

Hamilton Public School District



Hamilton School District Governance

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Legal Framework

School districts are subject to a variety of federal and state laws. In general, trustees should be aware of the following laws which frequently arise:

- Article X of the Montana Constitution, which vests supervision and control of schools districts to the district's board of trustees
- Title 2 of the Montana Code Annotated, which regulates governmental entities such as school boards
- Title 20 of the Montana Code Annotated, which provides general education laws
- District policies, which are adopted by the board of trustees

The Role of Policy

Boards are authorized to make rules and regulations for their own governance, so long as those rules and regulations do not conflict with state or federal law. School boards establish a wide variety of policies and procedures describing what the schools are expected to accomplish in such areas as curriculum, transportation, building maintenance, staff development, student services, labor relations, human rights and community relations. Both state and federal law require adoption of policy in many cases, and Boards are required to annually notice their constituents of many of those rules and regulations. Most of these policies and procedures are routine and the Board can reasonably rely on the judgment of the Superintendent and staff. Some are not routine, however, and produce disagreements in the community or even among the staff. Board members are not experts in all these areas of policy - they rely on the Superintendent and legal counsel to help them. However, the Board member must learn enough in all of these subjects to ask questions, evaluate the answers, and vote with conviction.

Rights and Responsibilities of a Trustee

The Board of Trustees has the responsibility of operating and managing the District. These responsibilities, of which there are too numerous an amount to list, include:

- ✓ Hiring, dismissing, promoting, transferring, assigning, and retaining employees;
- ✓ Directing employees through the Superintendent;
- ✓ Establishing the methods and processes by which work is performed;
- ✓ Delegating authority to the Superintendent for the on-going direction and management of District programs;
- ✓ Taking whatever actions may be necessary to carry out the mission of the District in situations of emergency;
- ✓ Adopting goals for the District and evaluating related outcomes;
- ✓ Determining the methods, means, job classifications, and personnel by which District operations are to be conducted;

- ✓ Adopting and evaluating of District policies;
- ✓ Maintaining the efficiency of District operations;
- ✓ Approving the District's budget;
- ✓ Laying-off employees because of lack of funds;
- ✓ Setting local levies and bond amounts;
- ✓ Entering into contracts for goods and services for the District;
- ✓ Setting educational goals for the schools based upon state laws and community values;
- ✓ Ensuring the superintendent and the total staff vigorously pursue those goals; and
- ✓ Communicating with students, staff, and members of the community.

Communication between Trustees and Staff

Every reasonable means of communication is encouraged; however, some order and structure is encouraged to promote efficient and effective communications.

Communication with Superintendent

The Board hires the Superintendent to manage the day-to-day affairs of the District. It is essential that trustees recognize the authority given the Superintendent and the established chain-of-command with the staff.

Staff Communication to the Board

Official communications or reports to the Board from principals, supervisors, teachers, or other staff members should be submitted through the Superintendent. Staff members, however, do have a right to appeal administrative decision to the Board in accordance with District procedures and/or any applicable collective bargaining agreements.

Board Communications to Staff

Official communications, policies, and directives of staff interest and concern should be communicated to staff members through the Superintendent. Trustees should avoid taking informal complaints, criticism, and rumors directly to staff members. Constructive criticism of a staff member should also be directed through the Superintendent.

Visits to Schools

Trustees are legally obligated to visit each school of the District each year to examine the school's conditions and needs. Trustees share this responsibility. Out of courtesy, individual trustees should make prior arrangements with the building administrator before visiting a school. These visits are intended to be an expression of interest in the school and not an inspection or visit for supervisory or administrative purposes.

Social Interaction

It is not uncommon that a trustee would encounter a staff member at a social function. Informal discussions regarding general education issues, such as educational trends and innovations, and general

District problems are anticipated and acceptable topics of conversation. Discussions of individual staff members or trustees, grievances, or confidential student issues are not appropriate.

Trustee Representation

One of the most important and potentially difficult matters that each trustee must confront upon his or her successful election is determining his/her role as an individual member of the Board. Unlike the legislature, where there is one individual representing each clear and distinct geographic area in the state, every member of a school board has been elected by the same body of constituents, and, by virtue of that fact, is accountable to the same people.

There is nothing wrong with having a particular focus or interest in your role as a trustee. In fact, the diverse interests and perspectives of trustees on a school board is part of what helps the Board represent the diverse aspects of their communities. It bears repeating, however, that in the end, every trustee on the Board has a similar if not identical responsibility to the children of the district.

*Note: There are, of course, circumstances where individual trustees do represent distinct areas, such as in the case of outlying elementary area trustees on the high school board, or in cases where the District has gone to single member trustee districts in order to comply with the Federal Voting Rights Act of 1965. Even in such cases, however, although there may be distinct constituents in terms of taxpayers, at the very least, all trustees on the board have an equal obligation to represent the interest of the children attending the public schools of the district.

Trustee Authority

A trustee does not have individual authority. It is the Board as a whole that has authority over the school district. It can come as a shock to a newly-elected trustee, but an individual trustee has authority on his or her own only to the extent that the Board specifically authorizes such authority. Because a school board (not each trustee thereof) is a governmental body, it can take action only by majority vote at a public meeting. The individual board member has no formal authority beyond expressing an opinion, debating an issue and casting a vote at meetings.

Individual trustees, likewise, have no authority to speak for the entire board without Board approval. A board member who attempts to speak for the total board, direct members of the staff or make other individual decisions without Board authority is acting outside the law. In fact, the only time a trustee is immune from personal and individual liability is when he or she is acting in an official capacity, at a meeting of the Board or a board Committee, or pursuant to motion of the Board or a duly-appointed committee. Official capacity comes upon approval by a majority of the trustees of the Board. A trustee acting on his or her own, without and/or contrary to the authority of the Board as a whole, runs a significant risk of incurring individual and personal liability for such actions.

Vision: Establish a vision for student achievement shared by the school board, superintendent, staff, and community.

The school board	The superintendent
1. Approves a strategic planning process to include stakeholders in creating the vision for student achievement.	<ul style="list-style-type: none"> • Recommends a visionary strategic planning process to the board that incorporates participation by a broad base of stakeholders. • Ensures the integrity of the planning process. • Assures staff development to carry out the planning process. • Assures that the recommendations of the strategic planning team are presented to the board for action. • Coordinates periodic and annual review of the strategic plan.
2. Adopts the strategic plan.	<ul style="list-style-type: none"> • Ensures that short and long range plans related to the vision are developed and carried out both at the district and at the school level. • Develops performance indicators based on data to measure continuous progress toward vision for student achievement. • Conducts work sessions with the board to increase its understanding of progress needed to move from <i>status quo</i> to the vision for student achievement. • Recommends performance indicators for board action.
3. Adopts board goals that support the strategic plan.	<ul style="list-style-type: none"> • Works with the board to identify its role in supporting the strategic plan • Works with the board to develop plans for carrying out its goals.
4. Communicates the strategic plan.	<ul style="list-style-type: none"> • Communicates, through the district’s communication plan, the vision to the staff and community in a team approach that incorporates board participation. • Prepares and disseminates information about progress toward the vision.
5. Keeps vision at the forefront of all decision making.	<ul style="list-style-type: none"> • Uses the strategic plan to guide priority recommendations to the board. • Uses the strategic plan to guide decisions throughout the organization.
6. Initiates and adopts policies needed to support the strategic plan.	
7. Allocates resources based on the strategic plan.	
8. Monitors progress toward vision periodically.	

Accountability: Establish a strong accountability process for the district.

The school board	The superintendent
<p>1. Establishes an accountability process with measurable criteria and assures an annual review.</p>	<ul style="list-style-type: none"> • Recommends an accountability process to the board based on the district’s strategic plan, standards and other important factors. • Leads an annual review of the accountability process and recommends changes based on student performance. • Assures that data and accountability measures are used at the district, school and classroom levels to set instructional priorities. • Ensures staff evaluations are linked to accountability measures. • Requires professional development on the accountability process.
<p>2. Participates in work sessions to understand accountability measures, including data analysis, and how the board, administration and staff should use this information.</p>	<ul style="list-style-type: none"> • Plans periodic training for the board on accountability measures, including data, its use and application. • Ensures staff training in use of data and other accountability measures.
<p>3. Adopts an annual superintendent performance plan and ensures that the superintendent’s evaluation includes accountability measures</p>	<ul style="list-style-type: none"> • Works with the board to develop an annual superintendent performance plan and to identify accountability measures to be used in the superintendent’s evaluation.
<p>4. Recognizes and rewards teachers, educational teams and schools that consistently produce greater than average student improvement gains.</p>	<ul style="list-style-type: none"> • Identifies a program to recognize teachers, educational teams and schools that consistently produce greater than average gains. • Carries out recognition program.
<p>5. Supports the superintendent’s recommendation for dismissal when it is warranted.</p>	<ul style="list-style-type: none"> • Develops a process to identify teachers whose students consistently fail to make expected gains. • Makes board aware of district assistance available to these teachers. • Monitors teachers’ progress toward improvement. • Recommends dismissal or non-renewal when necessary in compliance with legal guidelines.

Alignment: Align resources to ensure that students meet standards.

The school board	The superintendent
<p>1. Participates in training to better understand how alignment of the following resources are related to student success in meeting standards.</p> <ul style="list-style-type: none"> • staffing and personnel evaluations • facilities • funding • curriculum, instruction & assessment • technology 	<ul style="list-style-type: none"> • Works with board to increase its awareness and understanding on how aligning resources can pay off in increased student achievement. • Develops a process to ensure alignment of critical resources. • Provides annual update on alignment process.
<p>2. Assures curriculum alignment supports district policies and established priorities.</p>	<ul style="list-style-type: none"> • Assures development of curriculum directly tied to the learning standards set by the district and the state. • Provides staff with the support, resources, information and training needed to align instruction with curriculum. • Reports to the board periodically and recommends additions or changes to assure curriculum alignment.
<p>3. Recognizes and supports the authority of the superintendent to implement a district-wide organizational structure that empowers staff to meet the needs of all students.</p>	<ul style="list-style-type: none"> • Aligns staff authority and responsibilities so that decisions for improving student achievement are made closest to the level of implementation. • Reports to the board on progress and recommends changes.
<p>4. Initiates, approves and monitors policies to assure that students are encouraged to challenge themselves by taking higher level courses.</p>	<ul style="list-style-type: none"> • Recommends to the board policies and resources to encourage students to challenge themselves by taking higher level courses. • Implements policies adopted by the board and makes sure that they are carried out equitably. • Provides the board with data on student enrollment and success in higher level courses. • Conducts periodic review with the board to identify additional policies or review existing policies.
<p>5. Considers student instructional, social and emotional needs when planning for improved student achievement.</p>	<ul style="list-style-type: none"> • Develops a process for timely identification of students who are having difficulty meeting standards or who have social and emotional needs that affect their

Climate: Create a positive learning environment or climate for improving student achievement.

The school board	The superintendent
<p>1. Fosters a culture that supports the belief that all children can learn at higher levels in these ways. Employs and supports a superintendent who shares that philosophy. Developing and revising policies to reflect this philosophy. Providing safe schools where a learning environment of trust and respect are top priorities in every school.</p>	<ul style="list-style-type: none"> • Develops a plan for recruiting and retaining qualified staff. • Assures employment of qualified staff. • Assures a staff evaluation process that supports student achievement goals. • Recommends assistance for staff not meeting evaluation criteria, followed by dismissal recommendations if necessary. • Develops and revises policies to meet student achievement goals, to assure recruitment and retention of qualified staff and to ensure a safe student learning environment.
<p>2. Provides orientation for board candidates and for new board members on expectations for student achievement.</p>	<ul style="list-style-type: none"> • Works with the board to develop an orientation model for board candidates and new board members.
<p>3. Approves and monitors programs designed to meet special instructional needs of students who are not meeting achievement goals or standards.</p>	<ul style="list-style-type: none"> • Recommends instructional programs or approaches for special instructional needs based on data and best practices. • Provides updates to the board on these special programs. • Institutes process for evaluation of programs and recommends needed changes to the board.
<p>4. Provides adequate resources to meet student achievement goals through the budgeting process and monitors budget regularly.</p>	<ul style="list-style-type: none"> • Communicates with the board about resources needed to meet student achievement goals prior to development of the budget. • Develops budget based on student achievement goals and discussion with staff and key community groups. • Recommends budget to the board. • Reports monthly on implementation of budget and allocation of resources.
<p>5. Recognizes and rewards staff and students for high academic achievement and high levels of improvement.</p>	<ul style="list-style-type: none"> • Develops and recommends to the board a plan for regular recognition of students and staff. • Carries out recognition programs.
<p>6. Conducts all board meetings with curriculum and instruction as a clear focus and student achievement as clear goal.</p>	
<p>7. Models respect, professional behavior and a commitment to continuous learning with fellow board members, with superintendent and staff, and with parents and students</p>	

Collaboration: Build and maintain collaborative relationships between the board and the superintendent, and the leadership team with the community including key political and business leaders to develop support for student achievement as a top community priority.

The school board	The superintendent
1. Fosters collaborative relationships as a board philosophy through <ul style="list-style-type: none"> • strategic planning • community vision • instructional improvements 	<ul style="list-style-type: none"> • Follows a collaborative approach in working with the board • Encourages the board and staff to involve key stakeholders in appropriate decision making both at the district and at the school level.
2. Approves and periodically reviews a district plan to build collaborative relationships with key stakeholders at all levels based on gaining support for student achievement as the district's top priority.	<ul style="list-style-type: none"> • Recommends to the board a plan to build these collaborative relationships, leads a periodic review of progress and implements agreed-to strategies for improved relationships. • Keeps the board and others informed about the district's progress and solicits appropriate input for areas of concern.
3. Models collaboration and trust.	<ul style="list-style-type: none"> • Works with the board to determine a process for a periodic review of the leadership team's relationship and vision.3-B. Implements changes recommended through the periodic review.
4. Advocates district positions on educational issues with legislators and other state and local political leaders and keeps abreast of other state and national issues.	<ul style="list-style-type: none"> • Assists the board in its advocacy efforts with public officials by arranging meetings, providing needed data and information and scheduling other activities as needed.
5. Advocates student achievement as a top community priority.	<ul style="list-style-type: none"> • Provides data and relevant materials to assist the board in its advocacy role. • Teams with board members to speak to groups within the community.
6. Assures a climate of open communications at board meetings and throughout the district.	<ul style="list-style-type: none"> • Assures a climate of open communications, both internally and externally. • Assures a user-friendly process for public input at board meetings. • Assures a user friendly and responsive process for concerns at the school and at the district level.
7. Initiates, adopts and monitors policies related to collaboration.	<ul style="list-style-type: none"> • Recommends to the board policies to encourage collaboration.
8. Provides funding and resources for collaborative efforts.	

Effective Board Members

Board members come from all walks of life. The ability to function as one member of a multiple-member governing board is not determined by sex, occupation, race, income, or social standing. Effective school board members, however, are characterized by the following:

- ✓ The ability to work as a member of a team, including an open mind and an ability to engage in give-and-take and to arrive at a group consensus.
- ✓ The willingness to spend the time required to become informed and to do the homework needed to take part in effective school board meetings.
- ✓ A desire to serve children and the community and a strong belief in the value of public education.
- ✓ Respect for the needs and feelings of other people and a well-developed sense of fair play.
- ✓ Recognition that the school district is probably the largest business in town and that the Board is responsible for seeing that the business is run by a skilled management team.
- ✓ Effective board members often are persons who have proved successful in their particular vocations or avocations and who have demonstrated a genuine concern for community improvement.