

# New School Board Member Guide



*New Board Member Guide*  
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# Did you know?

Tennessee has over 930,000 public school students.  
Tennessee's public schools employ over 100,000 people.

## TSBA's Online Presence

**Website:** [www.tsba.net](http://www.tsba.net)

On our website you can find information about:

- Professional Board Development
- Education Legislation
- Policy Recommendations and Updates
- Superintendent Searches
- Other Tennessee School Systems
- Information on all of TSBA's services
- TSBA Award Programs
- TSBA, local, state and national publications

You can also:

- Register for School Board Academy's, TSBA Meetings and the Annual Convention
- Nominate someone for an Award
- Read TSBA Position Statements and Resolutions
- Find contact and e-mail information for each TSBA staff member

## Social Media

TSBA has four easy ways to stay connected through social media:

1. [Download the free TSBA mobile application, iTSBA.](#) Instant updates and 24-7 access.
2. [Become a fan of the Tennessee School Boards Association on Facebook](#)
3. Follow TSBA on Twitter: [TSBA\\_News](#) and [TSBA\\_OnTheHill](#). Use the hashtag #TSBA.
4. [Watch TSBA on our YouTube Channel.](#)

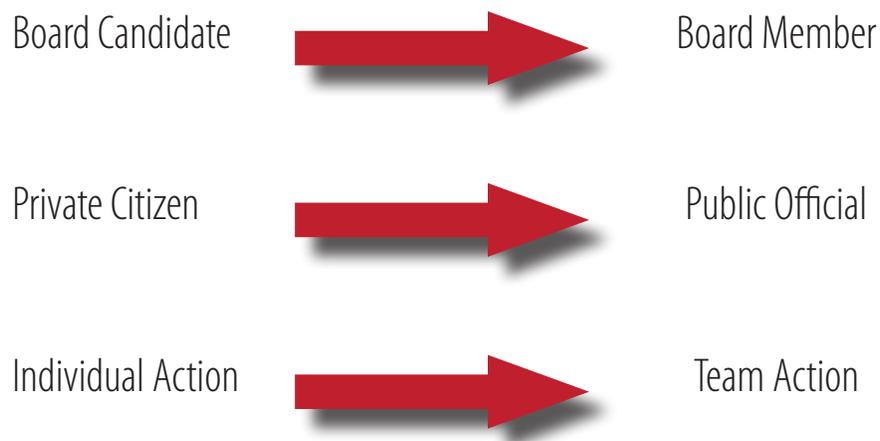
For social media tips and tricks visit, [http://www.tsba.net/News\\_Publications/Social\\_Networking](http://www.tsba.net/News_Publications/Social_Networking).

# Why are school boards **necessary**

1. To check on the proprietary interests of professional employees
2. To provide varying points of view in policy development
3. To provide a means for those who are best informed to make decisions for the community
4. To keep public possession of public schools

## HOWEVER

*Changes must take place when you walk through that door...*



# Board Member

## CODE OF ETHICS

### ARTICLE I. My Relations to the Children

**Section 1.** I will at all times think in terms of “children first,” always determining other important things according to how they affect education and training of children.

**Section 2.** I will seek to provide equal educational opportunities for all children regardless of ability, race, color, sex, creed or location of residence.

### ARTICLE II. My Relations to My Community

**Section 1.** I will endeavor to appraise fairly both the present and future educational needs of the community and to support improvements as finances permit.

**Section 2.** I will represent at all times the entire school community and refuse to represent special interests or partisan politics.

**Section 3.** I will endeavor to keep the community informed about the progress and needs of the schools.

### ARTICLE III. My Relations to Teachers and Personnel

**Section 1.** I will support the employment of those persons best qualified to serve as employees and insist on a regular and impartial evaluation of all staff.

**Section 2.** I will support and protect personnel in performance of their duties.

**Section 3.** I will not criticize employees publicly but will make such criticism to the superintendent for investigation and action if necessary.

### ARTICLE IV. My Relations with other Board Members

**Section 1.** I will recognize that authority rests only with the Board in official meetings and that the individual member has no legal status outside of such meetings.

**Section 2.** I will refuse to make promises as to how I will vote on a matter which should properly come before the Board as a whole.

**Section 3.** I will make decisions only after full discussion of matters at a board meeting.

**Section 4.** I will respect the opinion of other members and will accept the principle of “majority rule.”

### ARTICLE V. My Relations with the Superintendent

**Section 1.** I will support full administrative authority as well as responsibility for the superintendent to properly discharge all professional duties.

**Section 2.** I will support superintendent accountability for working and requiring staff to work within the framework of policies set up by the Board.

**Section 3.** I will refer all complaints and concerns to the superintendent.

### ARTICLE VI. My Relations to Myself

**Section 1.** I will inform myself about my duties and responsibilities and current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations.

**Section 2.** I will avoid being placed in a position of conflict of interest, and will refrain from using my board position for personal or partisan gain.

# Mandatory Duties

## OF THE BOARD

The Legislature has specified the duties of the local board of education. The duties can be divided into several categories and are found primarily in TCA 49-2-203. The mandatory duties include:

### **Management and Control**

The Legislature has delegated the duty to the board of education to manage and control all public schools established under its jurisdiction. This gives the board of education primary authority over school matters.

### **Employment**

A school board working with the superintendent has the following duties regarding employment:

- make a written contract with the superintendent (the only employee who reports to the board)
- authorize positions and set salaries
- dismiss tenured employees after providing hearings if requested
- award tenure to eligible employees

### **Purchasing**

The board may purchase supplies, furniture, fixtures and materials of every kind. All expenditures for such purchases estimated to exceed \$10,000 shall be made by competitive bids, or the board may follow the limits adopted by the local legislative body. Furthermore, no board of education shall contract for the construction of school buildings values greater than \$10,000 or additions to existing buildings valued at greater than \$10,000 unless competitive bids have been made. The Tennessee Supreme Court held that boards of education are not required to have competitive bidding for services.

### **Budget Preparation**

The Board of Education is required to prepare a budget and to submit it to the appropriate legislative body. The statute also provides that the county board of education shall submit its budget to the county legislative body no later than 45 days prior to the July term or 45 days prior to the actual date the budget is to be adopted by the county legislative body if such adoption is scheduled prior to July 1.

### **Students**

The Board of Education has several duties regarding students. The Education Code gives the board the duty to discipline students after a hearing (this can also be accomplished by a Student Discipline Hearing Authority) and the duty to establish standards and policies governing student attendance.

### **Minutes, Policies**

TCA 49-2-203 requires boards of education to prepare or have prepared minutes of each board of education meeting and mail copies to the members of the board. TCA 49-2-207 requires the local boards of education to compile and publish an official operating policy pamphlet.

# MODEL OF SCHOOL BOARD EFFECTIVENESS

## Less Effective Boards

### MANAGEMENT

- Personnel
- Purchasing
- Problem Solving

## More Effective Boards

### GOVERNANCE

- Planning
- Policy
- Promotion

## Why Delegate Management Responsibilities?

- Superintendents are paid to manage
- Management by a board is neither efficient nor expedient
- Boards don't meet long enough to manage
- Superintendent's decisions are insulated from political pressures
- Personnel decisions cause more negative than positive reactions
- Boards don't have enough information to manage

The School Board **DOES NOT** Run the Schools ... It sees that they are run well.

# PROMOTION

## What is Promotion?

The act of promoting or the fact of being promoted; advancement

Encouragement of the progress, growth or acceptance of something; furtherance

Advertising; publicity

## Survey Says:

- More than half of Americans are dissatisfied with American public education, but are more inclined to rate their own children's schools highly, according to a August 2012 Gallup Poll.
- Although 83 percent of parents with children in grades K-12 indicated their oldest child attends public school, only 37 percent said public schools provided an "excellent" or "good" education.
- When asked to rate their own child's school, 75 percent of parents indicated they were positive about their child's quality of education.

## Make the Transition

Personal connections create positive perceptions

Transition the positive feelings parents have for their own child's school to the other schools in the district.

Personally connect community members without children to your schools.

## Creating Public Opinion

1. Create your message  
(identify 3 things about your system you would like the public to know)
2. Develop a community leadership plan
  - a. Identify who you want to communicate your message to and why  
(identify your target groups)
  - b. Determine how you intend to communicate that message and gain support
3. Communicate your message!

# PROMOTION

## Key Stakeholder Groups

- Media
- Elected Officials (Governing Bodies)
- Staff
- Parents/Families
- Students
- Business Community

## WORKING WITH THE MEDIA

### THINGS TO REMEMBER DURING AN INTERVIEW

- Avoid saying “No Comment.” If you are faced with a question you can’t or don’t want to answer, tell the reporter you are not ready to answer and give a reason why.
- Be very cautious when speaking “off the record.”
- Don’t be afraid to say “I don’t know, but I will get back to you as soon as possible with the answer.”
- Keep your answers short and to the point. A reporter can’t report what you don’t say.
- Never, EVER lie to a reporter.
- THINK BEFORE YOU SPEAK!
- Before the interview (if possible), learn as much as you can about the reporter and the particular media outlet.
- Find out what specific topics the reporter wants to discuss. Be prepared to speak about “hot topics.”
- Decide what your communication goals are for the interview.
- Don’t speak in jargon. Use plain English.
- Relax.
- Recognize the differences between different types of media.
- Stay positive. Don’t repeat reporter’s negative statements.

# PROMOTION

## Tips for Effective Promotion through Legislative Advocacy

- Research your legislator's background, committee assignments and voting records on your issues.
- Develop relationships by routinely communicating.
- Invite your legislators to your schools.
- Set priorities. When everything is important, nothing is important.
- Gather allies from your community to demonstrate broad support for your schools.
- Always be positive and courteous.
- Make sure the board selects a Tennessee Legislative Network representative. Provide time during each board meeting for the TLN Rep to discuss recent legislative activity and priorities.
- Develop and submit resolutions to TSBA.
- Ensure that your board is represented at important meetings, functions of your governing bodies.

# PROMOTION

## Staff

- Implement staff appreciation days and recognize outstanding employees for good work.
- Encourage staff input on items before the board.
- After each board meeting, send out a report notifying the staff of board action.
- Include a wide range of staff in strategic planning, budget development, policy development and major curriculum changes.

## Families

- Hold a new parents breakfast to welcome families to the school community.
- Create a yearly school calendar with important dates and deadlines and feature creative child/parent activities each month.
- Conduct parent/student/teacher conferences each year.

**Leaders do not simply react to public opinion -  
they create it.**

# POLICY

## A board exercises its power through policy

- Policy: Guidelines established by the board to ensure that its vision becomes reality
- The board should continuously question how it can use policy to require the system to be better
- Policy allows the Board to determine how situations will be handled BEFORE they arise
- Policy establishes guidelines before they apply to individuals or groups
- Through policy the board should determine What and Why?
- The further the board goes with policy the more likely it is to get bogged down.

The board adopts policies. . .

The Superintendent administers them through Administrative Procedures

The Superintendent determines **How, Who, Where** and **When**

# POLICY

## GUIDELINES FOR EFFECTIVE POLICY

- Suggestions are not policy, policy must be enforceable.
- Policy complies with federal and state mandates.
- Effective policy is supported by the public.
- Policy is consistent with board goals.
- Policy is clear and understandable to all who are expected to comply with it.
- Effective policy promotes consistent compliance.
- Policy is not static it must be continually refined toward perfection.
- Policy should be reviewed regularly.
- The Board should not consider questions already answered in policy.
- Policy should not include what may be found elsewhere including in the law.
- Policy may be more restrictive but not more permissive than the law.

## Should Boards Have Policies Online?

### Advantages

- Make up-to-date policies available to all citizens.
- Available 24 hours a day
- Electronically searchable.
- Reduce secretarial workload and paper costs.
- Reduce liability associated with using inaccurate, outdated manuals.
- Users can easily print any school board policy when it is needed.
- Shows a school board's willingness to be held accountable for the policies it adopts.

# PLANNING

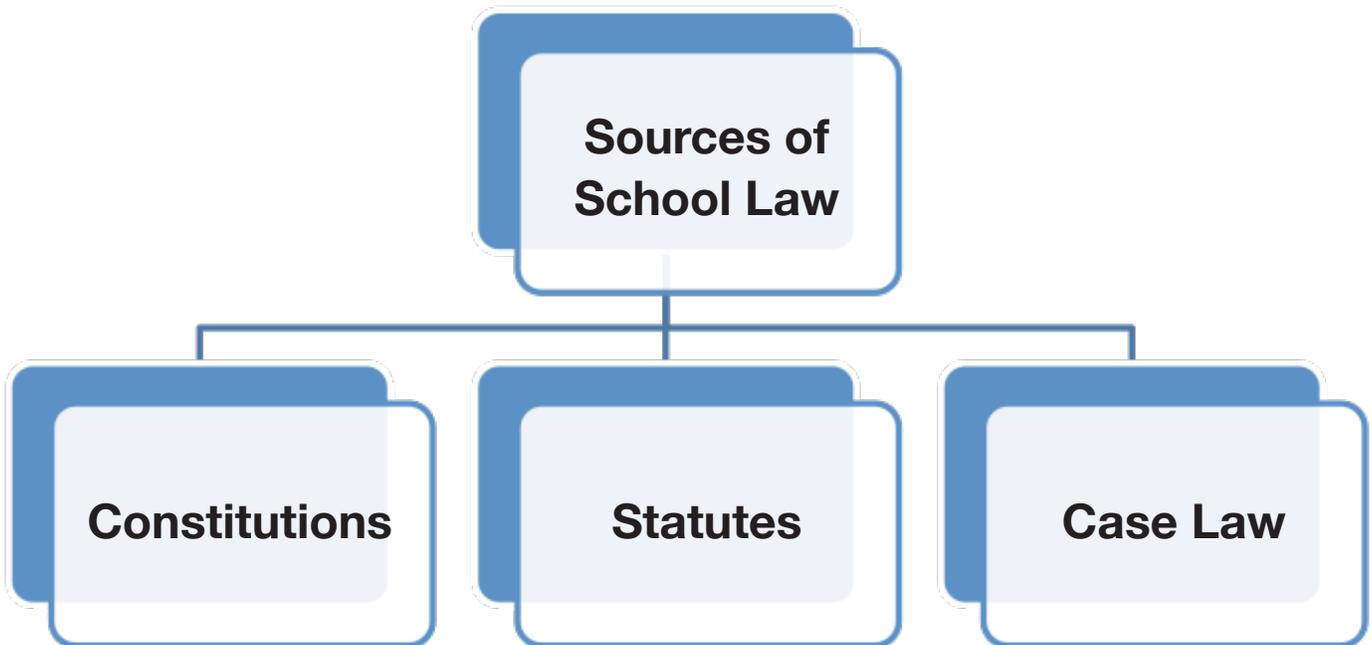
## Key Principles in the Planning Process

- Planning is the development of a blue print to achieve the Board's vision.
- If the Board knows where it wants to go it is more likely to get there.
- Maximum utilization of a community's resources is only possible through planning.
- A community's educational program is too important to be left to chance.
- Our Schools will not be what we believe they should be until Boards identify goals and develop plans to achieve them.
- The Board's plan should be the framework of all that happens in the school district.
- A long-range plan should set out the board's goals for a period of five or more years.
- An annual plan determines which goals, objectives and strategies will be accomplished in the current year.
- The Board must be committed to planning and involve the staff and the community in setting goals.
- A plan must be evaluated regularly to ensure that it is accomplishing the Board's goals.
- Effective planning allows a Board to develop and maintain a continuity of purpose.

# SCHOOL LAW

## Schools & The Law

### The School Law Maze



# SCHOOL LAW

## IMPORTANT LAWS FOR SCHOOL BOARD MEMBERS

### Conflict of Interest

School Board members shall have no direct interest in supplying books, maps, furniture, or apparatus to public schools. TCA 49-6-2003

However a spouse of a teacher or administrator may transact business with the school under sealed, competitive bidding.

As to a board member providing services to the school system a direct interest is prohibited. Indirect interest should be publicly acknowledged and the member should abstain from voting. TCA 12-4-101

### Penalties

- Disgorge profits
- Dismissed from office
- Ineligible to hold office for 10 years

### The Sunshine Law

The General Assembly hereby declares it to be the policy of this state that the formation of public policy and decisions is public business and shall not be conducted in secret. TCA 8-44-101

### Open Meetings

All meetings of any governing body are declared to be public meetings open to the public at all times, except as provided by the Constitution of Tennessee. All votes must be public.

TCA 8-44-102-104.

# SCHOOL LAW

## Meeting

The convening of a governing body in order to make a decision or to deliberate toward a decision on any matter. TCA 8-44-102

## Deliberation

If two or more board members meet and deliberate (to examine and consult in order to form an opinion . . . to weigh arguments for and against a proposed course of action) it is a violation of the law.

## Notice

Boards must give "adequate public notice" of any meeting it holds. The courts define that as "adequate public notice under the circumstances, or such notice based on the totality of the circumstances as would fairly inform the public. This notice gives interested citizens a reasonable opportunity to become aware of the meeting and attend if they choose.

## Special Requirement

If the board plans to extend, renew, or terminate the director's contract, it is required to give fifteen (15) days notice prior to the meeting and must state clearly in the notice that the action will be considered at that time. The law also requires the board to place the item first on the agenda. TCA 49-2-203(a)(14)(C)

## Attorney-Client Exception

A Board may meet in private with its attorney to discuss pending litigation or matters that are likely to result in litigation. The board may not use this meeting to deliberate toward a decision but only to seek advice from counsel.

# SCHOOL LAW

## Penalties for Violation of Open Meetings Law

- Prohibited actions void
- Permanent injunction
- Court retains jurisdiction
- Semi-annual reports

## Open Records

All state, county, and municipal records . . . shall at all times, during business hours, be open for personal inspection by any citizen of Tennessee . . . TCA 10-7-503

A record is a document created in the course of official business or information made or received in connection with the transaction of official business.

## Exceptions

The records of students are confidential and board members do not have access simply by virtue of being on the board. TCA 10-7-504

Some employee information is also confidential including:

- Medical information
- Telephone numbers and addresses of employees and immediate family members
- Bank account information
- Social security numbers
- Driver license information (if driving is not a part of the job)

## E-Mail

Correspondence of employees and board members in the form of electronic mail may be a public record under the public records law and may be subject to public inspection. TCA 10-7-512(b)

# THE BOARD AND THE SUPERINTENDENT

*A board cannot be effective unless  
the superintendent is fulfilling her responsibilities*

*The Board as a whole must protect the superintendent  
from the board as individuals.*

What should the Superintendent expect from the Board?

- To recognize that policy is the core of effective school governance
- To accept the consequences of board policy
- To evaluate the performance of the superintendent
- To operate efficiently
- To maintain 2-way communication
- To support the staff
- To lead in a single direction
- To refuse to yield to external pressures which challenge the role of the superintendent
- To represent the entire community not a section, clique or group
- To require and rely upon professional judgments of the school staff

# THE BOARD AND THE SUPERINTENDENT

## What should the Board expect from the Superintendent?

- Integrity
- Ability to withstand pressure
- Firm and definite recommendations
- An understanding of the pressures on the board
- To communicate clearly both orally and in writing
- High competency in finance, business, management, personnel management and school law
- Accurate evaluations of personnel and programs of the district
- Ability to be open-minded and avoid becoming involved in personalities
- Commitment to keeping the public informed
- Professional growth
- Willingness to bring educational issues before the board for evaluation and study

## Problem areas in Board/Superintendent Relations

- Failure to understand the difference between policy and administrative procedure
- Failure to keep each other informed
- Failure to listen
- Being physically or intellectually lazy
- Failure to exert leadership
- Failure to keep the children the center of the decision-making process
- Over-delegation of authority

# BOARD/STAFF RELATIONS

- The major factor in school success is the employment and retention of an excellent staff.
- The key to maintaining and improving personnel is effective evaluation.
- Tenured teachers are elected by the board upon the recommendation of the superintendent
- Teachers must complete a five-year probationary period, score above average or significantly above average for two years and receive a positive recommendation from the superintendent before being eligible for tenure
- Tenure is not a lifetime guarantee of employment but is designed to protect competent teachers from unjust dismissal by allowing dismissal only for cause and entitling a teacher to written charges and a hearing
- Causes for Dismissal
  - Unprofessional conduct
  - Incompetence
  - Inefficiency
  - Insubordination
  - Neglect of duty
- All certified educators receive annual evaluations

# TSBA STAFF

If you have any questions, please don't hesitate to call on the staff at TSBA. You can also find staff information on the TSBA website by visiting,

[http://www.tsba.net/About TSBA Affiliates/TSBA Staff and Directory](http://www.tsba.net/About%20TSBA%20Affiliates/TSBA%20Staff%20and%20Directory)



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