance if disruptions persist. If the disruption involves multiple attendees, dismiss the public while allowing the press to remain.
 6. Adjourn and reschedule if needed. If order cannot be restored, adjourn the meeting to a future date and time.
- 2.3. Board meetings will be on the fourth Wednesday of each month. Generally, each Board meeting will begin with closed session (with dinner provided to the Board) at 5:30p.m.

The regular public meeting will begin at 6:30p.m. Study sessions may be scheduled and shall be scheduled at the discretion of the Board.

- 2.4. The design of the Board agenda will follow the historical structure utilized by the Board. The design of the agenda may only be altered with the approval of the Board president.
- 2.5. Board members will review the information provided to them and be open to ongoing professional development and training.
- 2.6. With staff support, the superintendent will create each Board agenda. In advance of the preparation of the Board agenda, Board members may request items to be placed on the agenda. Before the Board meeting, the Board president and the superintendent will discuss the contents of the agenda and the process that will be followed at the meeting.
- 2.7. Meetings as Strategic Leadership
 1. The Board meeting is a meeting to conduct district business in public. Well-run efficient meetings model leadership, promote trust and confidence and provide opportunities to demonstrate strategically moving the district forward and planning for the future.
 2. The governance team wants to demonstrate to the public that the Board maintains the focus on priorities and that deliberation and discussion are conducted with professionalism and respect.
 3. The Board meeting provides opportunities to share educational philosophy among the governance team and with the community.
 4. The Board members agree to share accountability for Board deliberations while valuing the input of each member of the governance team.
 5. Annually and as needed the Board will schedule study sessions and Board discussions linked to the district's strategic priorities.
- 2.8. The president of the Board may choose to have the superintendent be a direct resource, requiring the superintendent to sit next to the Board president. On the other hand, the Board president may choose to have the superintendent be an indirect resource and, thus, the superintendent would sit at the dais but away from the president and on one end of the Board.
- 2.9. The superintendent and Board believe that the need for information and/or clarification on agenda items is best accomplished by the submission of written questions/requests ahead of meetings. This will allow for in-depth consideration of items without unduly lengthening the meeting time.
- 2.10. Board Meeting Agenda Consent Calendar
 1. Board members can pull an item from the consent calendar for individual consideration.
 2. Ideally requests to remove an item from the consent calendar and the reason for the request should be made during approval of the agenda. Items may also be removed when the consent calendar is considered by the Board.

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3. Consent items should include, but are not limited to: approval of minutes, field trips, conference requests, inter-district transfers, volunteers, personnel, etc.
4. An agenda item “items removed from the consent calendar” will follow the consent calendar on the agenda to facilitate consideration of removed items.
- 2.11. Board members will make every effort to submit, before the meeting, questions they intend to ask so that the superintendent and district staff can prepare to answer Board members’ questions at Board meetings.
- 2.12. When an individual Board member requests information, that information will be provided to all Board members. If unforeseen questions arise during the meeting, trustees will acknowledge their question or comment as spontaneous and that they understand staff may not have the information on hand to answer the question.
- 2.13. Any request of the staff by an individual Board member, which will take more than 30 minutes to fulfill, must be made by the majority of the Board so as not to detract staff from focused efforts that are meant to move the district toward achieving the year's goals.
- 2.14. Requesting Information from the Superintendent
 1. Trustees will always work through the superintendent when asking questions or requesting additional information on Board meeting agenda items.
 2. The superintendent will ensure timely responses to requests and will provide the information or direct trustees to the correct source.
- 2.15. Individual Board members are expected to self-monitor compliance to the Public Meeting laws, including limiting closed session to the legally appropriate agenda item(s).
- 2.16. During the portion of the meeting reserved for Board member reports/communications, Board members shall only provide information (i.e. activities or professional development they have attended as a Board member). They may request items to be placed on future agendas, but due to the Brown Act, they shall not make statements affecting pupils, employees, or services provided by the district. It is important that this time in the agenda not be used to engage in discussion on items not on the agenda or for partisan political statements.
- 2.17. The use of social media by Board members will be limited to personal topics not related to the school district, except in the case where the Board member is reposting informational items published by the district and about the district, including district approved organizations such as parent teacher associations/boosters, etc.
- 2.18. The governance team will strive for brevity in deliberations, keeping remarks brief and to the point so that all opinions can be expressed, and meetings can be efficient. Addressing each agenda item, the Board shall, normally, adhere to the following process:
 1. Staff members, when presenting items to the Board, are to provide appropriate back-up material for the Board to review before the Board meeting. If necessary to provide a presentation to the Board, presentations are to be limited to not more

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- than 10 minutes unless prior approval of the president is received. During the communications/reports portion of the agenda, reports will be limited to not more than 5 minutes.
2. The Input from the community.
 3. Board discussion and deliberation.
- 2.19. Board members individually and collectively demonstrate confidentiality as appropriate and as outlined through the mandates of the California Education Code, the Brown Act, and other compliance criteria established by law or legislation. Respecting the confidentiality of information maintains the Board's judicial review role.
- 2.20. The use of email and social communication is subject to the Public Meeting law. The superintendent shall forward questions and answers to all Board members. Board members, when responding may not "reply to all."
- 2.21. The Board wishes to maintain a culture of professionalism, stay focused, and respect the need of trustees to be available to their families:
1. Electronic devices will be set for 'silent' or vibrate.
 2. Trustees will be discreet in checking cell phones if necessary.
 3. When meeting virtually, whenever possible, trustee's cameras will be on during the meeting.
- 2.22. Abstentions are most appropriate in cases where there is a personal relationship between a litigant and a Board member (perception of bias), a decision that financially impacts the Board member or their immediate family (legal conflict), or a personal connection to the Board member that may bias a decision on discipline.
1. When abstaining because there may be a perception of bias, the Board member is encouraged to state the bias.
 2. When an actual legal conflict of interest exists, the Board member must publicly declare the conflict and recuse themselves from voting at all.
 3. When a Board member abstains, their abstention shall not be counted for purposes of determining whether a majority of membership of the Board has taken action.
- 2.23. Board members will model professional behavior by being polite and respectful of the points of view held by their fellow governance team members. The governance team will address one another by their first name.
- 2.24. Each Board member respects the right of other Board members to vote in the minority position. In so doing, each Board member agrees, as a courtesy to the team, to explain the reason for their minority vote, either during deliberation or after casting the vote.
- 2.25. Parliamentary procedures are to be utilized as a guide to ensure for the most effective and efficient Board meeting possible. Accordingly, the Board utilizes Rosenberg's parliamentary procedures as its guide to managing the agenda of each Board meeting.

- 2.26. Upon the request of an individual Board member, a roll call vote will be taken. The protocol for recording the votes of the individual Board members shall follow the rotation established by the Board.
- 2.27. Decisions of the Board
1. Governance team members are reminded that policy and decisions reserved to the Board must be made as a Board. Except where otherwise indicated in the Education or Government Codes, a majority consists of 3 of 5 members of the Board voting for an item. Once the decision has been made, it becomes the decision of “the Board.”
 2. Under the concept of majority rule, each member is compelled to support the successful implementation of a policy decision, program, or procedure even when he or she does not agree with the decision.
 3. If a member of the governance team cannot support the decision of the Board because it offends a moral/personal code, the member is expected, at a minimum, to refrain from undermining the decision or directive.
- 2.28. Whenever Board members are appointed or elected to serve on the Board, superintendent shall administer the oath of office at a meeting of the Board.
- 2.29. Any non-routine expense in excess of \$25,000, shall be pre-approved by the Board prior to the superintendent committing the district to the expense.
- 2.30. Public Participation
1. Since the Public Meeting law (Brown Act) expressly prohibits discussion leading to action from being conducted unless agendaized, governance team members are strongly encouraged to refrain from engaging members of the public in dialogue about issues not on the agenda.
 2. In general, citizens and residents wishing to “dialogue” with members should be encouraged to contact individual members and discuss issues of importance with them or the superintendent as appropriate.
 3. As a result of a comment under public communication, a member may ask the superintendent to briefly comment for clarity or correction. The member may also ask that a matter be investigated, with or without a follow-up report to the Board.
 4. If a Board member feels compelled to speak to the issue, the member must first be recognized by the Board president. The comments must be brief and only to clarify or correct. Any further discussion should be agendaized.
- 2.31. Public Comment
1. Time limits, generally 3 minutes per speaker and 15 minutes per subject will be imposed by the Board president.
 2. The Board president may rule on the appropriateness of a topic. If the topic would be more suitably addressed later, the president may indicate the time and place when it should be presented.
- 2.32. Chart of Policy Revision Process
- Step 1: District receives policy update packet from CSBA.
- Step 2: Administrative assistant prints policies for superintendent review and comment.

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Step 3: Superintendent reviews updated recommended policy changes. The superintendent provides to the Board at Board meeting 1, appropriate comments and edits.

Step 4: Board Meeting 1

- The original packet of updated policies, with the comments from the superintendent, is placed on the Board agenda (Board meeting 1), under reports and information, and is considered as first reading by the Board.

Step 5: Board Meeting 1

- If a Board member or community member would like to discuss one or more of the policies provided, they will request specific said policies be pulled for discussion at the next Board meeting (Board meeting 2) and placed under the action section of the agenda.
- The policies presented to the Board, on which they have no concerns or questions, will be placed under the consent agenda (second reading and for approval) at the next Board meeting (Board meeting 2) for action.

Step 6: Board Meeting 2

- The policies requested by individual Board members to be discussed shall be placed under the action section of the Board agenda (second reading and approval). Discussion will take place prior to a motion to approve said policies.

3. The Board's Role and Relationship with the Staff and Community

- 3.1. Board members will be actively involved in the district through observations and individual stakeholder engagement. The involvement of individual Board members on committees shall only be on external committees and by official appointment by the Board. (An example of a Board committee would be a 2+2+2 committee with the city and school district.)
- 3.2. When interacting with the public and their constituents, Board members will hold to the highest level of professional and ethical conduct, including emphasizing the positive aspects of the district.
- 3.3. When individually visiting schools or departments in your capacity as a Board member, as a professional courtesy, Board members are encouraged to notify the superintendent that they will be visiting a school or department and may provide input to the superintendent on issues or concerns that may arise from such a visit.
 1. At no time, while visiting schools shall a member make promises, either overt or implied, interfere with administration, or involve him or herself in personnel issues, student records, or union activities.
 2. To assist in this matter, the superintendent will ensure that principals and teachers know that a teacher does not need to interrupt his/her lesson when a visitor is in his/her classroom.
 3. The superintendent and/or designee will accompany trustees on classroom visits.

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- 3.4. Board members shall not request any information from staff beyond that which would be provided to any regular community member. Staff members are directed to relay requests from Board members to their supervisor to ensure that appropriate information is provided to all Board members.
- 3.5. Management staff are directed to relay requests from Board members to the superintendent to ensure that appropriate information is provided to all Board members.
 1. This protocol does not imply a censoring of any private and informal conversations.

4. The Board's Role in Collective Bargaining

- 4.1. Board members will be actively involved in the collective bargaining process to ensure that the district is represented well by those selected to negotiate on behalf of the Board and the community. The involvement of the Board will be to:
 1. Ensure the ethical, fiscal, and educational goals of the community are represented in the actions taken throughout the collective bargaining process.
 2. Participate by providing direction and guidance to those selected to represent the Board (District Negotiation Team). Board members do not attend at-the-table negotiations.
 3. The Board believes that the collective bargaining process shall be as transparent as possible. Accordingly, the Board recommends the district and the associations agree to broadcast negotiations, via virtual technology, for the Board and the association.
 4. Establish the bargaining approach to be utilized by its negotiation team.
 5. Set the District's collective bargaining parameters for its negotiation team.
 6. Expect, as the representative of the Board, that the superintendent will ensure that the Board, collectively and individually, is informed on the issues and strategies implemented within the collective bargaining process.
 7. The superintendent is the collective bargaining spokesperson for the Board.

5. The Board's Relationship with the Superintendent

- 5.1. The Board will commit to working through and with the superintendent on issues regarding the running of the district. The superintendent will inform the Board as soon as possible of:
 1. Serious safety concerns.
 2. Serious disciplinary action.
 3. Serious/unexpected personnel changes or disciplinary issues.
 4. Serious illness or death of a student, a staff member, or members of the staff member's immediate family.
 5. Legal or liability concerns.
 6. Emergency responders on campus for an emergency situation.
 7. Notable achievements.
 8. In all matters, the Board and superintendent are expected to protect confidential information.

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- 5.2. It is the superintendent's responsibility to organize the staff in the manner that best serves the needs of the district. As a professional courtesy, the superintendent shall provide appropriate notice to the Board in advance of action being taken.
- 5.3. It is the superintendent's responsibility to work with and be the primary contact for the district's attorney. Board members will work with the superintendent with any legal questions. Individual Board members will only contact the district's attorney with the authority of the majority of the Board. In the case of a serious or legal concern about the superintendent's actions, the Board president may contact the district's attorney.
- 5.4. The Board recognizes the success of the superintendent is critical to the success of students and the district. As such, the Board believes the superintendent should have a professional mentor/advisor who is not affiliated with the district.
- 5.5. As the norm, the superintendent speaks on behalf of the Board. The Board president is authorized to speak on behalf of the Board, when necessary.
- 5.6. The superintendent will inform the Board when the media contacts the superintendent.
- 5.7. All conflicts between the superintendent and the Board will be handled in closed session, with the superintendent being in attendance, when appropriate and necessary.
- 5.8. Conflicts between individual Board members and/or the superintendent will be addressed privately between those who hold the conflict and will not involve other members of the Board or the public (community, staff, media, etc.).
- 5.9. The Board commits to complete an annual evaluation of the superintendent. The Board will set aside at least one special meeting in October for the purpose of completing the annual evaluation of the superintendent. In consultation with the superintendent, the evaluation process and associated documents will be developed and approved by the Board, not later than the first Board meeting in November.

6. The Ongoing Implementation of Board-Approved Protocols

6.1. New Board Members (Elected or Appointed)

1. An administrative orientation by the superintendent and senior staff will be provided to new members of the Board. Training may be provided by county and state organizations, consultants, or led by staff. The training shall, whenever possible, take place prior to the first Board meeting of the new Board member.
2. The orientation is intended to be a conversation and overview of the things members need to know immediately. Questions will be answered, and the Board meeting structure, superintendent contract, superintendent objectives, Board policies, overview of the services and programs, and the major challenges being faced will be outlined and discussed.
3. Each orientation may be slightly different depending on the needs and interests of the incoming members and the major issues before the Board.
4. Within 90 days of the election/appointment of a new Board member or appointment of a new superintendent, a study session of the whole Board will be held for the purpose of reviewing/updating the governance protocols of the Board.

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5. Upon the request of two or more Board members, a special study session will be called for the purpose of reviewing/updating the governance protocols of the Board.
- 6.2. Newly elected Board members will receive the following resources upon election and prior to their first Board meeting:
 1. Brown Act Handbook, HUSD Governance Handbook and Governance Calendar, Annual Board Meeting Calendar, Board Bylaws/Policies, and CSBA Professional Governance Standards.
 2. Strategic/Long Range Plan, District Budget, District Budget Development Calendar, and District Resource Document.
 3. The governance team will schedule a workshop/conversation meeting at the first Board meeting held with newly elected Board member(s). This should include a mock meeting scenario to help familiarize new Board members with agenda item participation, making motions, and all other Board meeting procedures.

7. What do we do when someone violates one of the protocols?

7.1. Principles/Assumptions

1. We should expect that we will make mistakes.
2. Self-monitoring our own behavior can be very difficult.
3. Behavior in conflict with agreements erodes trust.
4. Behavior that is not challenged is condoned.
5. Confronting another team member can:
 - a) Be difficult. If done poorly, it can be damaging.
 - b) If done correctly, it demonstrates that the Board is a highly functional team!