

203 POLICY - GOVERNANCE

I. PURPOSE

The purpose of this Policy is to state those governing principles to which all Board members must adhere in order for the Board to govern effectively and fulfill its legal responsibilities for the care, management, and control of the District.

II. GENERAL STATEMENT OF POLICY

Board members have adopted a policy governance model in which the Board is responsible for adopting policies to set the vision for the District, and monitoring progress toward achievement of that vision.

Under this model, the Board's primary focus must be on the "ends" (the results to be achieved), rather than the "means" (the way in which the District will achieve those results). Therefore, the Board delegates policy implementation and the operations and daily management of the District to the Superintendent, with the commensurate authority necessary to carry out those responsibilities.

The Board must evaluate the Superintendent and District outcomes based on established policies and measurable results, and hold the Superintendent accountable for delivering results aligned with Board policies and District goals. The Board must also hold itself accountable for the quality and effectiveness of its governance based on its adherence to the practices below.

III. GOVERNANCE RESPONSIBILITIES

The Board as a whole is solely responsible and accountable for fulfilling the District's duties under the law, and for lawfully exercising its powers. If the Board is not functional, effective, and/or holding itself or its members accountable for fulfilling its collective and individual member's legal and ethical responsibilities, it has failed in its governance responsibilities.

The Board's governance responsibilities cannot be achieved without open channels of communication and transparency in deliberations and decision making.

A. Governing Practices

To fulfill its governance function, the Board, and individual Board members must:

1. focus on advancing the District's Mission, Vision, Strategic Priorities, and Priority Outcomes Grounded in Equity;
2. inform themselves, and participate in ongoing learning and training, about the role

and responsibilities of school boards and school board members;

3. adopt legally-compliant and equitable policies, govern in accordance with the policy governance model and this Policy, and regularly assess and hold themselves accountable for effectiveness and integrity in the exercise of their governance responsibilities;
4. strictly adhere to the Code of Ethics;
5. act and speak with integrity;
6. represent the entire school community and place the best interests and needs of District students above all other considerations or outside commitments, including:
 - a) The agendas or concerns of any and all advocacy and/or interest groups;
 - b) Any loyalty to, employment by, or membership in, another entity (such as another school district, a governing or advisory board of any kind, a union, or a particular group of parents/guardians or employees); and
 - c) Any conflicts (whether perceived or actual) based upon the personal, professional, and/or financial interests of any Board member and/or their relatives.
7. seek and support, whenever possible, solutions and outcomes that increase equity in education;
8. work in partnership with the Superintendent by respecting and not undermining their delegated authority and leadership of the District;
9. recognize that they do not have direct authority over District employees other than the Superintendent. If Board members have concerns regarding the performance of other District employees, they must inform the Superintendent. Board members must not attempt to address or investigate the concern, or dictate how the Superintendent should handle it unless the matter is properly before the full Board.
10. when receiving questions or concerns from students, families or caretakers, staff, or other members of the community, carefully document the question or concern (to inform the Superintendent of the issue(s) brought to the Board member's attention), and direct the person or group to contact the Superintendent or building principal, as appropriate;
11. engage in open and transparent public dialogue and receive input from a variety of perspectives prior to Board action. Board members are encouraged to fully participate and to agree or disagree about issues, while ensuring that they are not unnecessarily prolonging the dialogue, such as by repeating the same points over and over, or trying to impose their own will rather than respecting that decisions must be made by the Board as a whole;

12. comply with all Board policies, and local, state, and federal laws or regulations related to school boards and school board members;
13. recognize and respect that individual Board members, other than the Board Chair, have no authority to act on their own. Unless the Board has delegated specific authority to an individual Board member, the individual Board member has no power to take any action for or on behalf of the Board;
14. once the Board has taken action, abide by that decision and support it both publicly and privately; and
15. understand that the Superintendent is bound only by those directives, delegations, and decisions made by a quorum of the Board through official action taken at a lawful meeting.

B. Conduct During Business Meetings

1. The purpose of Board business meetings is to conduct the business of the District. Board members' questions, comments, or opinions must be related to District business properly before the Board and/or the motion under discussion, and limited to the Board's governance role.
2. Grandstanding, including self-promotion and focusing attention on oneself and/or one's own personal interests, actions, or grievances, is not governance and has no place at a Board meeting. Grandstanding takes the focus away from students and the school community, interferes with the ability of the Board to conduct business, wastes time, and must be ruled out of order.

C. Communications and Transparency

1. Board members must establish and maintain open channels of communication with each other. Interrupting, denigrating, dismissing, or talking over other Board members is not constructive, damages the reputation of the Board and the District, and shuts down communication channels.
2. The Superintendent must provide the Board with the information necessary to make informed decisions, and ensure that each member has equitable access to this information.
3. If a Board member knows they are going to be late to, or absent from, a meeting, they must notify the Board Chair or the Superintendent as soon as possible. It is the responsibility of that Board member to ensure that they are aware of the information presented and/or actions taken when they were not present. Board members are strongly encouraged to use the resources available to them to learn that information (i.e. meeting recordings, meeting minutes) prior to reaching out to the Board Chair.
4. Board members must direct all requests for information from the District or District staff, including questions, to the Superintendent and the Board Chair.

5. Board members must ensure that the information they are sharing in their capacity as a Board member is accurate to the best of their knowledge and ability to confirm that the source of the information can be reasonably relied upon.
6. Board members must protect private, nonpublic, not public, and confidential data in accordance with the Minnesota Government Data Practices Act and the federal Family Educational Rights and Privacy Act. Such information must not be disclosed in any form or manner, whether written or verbal, if its disclosure is not permitted under the law.
7. Board members are expected to express their knowledge and opinions about issues in a thoughtful and constructive manner. Communicating in a thoughtful and constructive manner means that every Board member is:
 - a. fully prepared for the meeting in advance;
 - b. focused on issues legitimately before the Board, not on: other Board members, operational matters, or personal recriminations or vendettas; and
 - c. following the Board Bylaws, the Code of Ethics, Board policies, Robert's Rules of Order, the policy governance model, and any other governance or ethics documents the Board has adopted.

D. Accountability

Board members who fail to fulfill their legal and governance responsibilities must be held accountable. After conducting an investigation and consulting with legal counsel, the Board has a number of options for addressing issues and holding individual Board members accountable, including:

1. Inform the Board member of the potential consequences of their conduct, including the potential loss of immunity. Immunity is only available if a Board member acts within the scope of their official duties.
2. Provide/require training or retraining.
3. Adopt new standards to address the issues.
4. Censure the Board member.
5. Ask for the Board member's resignation.
6. Remove the Board member from all committees.
7. End or suspend the Board member's compensation.
8. Remove the Board member for serious and/or unlawful conduct in accordance with the law.

The following references include some of the laws, regulations, and/or policies that are related to the topics contained in this Policy. This is not an exhaustive list and is provided for information purposes only.

Legal References: Minn. Stat. Ch. 13D (Open Meeting Law)
Minn. Stat. § 123B.09, Subds. 6, 7, and 10 (Boards of Independent School Districts)
Minn. Stat. § 123B.14 (Officers of Independent School Districts)

Cross References: None