

EDU 5103

Governance and Policy Issues

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

X Amendment, 1781

Let's Get to Work!

Focus on Student Achievement



• *February*

- Governance Overview
- Governance Roles ??????
- Effective BOE Practices
- The Law & Governance
- BOE/Supt Partnership
- Let the Supt do his/her job

Governance & Politics

- Managing Conflict
- Building Trust

• *March*

- Governance & Finance
- Governance & Student Achievement
- Central vs. Local Control
- Governance & Personnel
- Hire the best/brightest
- Support professional devel
- Allocate resources

Remain on task/vision/goals

Four Areas of Governance

Governance is the process of governing; the continuous exercise of authority over and the performance of functions for a political unit

Baldwin and Hughes

- (1995)
- Leadership
- Personnel
- Organization
- Policy

Manley and Rudiger

- (2001)
- Leadership
- Management
- Structure
- Policy

Governance Typologies

- Top-down
- Bottom-up
- Center out, or
- Silo in
- Hybrid models

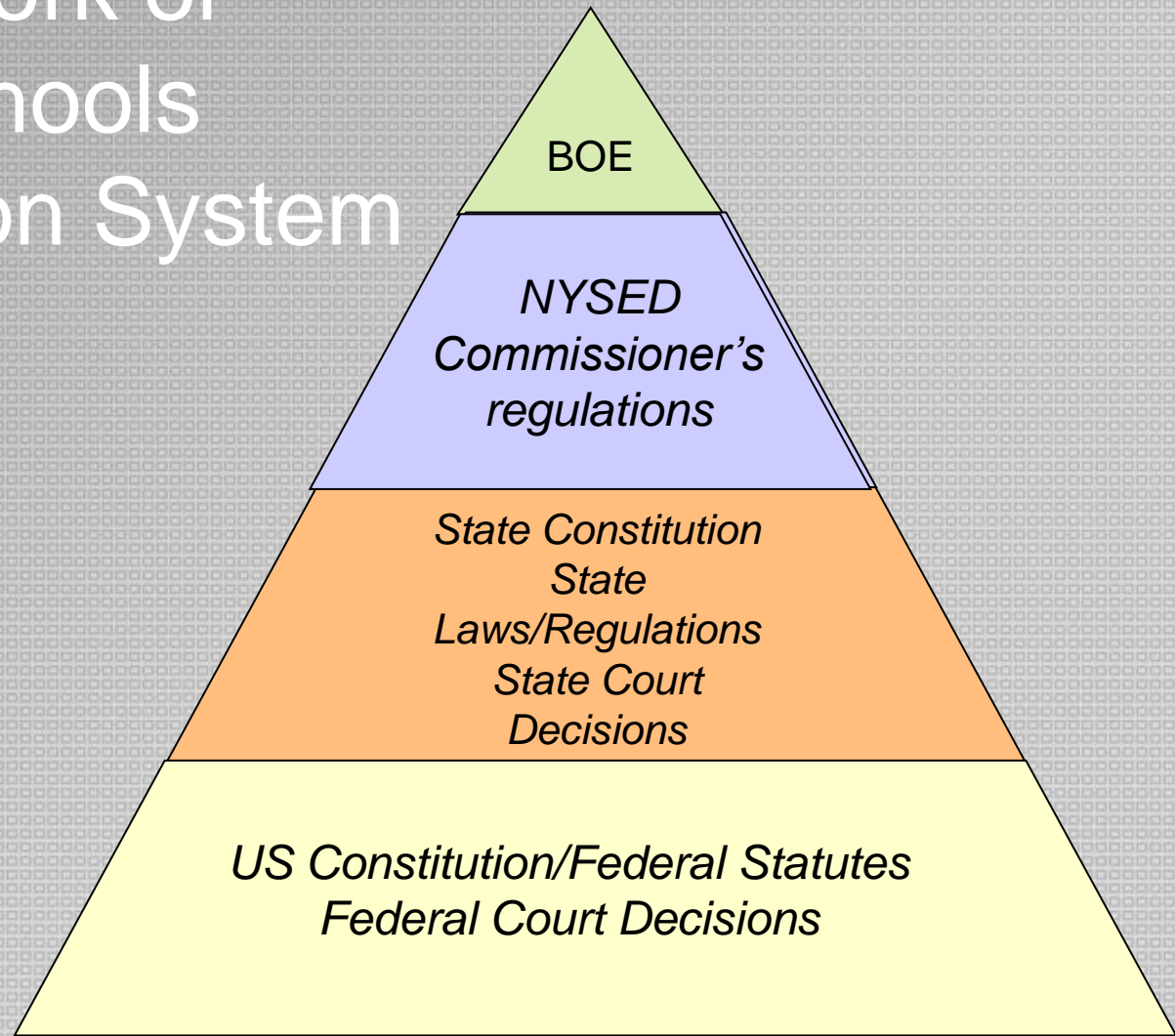
The Law and School Governance

Tenth Amendment leaves the function of education to the individual states

Powers and duties of school boards are outlined in Education Law(sec 1709)

Additional powers and duties are set forth in General Municipal Law, Local Finance Law, the Real Property Tax Law the Public Offices Law as well as Federal Law and regulations of the Commissioner of Education

Framework of NYS Schools Education System



What is a School Board

A school board is a corporate body that oversees and manages a public school district's affairs, personnel, and properties.
(Ed Law Section 1601, 1603, 1701, 2502, 2551)

A school board is elected by residents of the district and has no inherent powers except those delegated by statute.

Effective School Boards

- Focus on academic achievement
- Allocate resources to achieve academic goals
- Demand accountability from all stakeholders
- Use data to inform decision-making
- Practice transparency
- Involve the community
- Engage in self-evaluation
- Support the superintendent/staff

Creating a Vision

- Vision is not about where you district is it is about setting a course for where you want it to be and how to create an action plan to get there.

Building a shared vision and communicating it to the entire community is essential for board effectiveness.

What is Policy?

- Policy development is a key function of school boards.

A policy is a formal statement of principles established by the Board of Education to provide guidance to the administration regarding the operation of the district.

Policy is not to be confused with “practice.”

Policy Cont'd

- Policies are the means by which a school board leads and governs its school district.
- BOE policies ensure that the school district performs its established mission and operates in an effective, uniform manner
- They are legally binding and serve as the local law of the school district that may be enforced by the district.
- If a local board violates its policies, the Commissioner may enforce the policy against them. School Law 33rd Edition

Policies and Open Meetings

- Policies can only be adopted or amended by the vote of a majority of the board members at an open meeting.
- It is the power and duty of the superintendent to enforce all provisions of law, rules, and regulations relating to the management of the schools and other educational, social and recreational activities under the direction of BOE.

Open Meetings Law

- Meetings of the BOE are business meetings open to the public
- Section 1708 of Ed Law does not give the public the right to speak at any meeting
- The BOE may adopt reasonable rules to govern its own meetings
- ((participation and protocols for participation, time limits)
- Boards may seek assistance/training to develop more effective board meetings

Executive Session

May present a transparency issue if BOE does not uphold the law

It is a portion of the board meeting not open to the public (Public Office Law Sec 105)

When a board motions to go into executive session the subject or subjects should be mentioned-ex- “specific personnel matters”

(School Law book lists specific items to be discussed p.58)

Violating confidentiality during executive sessions may result in litigation

Code of Ethics

- The General Municipal Law requires all school boards to adopt a code of ethics for the guidance of its officers and employees that sets forth the standards of conduct reasonably expected of them.
- The code should be distributed to all employees and the district clerk file a copy of the code with the state comptroller.
 - (Gen. Municipal Law Section 806)

Self-Evaluation

- As a core group of professionals within an organization, board members need to be reflective-in-action; to utilize a process of annual self-study; and to employ baseline data and in-depth analysis to assess their performance as full partners within the leadership team. (Baldwin & Hughes)

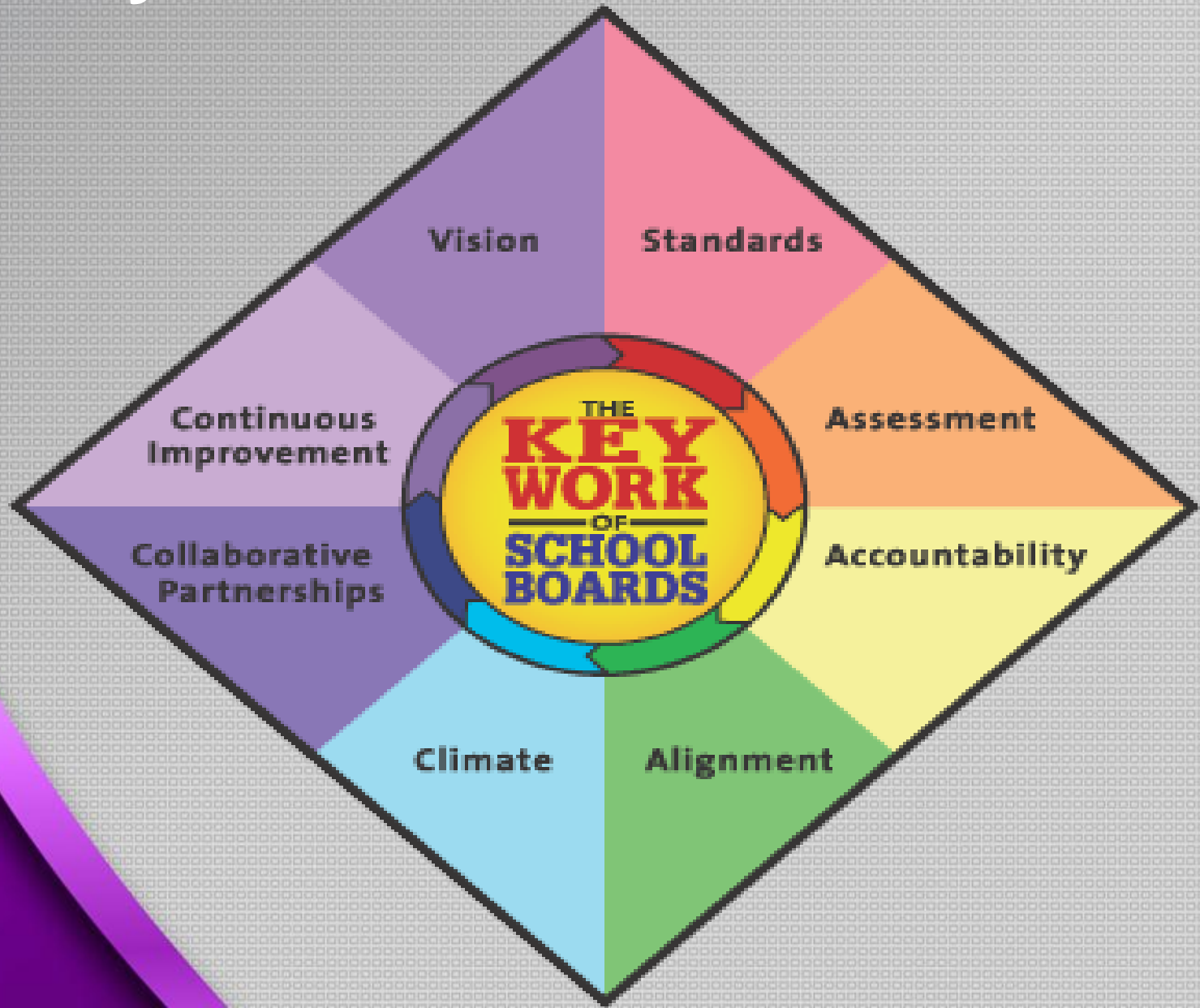
New Roles for Governance Team

- The job of a school board governance has become increasingly complex
- To function effectively under law, the school board must understand its role
- It is required that school boards engage in training provided by the local state school board's association

Qualifications of BOE Members

- Must be able to read/ write
- Must be a qualified voter in the district who has lived in the district for at least 1 year
- Must be 18 years or older and a US citizen
- Must not be a current employee of the district
- Must during the first year of office take 6 hours of training in fiscal oversight , accountability and fiduciary responsibilities (2005)
- Additional training on the powers, functions, and duties of school boards, and the powers and duties of other governing and administrative authorities affecting public education. (2011) Proof filed with district clerk.

Key Work of School Boards



Roles Delineated

Key Work of School Boards

Chapt 1 Standards

21,22

Chapt 4 Assessment

30

Chapt 5 Accountability

39, 40

- Chapt 6 Alignment

- 49, 50, 51

- Chapt 7 Climate

- 60, 61

- Chapt 8 Collaboration

- 73



Leading is About Relationships

Michael Fullan

- Relationships built on trust and mutual respect among staff members-staff and board, help shape a workforce with strong commitment to the district and to its vision.
(*Key Work, Chapt 7*)
- *Bryk & Schneider state that when relational trust is strong, reform initiatives are more likely to be deeply engaged by school participants and to diffuse broadly across the organization. Key in this regard is that relational trust reduces the risk associated with change. (p.122)*

Superintendent & Board Roles (in a nutshell)

Board of Education

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graph TD; A[Board of Education] --> B[Superintendent]; B --> C[Central Office/Assistants]; B --> D[Principals/Staff];
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Superintendent

Central
Office/Assistants

Principals/Staff

*Educational governance is an
“accidental system.” Paul Hill*

System not optimized to support teaching and learning as evidenced by the criticism of the American educational system

- Why has the public lost confidence in public education?
- How do we change/improve the system and restore confidence that “we” can produce results?

(FYI : *Phi Delta Kappan* September 2012-44th annual PDK gallop poll on the *Public’s Attitudes Toward Public Schools*)

Additional References

Trust in Schools: Educational Leadership,
March 2003

*RESPONSIBILITIES DUTIES DECISION-MAKING AND LEGAL
BASIS FOR LOCAL SCHOOL BOARD POWERS-*

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PA Board Governance Standards www.psba.org