

Becoming Stronger Board Members

How do effective boards act? According to this school lawyer, strong boards practice good preparation, communication, and teamwork

Max (not his real name) was an active parent in one of the district's middle schools. He had served as PTO president for a year. Two of his children were particularly talented athletes.

When the district's budget got tight, the school board was forced to consider cost-cutting measures, including significant cuts to interscholastic sports. The board voted to eliminate middle school interscholastic sports participation.

Max saw that the authority to

restore the programs rested with the school board, so he ran for a seat in the next election, with the support of a booster club active at his children's school and the nearby high school. He really had only one plank in his campaign platform: If elected, he would restore middle school sports to their former levels and strive to expand them. Few people ran that year; Max was elected.

Max was unprepared for the full range of responsibilities a school board member carries. While restoration of middle school sports could be considered, it had to be addressed in the much larger context of a comprehensive K-12 budget and the continual governance responsibilities of a board overseeing a large district.

Max quickly learned that he couldn't go it alone. The district's superintendent sat down with him after his first board meeting. He explained the resources Max had available to him, including the mentorship of a senior board member and the support of the superintendent. He also discussed how Max could respond to the expectations of his community, and stressed the reality that Max was not "flying solo." He was, in fact, working as part of a team made up of fellow board members, experienced administrators and, when needed, school attorneys

with specific expertise in the constantly evolving field of education law.

Effective school boards

During 32 years of representing school boards as a school attorney, I have seen highly effective school boards working as a driving force in their communities. Their efforts to advance student learning and success become a critical part of the community's economic engine—an educated workforce.

I also have worked with boards on which some members begin their service focused only on individual goals, without regard to the full range of board responsibilities. They fail to look to administrators and other resources to support and inform their governance role or to commit to the hard work needed to raise student achievement and prepare their community's youth for the future.

Effective school boards share some common characteristics and commitments. As a school attorney, my perspective on school board governance is grounded in the law. But the characteristics of effective school board leadership are not limited to legal compliance. They build on the legal framework our federal and state governments have established for operation of our schools. Effective school board leadership is found where there is effective preparation, communication, and teamwork.

Preparation

School boards lead in an arena defined by our laws. Having a working knowledge of the laws, both federal and state, that establish how our



schools must operate is one of the primary responsibilities of school board members today. Failing to keep that knowledge current can cost board members and their districts, distracting both board members and educators from their student-focused mission.

How can board members remain abreast of these laws? Knowing the time limitations busy board members have, NSBA and your state school boards association offer numerous resources in regular legal updates, online resources (go to www.nsba.org/SchoolLaw), school law seminars, regional workshops, and other learning opportunities.

Another resource offered by NSBA to aid in your preparation for school board service is the Council of School Attorneys (COSA), a 3,000-member organization of school attorneys throughout the U.S. and Canada. COSA members are backed by the expertise of the experienced attorneys in NSBA's Office of General Counsel, Web-based resources, and an active network of sharing members who care about public education, serving children, and assisting one another.

Using these resources, COSA members are able to deliver accurate and timely legal advice and representation unequalled in the legal profession. You should ask, "Is our school attorney a member of COSA?" If the answer is "Yes," your district is being represented by counsel with unmatched resources available to your school district.

Preparation also takes the form of doing the continual work necessary to fully understand and be ready for your many board responsibilities. This means studying thoroughly board agendas and backup materials before each meeting, asking your superintendent questions early in the process of both meeting preparation and work on important projects, and coming to each board meeting prepared to work

with the full board. There is no substitute, in understanding your role as a board member, for rolling up your sleeves and immersing yourself in the study necessary to make informed decisions.

Communication

An effective board member is both a receptive listener and informed communicator, with a variety of audiences. As a matter of law in most, if not all, states, board members have a special legal status only during a legally convened board meeting. Once the meeting is adjourned, the board member is a private citizen again. But board members need to understand that, in the community, many constituents will view the board member as the voice of the school district, 24/7. Listening to input from parents, taxpayers, and students is a vital role, but responding in a way that could be viewed by the listener or reader as committing the school district to a course of action has to be avoided.

When information learned in the community about a district's programs, personnel, facilities, or any other aspect of district operations calls for follow-up, the right next step is to communicate this to your district's superintendent. He or she will advise you, within the law and board policy, on what to do next.

Your board role calls for you to let your superintendent manage the issue, then for you to act together with your fellow board members if the matter calls for full board action. If it can be managed to a successful conclusion without full board action, you, with your fellow board members, have a right to expect a report on what action was taken.

Teamwork

A school board is not able to act through the work of one. No one board member can adopt policy, direct staff, adopt programs, or meet the

educational needs of the youth. And even the full board can't work alone without the support and guidance of other team members.

One way to see who's on the first string of this team is to consider who ultimately is responsible directly to the board. In most districts, in addition to the board's secretary, only three other officials are directly responsible to the board: your superintendent, your auditor (or auditing firm), and your school attorney (or law firm).

Obviously your superintendent supports and works with the board on a daily basis. Your auditor's work, though critically important, is usually concentrated in one or two months of the year and involves direct work with your superintendent and other district staff. Your school attorney, in most instances, at least assists on call. He or she frequently participates in administrative and board meetings, policy writing and review, investigations and general guidance, as well as by representation in lawsuits, administrative proceedings, and legislative forums.

It's the work that's done year-round by this team—the full board, your superintendent, and your school attorney, aided by your auditors—serving together in commitment to student learning and success, that makes for effective leadership. Each team member comes fully prepared for her or his role. Each participates in honest communication with others, learning and sharing. Each knows that it takes a team effort to ensure comprehensive success in all the responsibilities of the board. ■

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