

# So You Want To Be A School Board Member

## A Guide for Candidates

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Mississippi School Boards Association

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## Why Are School Boards Necessary?

Because school boards are trustees of our heritage, the position of School Board Member has gained recognition as a community's highest honor. The purpose of education is to help people adjust to, perpetuate and improve their lives. Local school boards are necessary because:

- Local school boards keep the public schools in the possession of the public rather than central government, professional educators and private corporations. Our schools began as local institutions, and school boards keep them that way.
- School boards are a check on the proprietary interest of professionals. Thus, they carry out the American precept of checks and balances.
- School boards afford means for bringing together varying points of view when formulating school policy.
- School boards make possible, but do not guarantee, the direct exercise of the people's will in regard to public education. School boards are expected to use the information at their disposal to make decisions in the best interest of the community. ~ *Boardmanship Basics. Published by the Alabama School Boards Association*

## The Board's Job

The Board's job is to make sure the right systems are in place and functioning well, but they are not a part of those systems. Boards establish, change or abolish those systems through policy. And, they monitor to ensure that policy is implemented. *Policies describe intent and desired outcomes and provide parameters or standards that must be met for the policy to be fulfilled.*

***The Board does not solve problems. The Board uses policy to establish criteria for how problems will be solved.***

The power of the Board rests in its role of governance through policy. A good bellwether for answering the question "***Is this board work?***" is:

- ☞ *Does the answer to this question require professional knowledge, expertise or training? If so, it is the domain of the Superintendent. Making professional judgments is not required, expected (or desired) of Board Members. That is why professional knowledge is not a requirement of running for the Board.*

## Iowa Lighthouse Study Key Findings

Research by the Iowa School Boards Association identified five areas that differentiate effective Boards from ineffective ones. Boards in High-Achieving Districts:

1. *Consistently express the belief that all students can learn and that schools can teach all children.*
2. *Are knowledgeable about teaching and learning issues.*
3. *Make student-centered and data-driven decisions.*
4. *Create a supportive workplace for staff.*
5. *Involve their communities.*

## Qualifications of a Good School Board Member

Although the legal requirements are few, the qualifications for effective service are many. The board member should:

- Have a broad background of experience and knowledge;
- Be visionary, able to understand the forces of societal change and to plan for the future;
- Be tolerant and without prejudice;
- Understand education today is complex and simplistic approaches will not meet today's challenges;
- Be willing to invest the many hours that will be necessary to carry out the duties of the office;
- Have a sincere desire to serve the community;
- Be responsive to human needs of individuals and groups;
- Listen for a real consensus and not confuse a few noisy voices with a majority feeling;
- Remember the responsibility is to all the children; and
- Have the capability to learn and grow.

Decision making authority is vested in the Board of Education, not in individual members. You can achieve your goals if your proposals gather the votes necessary to pass a Board motion. Thus, it is very important for you to work as a team member and cooperate with other Board Members.

### **Chief Responsibilities of the School Board**

A member of a school board is a member of a policy making board. The Board addresses the operation of the school district through a set of policy statements that include topics ranging from the legal status of the school district to advancing student achievement. The policies are those positions that the Board has taken that give the administrative staff of the district direction that it needs to operate the district on a day-to-day basis.

However, board governance is more than “policymaking.” While policies are essentially rules that are intended to guide and direct district operations, board governance involves more than just making rules. Boards that make a difference focus on:

1. *Board Self-Management and Ethics,*
2. *Planning and Goal Setting,*
3. *Performance Monitoring, and*
4. *Community Engagement.*

The board member is not directly responsible for the day-to-day operations of the school district but leaves issues and problems to be resolved through the proper channels of the school organization. The Board handles issues and problems only at board meetings and only after all other avenues of resolution have been exhausted.

A public school board member is a defender and supporter of public education. As a part of its duties to the community, the school board:

- Establishes a vision for the district.
- Ensures the mission of the organization (to properly educate children) is being accomplished.
- Selects the chief executive officer (Superintendent) and works harmoniously and honestly with that person.
- Evaluates the job performance of the Superintendent.

- Ensures the continuous development and constant improvement of the educational program within the school system.
- Ensures adequate and effective personnel are employed.
- Provides and maintains educationally efficient school facilities.
- Works to secure adequate financial resources for the school system; approves and monitors the budget.
- Maintains two-way communication between the Board and students, employees, parents, taxpayers and the community.
- Advocates for public education at the local, state and federal levels.

**MS Code §37-7-301** provides a detailed listing of many of the powers and duties of the school board. This is not an all inclusive list. Other powers and duties appear in other sections of the MS Code dealing with such matters as sixteenth section land management, employment of staff, nonrenewal and dismissal of staff, budget hearings, etc.

### **School Board Governance and Management**

A school board member has oversight responsibility for the proper management of the school system and therefore must understand that school district management, while often intertwined with educational leadership, is different from school district governance. Management, the administrative function, is the process of accomplishing goals and objectives by putting plans, procedures, programs and systems in place to achieve clearly defined, desired end results. Management of a school system is the domain of the Superintendent.

The school governance function is to ensure there are clearly defined, desired end results in place for the major areas under management and that they are monitored to ensure that the end results are being achieved. School system governance is the responsibility of the School Board.

## **What is the Role of the Superintendent and the Administrative Staff?**

The Superintendent of Schools is employed by the Board and serves as the chief executive officer of the school district. He or she is the professional advisor to the School Board, chief administrator of the schools within the district, and leader of the staff. The Superintendent is the focal point of responsibility and accountability in the system.

The Superintendent:

- Recommends to the Board all personnel to be employed.
- Administers the day-to-day operations of the school system.
- Serves as a partner of the Board. (i.e.: No policy should be adopted without the Superintendent's recommendations/input. The Superintendent should be at all board meetings, except possibly those preparing for the Superintendent's evaluation or fixing his or her salary.)
- Serves as the leader of the staff.
- Links the Board with all other school employees.
- Engages the community. (The Superintendent must have the ability to work with community leaders to obtain their confidence and support.)
- Interprets the needs of the school system.
- Interprets Board decisions to school personnel and the community.
- Works with central office staff that have unique skills and abilities to perform the many services needed in fulfilling the tasks of the school system.

Principals are the educational leaders in the various schools. Their responsibility is to lead their staff in providing the children within their individual schools the best education possible, consistent with overall school board policy and district goals. They must share responsibilities for selection, improvement and dismissal of personnel. They should be a professional resource to the Board and they should be able to identify the resources necessary to aid teaching and learning in their respective schools.

## **Accountability**

America's system of local control of education holds local boards directly accountable to the communities they serve. Effective boards engage in continuous assessment of all conditions affecting education. These should include:

- Monitoring student achievement;
- Using student achievement data and all other available information as a basis for making program corrections and modifications as needed;
- Keeping the public informed on the status of the district's programs and students' progress;
- Providing appropriate staff and board training opportunities;
- Encouraging curricular and assessment innovation; and
- Fulfilling governance responsibilities as required by state and federal law.

## **What Effective Board Members Know**

1. Their role on the Board and how to fulfill their responsibilities without micro-managing.
2. That change comes slowly.
3. That no matter what they thought they knew about board service when they first came on board, they still have much to learn.
4. How to respond appropriately to the complaints and concerns of citizens, school staff and others.
5. That they have no power and authority as an individual board member; that only the Board as a whole can make policies and decisions for the school district.
6. The difference between setting policy (the Board's job) and administering the schools (the Superintendent's job).
7. That they do not have the authority or power as an individual to fix the problems they may have campaigned to fix.

## Frequently Asked Questions

1. **Question:** *“What are the legal qualifications for serving on a school board?”*

**Answer:** In order for a person to be eligible to hold the office of trustee of any school district, such person must be a bona fide resident and a qualified elector of such school district (37-7-201); hold a high school diploma or its equivalent; complete a basic course of training and education; and file annually a certificate of completion of a course of continuing education conducted by the Mississippi School Boards Association (37-7-306).

2. **Question:** *“Do school board members get paid for their services?”*

**Answer:** School board members can receive a per diem in the amount of sixty-seven dollars (\$67.00) for no more than thirty-six (36) meetings of the school board during any one (1) fiscal year or, in his or her discretion, irrevocably may choose to receive as compensation for his or her services an annual salary in the amount of Two Thousand Four Hundred Dollars (\$2,400.00), which choice shall remain in force for all successive terms or periods of service of that member. School board members are not eligible to receive any state employee group insurance, retirement or other fringe benefits.

3. **Question:** *“Are school board members elected or appointed?”*

**Answer:** Members of all County, and Consolidated and two Countywide Special Municipal School Districts have school boards that are elected by the voters. Most members of Municipal Separate School Districts are appointed by the City Council/Board of Aldermen. Some Municipal Separate School Districts with territory outside of the city limits but within the Municipal School District have one or possibly two board members who are elected by voters who reside in the Municipal School District but outside of the city limits.

4. **Question:** *“How many people serve on a board? What is their term of office?”*

**Answer:** All Mississippi school boards have five members except for two school districts which have six members and one which has seven members. A Board member’s term of office is for five years for all school districts except County School Districts and two Special Municipal School Districts, whose members serve six year terms.



5. **Question:** *“Who votes for an elected school board member?”*

**Answer:** Qualified electors residing in the district from which the individual is elected.

6. **Question:** *“May a board member’s spouse be employed with the school district in which the board member serves on the board?”*

**Answer:** No (Violation of Section 109 of the MS State Constitution).

7. **Question:** *“May a school board member do business with the school district in which he or she serves as a board member?”*

**Answer:** No. It is a violation of state ethic laws and Section 109 of the MS State Constitution for a board member to have a pecuniary interest with the school district on which he or she serves as a school board member.

8. **Question:** *Can a board member be removed from office prior to his or her term of office expiring?*

**Answer:** Once a person is appointed <or elected> to a term of office of a local board, he or she can only be removed prior to the expiration of his term pursuant to some specific statutory provision (Atty. Gen. Opinion, 11-17-03).

9. **Question:** *“Are board members protected from civil suits?”*

**Answer:** Generally a district carries insurance which entitles a board member to be indemnified against the cost of defending any civil or criminal action arising out of the performance of his duties.

- **Bonds:** Each board member must be bonded. The bond protects the district against any breach of duties by the board member. The bond is paid for by the district and the district is protected. The insurer will pay the school district for the damages occurred but the insurer may be able to recover its lost amount from the board member(s).

- **Liability:** When a board member is working in his or her official capacity as a board member, the board member has immunity from personal liability. The wrongful conduct by a Board, such as failure to honor a contract, can result in damages to the district but the individual board members are not liable. If a board member acts outside the course and scope of his duties as a board member, he or she could be personally liable. For example, if a board member on his or her own goes to the school and looks at employee evaluations, he or

she has violated the confidentiality rights of those employees and could have individual liability.

**School districts purchase two types of coverage for potential liability:**

**1. Liability coverage for tort claims under the Mississippi Tort Claims Act**

Districts are required to purchase liability coverage in the amount of \$500,000.00 as sovereign immunity is waived up to that amount. Districts have sovereign immunity for tort claims in excess of \$500,000.00 unless the district purchases liability insurance in excess of \$500,000.00. In that case sovereign immunity is waived up to the amount of insurance purchased. For out-of-state travel, there is a question as to whether our state's immunity protection would apply, so districts routinely purchase additional coverage for out-of-state travel.

**2. Errors and Omissions (E&O) Coverage for non-tort claims against the district (this coverage is for board members, Superintendents and administrators who make decisions on behalf of the district)**

E&O coverage is purchased to cover wrongful termination claims, discrimination claims, breach of contract claims, construction disputes, etc. This coverage protects the district and the board members in the event of a lawsuit because of decisions made by Boards, Superintendents, Principals, such as a wrongful termination based on gender. That person can sue for whatever amount is allowed under state or federal laws. The district has no immunity if there was a wrong committed, but the E&O coverage will provide a legal defense and pay amounts awarded to the plaintiff up to coverage limits. Districts usually purchase insurance policies for this type coverage.

10. **Question:** *“What happens when a school board member moves to another community?”*

**Answer:** Whenever a board member moves out of the district in which he/she was elected or appointed to serve, the individual is immediately disqualified from holding the office and said office is automatically vacated (Atty. Gen. Opinion, 12-18-89).

11. **Question:** *“When are elections for school board members in elected positions held?”*

**Answer:**

- **Municipal Separate School Districts** (Elected members): First Saturday of March for a five year term (37-7-215).
- **Special Municipal Separate School Districts:** In two school districts trustees are elected from supervisor’s districts on the first Saturday in March for a five year term. In two school districts trustees are elected in the November General

Election for a six year term. In one school district trustees are appointed—three by the county supervisors and two by the city aldermen (37-7-203).

- **Consolidated or Consolidated Line School District:** First Tuesday after the first Monday in November of each year for a five year term (37-7-223).
- **County School Districts:** November General Election for a six year term (37-5-7).

12. **Question:** *“When are appointed school board members appointed?”*

**Answer:** “On or before March 1, for staggered, five year terms (37-7-201).”

13. **Question:** *“Is attendance at board meetings mandatory?”*

**Answer:** No. However, regular attendance at board meetings is expected of all board members. If a member of the school board misses twenty percent (20%) or more of the meetings of the school board during a calendar year, except for absences caused by required military duty, the member must reimburse the school district that portion of the total salary paid to the member that year which is proportionate to the number of meetings missed by the member in relation to the total number of school board meetings held during the year (Atty. Gen. Opinion, 2-15-08).

14. **Question:** *“Who serves as Chairperson of the Board?”*

**Answer:** The school board elects the Chairperson of the Board. Any member currently serving on the Board is eligible to serve as chairperson. Board officer election dates are determined by the Board and specified in Board policy.

15. **Question:** *“May an employee of a school district serve as a board member?”*

**Answer:** Not on the school board for which the individual is employed (Violation of Section 109 of the MS State Constitution). An individual may serve on a school board in a school district in which he or she is not employed so long as no pecuniary interest exists.



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***The mission of the Mississippi School Boards Association  
is to ensure quality School Board performance through:***

- ★ Advocacy***
- ★ Leadership Training***
- ★ Technical Assistance***
- ★ Information Dissemination***



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