Bylaw 9007: ^Board Best Practices - Supporting Effective Governance

Status: ADOPTED

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Exceptional Boards make governance intentional and invest in the structures and practices that address changing circumstances, thus allowing for Board Trustees and the Superintendent to effectively function as a team. The agreements established below serve as our tools to strengthen the capacity of the leadership team as we engage in constructive and positive interactions grounded in a mutual understanding of our respective roles and responsibilities.

Communications

The Superintendent and Board Trustees are committed to open and respectful dialogue with one another in a continuing effort to strengthen working relationships within the team.

Best Practice:

1. Board Trustees are asked to inform the Superintendent of the most effective one-on-one method of verbal communication ie…cell, home telephone, office phone during business hours, private line voice message, etc.

2. The Superintendent will provide timely and relevant information to Board Trustees through the weekly Superintendent's Update.

3. In order to ensure that all Board Trustees are well informed, Board Trustees will receive the same information and responses to issues and questions in the weekly Superintendent's Update.

4. The Governance and Leadership team will always practice the "no surprises" rule in order to avoid surprises to any member of the governance team.

5. The Superintendent will inform the Board of pertinent activities of the District on a regular basis.

6. If a situation is likely to be in the newspaper or reputable social media, and the Superintendent and staff is aware of the issue, the Board should be informed regarding this matter at the earliest possible convenience via phone call, text or weekly update.

7. The Superintendent will establish communication protocols should an emergency situation arise within the school district. During crisis situations, the Superintendent or his designee will have a unified message via email or text alert and attempt to reach Board Trustees via telephone beginning with the Board President.

8. Board Trustees are encouraged to participate in professional development opportunities. In most cases, cost will be paid for by the District in adherence to District policies.

Board of Trustees Role in Public and Social Media

As elected officials, Board Trustees play an essential role in the community and serve as a liaison to the public they serve.

Best Practice:

1. Site and community invitations for Board Trustees to attend events will generally be coordinated through the Superintendent's office. The Superintendent's Office will provide details for Board Trustees regarding cost and expenditures for attendance.

2. Board Trustees will make the administrator in charge of an event aware of their attendance when they arrive. Board Trustees will be introduced at all school and District events, unless they are attending as a parent or spectator. When in doubt, the administrator in charge will ask the Board Trustee whether s/he wishes to be

introduced.

3. Individual Board Trustees understand that they represent the District in an official capacity only when they are appointed by the Board to serve in that capacity.

4. In high profile issues, the Superintendent or the Board President will be the spokesperson for the District in order to communicate a unified message.

5. When speaking to community groups, members of the public, or the media, individual Board Trustees should recognize that their statements may be perceived as reflecting the views and positions of the Board. Board Trustees have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board.

6. In using social media to communicate school business, School Board Trustees should recognize that their statements or posts may be perceived as reflecting the views and positions of the Board. Board Trustees have a responsibility to identify personal viewpoints as such and not as the viewpoint of the Board. Board Trustees' social media sites should (the following is inclusive of personal and Board accounts):

    a. Clarify the views, information or opinions expressed on this site are solely those of the author in his/her personal capacity and do not reflect the official policy or position of the Brea Olinda Board of Education, Brea Olinda Unified School District or the entities' employees.

    b. Avoid the deliberation of school district business, and/or posting private organizations as to not show endorsements.

    c. Direct all concerns by community members to the appropriate district administrator.

    d. Avoid posting content that indicates that you have already formed an opinion on a matter.

    e. Freely consider posting or reposting content that the District has already posted on its social media platforms.

    f. Avoid indicating any form of approval, such as a 'like', on any Board Trustee's social media posts.

Boardof Trustees Visiting Schools:

School visits remind Board Trustees that the students and learning are the primary focus of the District. School visits allow Board Trustees to observe programs that are moving the team toward the achievement of District goals and show appreciation for the good work being done.

Best Practice:

1. Board Trustees are encouraged to visit school sites and observe instructional activities, events and school programs. As a courtesy to the school, Board Trustees should contact the principal's office, as well as the Superintendent, prior to the visit.

2. The purpose of a Board Trustees' school visit is generally to observe and be educated, and not to investigate or give direction to personnel.

3. The Superintendent will ensure principals and teachers know that a teacher does not need to interrupt his or her lesson when a Board Trustee visits a classroom.

4. When visiting with teachers of their own children, it is understood that the Board Trustee is there as a parent, unless otherwise stated.

Handling Concerns/Suggestions

It is essential for Board Trustees to be responsive to the community and be good listeners, while not attempting to personally resolve a problem. It is also important to recognize there are staff members whose responsibility it is to remedy or deal with student and staff situations.

Best Practice:

1. The Board and Superintendent are committed to having parents and/or staff concerns handled at the lowest possible level in the organization.

2. When someone shares a concern with a Board Trustee, s/he will listen carefully, and then direct that person to the appropriate staff member or refer the parent or staff concerns to the Superintendent. The Superintendent will follow up in a timely manner and provide information back to Board Trustees on the status of the concern.

3. It is acceptable for a Board Trustee or the Superintendent not to have the answer to a specific operational matter when asked by a constituent. A good response is "I or a staff member will get back to you within 48 hours with an answer to your question." Board Trustees are asked to call the Superintendent when this occurs and a process will be established to respond.

4. If the complaint involves a personnel issue, a Board Trustee will not explore the details of the complaint in order to maintain our neutrality, and will refer the matter/individual to the Superintendent for appropriate handling.

5. A Board Trustee forwarding a complaint will not be perceived to be endorsing the complainant.

6. Board Trustees and the Superintendent shall inform each other of contacts with education and/or governmental officials outside the District who have made contact regarding District related matters.

7. Suggestions or ideas related to operational matters to Board Trustees from constituents will be referred to the Superintendent.

8. The Board will be notified in the weekly update of any Public Records request of a substantial nature.

Individual Board of Trustees Requests:

All Board Trustees are equal and authority rests with the Board as a whole. Direction is given to the Superintendent only at Board meetings through actions taken by the Board. Board Trustees should have the opportunity to bring up new ideas or subjects of interest for future Board meeting agendas.

Best Practice:

1. Individuals may bring up an item at a Board meeting for future consideration, explaining their interest in a particular course of action or topic. After the discussion, the Board may direct staff to prepare materials for a deeper Board discussion and/or take action on it at a future Board meeting.

2. The Board President and the VP/Clerk (or a rotating Board Trustee, if requested), and the Superintendent will determine items appropriate for discussion in open or closed session; whether the item should be an action item subject to Board vote, an information item, or a consent item that is routine in nature; and determine the appropriate time to place the item on the agenda at the agenda setting meeting.

3. All new ideas or agenda item topics will be weighed against their effect on staff's ability to accomplish the District vision and goals. The Board will be respectful of the staff time based on the impact of the new agenda item or topic on agreed upon District priorities: the shift of staff time and energy and any reallocation of District resources.

Prior to Board Meetings

Much preparation goes into an effective Board meeting by the Superintendent, staff and Board of Trustees. In order to maximize the effectiveness of Board meeting we agree on the following:

Best Practice:

1. The Superintendent and staff will be available prior to the Board meeting to answer any questions and/or discuss agenda items in need of further clarification.

2. Board Trustees will thoroughly read materials before the Board meeting and will make every attempt to contact the Superintendent with any questions at least 24 hours prior to the meeting.

3. Board Trustee questions will be answered in advance of the Board meeting with a response provided back to all Board Trustees, as appropriate.

4. Board Trustees will make an effort to notify the Superintendent in advance of their intent to remove an item for discussion from the Consent Calendar.

5. When a high profile item is being considered by the Board, any disagreements or concerns should be discussed with the Superintendent before the meeting.

At Board Meetings

Board meetings are the Board's meeting held in public. Effective Board meetings require the Board, staff and community to have a clear understanding of the structures and processes needed and required under the law and the Brown Act so as to effectively operate the business requirements of the school district.

Best Practice:

1. Each Board Trustee will respect the right of other Board Trustees to hold an opposing point of view. Following a vote, all Board Trustees will respect the decision made by the Board.

2. All team members will be respectful and attentive during public comments. The Board President may acknowledge a public speaker's comment and indicate that the Superintendent will follow up on a concern or issue, if appropriate.

3. If a member of the governance team cannot support the decision of the Board, the Trustee is expected, at a minimum, to refrain from undermining the decision.

4. The commitment to either support or refrain from undermining majority decisions does not preclude the Trustee from asking for consideration at a future time of a more acceptable alternative. However, the decision of the Board should be considered final.

5. Whenever possible, Board Action items of a significant nature will be presented as a discussion item prior to action.

6. When presenting a Board action item, only the recommended action needs to be read aloud.

7. Board items that are routine in nature may be placed on the Consent Calendar.

8. Personal electronic devices should not be used during a Board meeting with the exception of family safety concerns or emergencies.

Maintaining Confidentiality

Maintaining confidentiality is essential to protecting the interests of the District as well as individuals. The governance

team values, respects and honors those matters shared with the Board of Trustees and leadership team and will maintain and hold that sacred trust.

Best Practice:

1. The Board, Superintendent and Executive Cabinet members agree to maintain the confidentiality of all Closed Session and privileged communication as required by Education Code. Such matters relate to personnel issues, litigation, real property negotiations and labor relations.

2. Board Trustees should contact the Superintendent regarding personnel concerns and/or issues that may arise.

3. The Board will provide clear parameters to the District's negotiation team members and will not address issues of negotiations with employee bargaining unit members.

Use of Study Sessions

Study sessions serve as a unique opportunity for the Board of Trustees and staff to engage in important conversations on district programs, future trends and innovations or to simply increase the governance and leadership team members on current or future issues.

Best Practices:

1. Study sessions will be developed throughout the year to ensure coverage of the timely and urgent issues, which requires extensive discussion before a possible Board action is taken.

2. Study sessions will be organized with a brief staff presentation followed by Board discussion and questions. Materials should be provided to Board Trustees prior to the study session.

Accountability Measures:

The following options are available to Board Trustees in the event concerns arise by any Trustee regarding the adherence to these Best Practices.

1. **Violation of Best Practices**

    a. If a Board Trustee believes that any of those Best Practices have been violated, he/she may raise the concern by saying, "Point of order, are we operating according to our protocols?"

    b. If the violation occurs during meeting, the Board President will respond by re-focusing the meeting.

    c. If re-focusing the meeting does not resolve the issue of violation of protocols, the Board President will meet with the Board Trustee in private to review protocols and seek compliance. The Board President may request that the Superintendent attend the meeting.

    d. Should a Board Trustee not adhere to the protocols established by the Board of Education outside of a Board Meeting the Board President, shall meet with the Board Trustee to address the issue.

    e. Should the Board President not adhere to the protocols established by the Board of Education, the Vice President /Clerk of the Board shall address the issue.

    f. The Superintendent may be requested to attend a meeting called by either the Board President or Vice President/Clerk to address matters of concern under these Best Practices.

3. Censure

When, in the opinion of any member of the Board, another Board Trustee has, by his or her actions, statements or

other conduct, violated his or her obligations or responsibilities under stature, regulation, Board Policy, protocol, governance standards or specific Board direction, the Board Trustee so concluding shall have the right to place on the Board's Open Session agenda a Motion of Censure the supposedly offending Board Trustee.

Before doing so however, the first step would be to attempt to informally resolve the issue with one Board Trustee speaking to the offending Board Trustee. The offending Board Trustee will be informed by the complainant Board Trustee that if such behavior remains unchanged that the behavior would initiate a motion to censure.

If the behavior continues, the following policy and protocol will be utilized:

1. The placement of this item on the Board's Open Session agenda will be in compliance with Board Bylaw 9322 Agenda/Meeting Materials. If the supposedly offending member is the Board President, the Vice President/Clerk shall be the Board representative to consider the placement of the item on the agenda.
2. Any such motion, when made, shall be in writing and shall include:

    a. A specific description of the stature, Administrative Regulation, Board Policy or Board direction that is claimed to have been violated;

    b. A specific factual description of the alleged action, statement or other conduct of the Board Trustee at issue and a description of how that action, statement or other conduct constitutes a violation;

    c. The specific language for the proposed censure by the Board of the Board Trustee for the alleged violation.

3. Any Motion to Censure will be effective upon the majority vote of the voting Board Trustees. The Board Trustee who is the subject of the Censure Motion shall not be permitted to vote on the motion, and his/her vote shall not be counted in calculating the simple majority.

4. Upon the introduction of any Motion to Censure, and prior to any vote thereon, and in an effort to avoid an official Board Censure, the Board Trustee who is the subject of said Censure Motion shall be provided the opportunity to explain his/her action, statement, or other conduct, to apologize therefore, and to agree to future compliance with all relevant and applicable statutes, regulations, laws and Board Policies and Administrative Regulations. The foregoing shall not, however, prevent the Board from voting upon or perfecting the Motion to Censure.
