

# Who Does What in Public School Governance

*A primer on the distinct functions of school boards, board members and superintendents*

BY JANE KERSHNER

## The Four Functions of a Board of Education

1. To provide guidance through policy development in the areas of instruction, personnel, general administration, fiscal and business management, physical plant and community relations.
2. To provide for a program of quality instruction by adopting curriculum standards as academic goals for students, assessing district and personnel needs to ensure student achievement of the standards, supporting professional development training for staff and requiring reports on the results of student assessment.
3. To provide for the effective management of the school by employing and evaluating the chief school administrator, establishing policies for monitoring of district finance, curriculum, buildings and grounds, and personnel and requiring reports on the results of policy implementation.
4. To provide for two-way communication between community and board by informing the public about the schools, promoting parents' presence in schools and at school functions, evaluating the chief school administrator on how effectively parental input is solicited and considered, and working to secure public support for the schools and public understanding of school goals.

—NJSBA FSR Staff

As a new board member, what you don't know can hurt you if it limits your ability to get information, have a concern addressed, or get a problem solved.

Your education as a school board member begins with knowing who does what in public school governance. That means understanding the separate functions of a board of education, individual board members and a district's superintendent/chief school administrator. As an aside, we will use the term superintendent and chief school administrator (CSA) interchangeably here.

### **The Board Member as Representative:**

School board members are state officials. They are empowered by state law to perform a state function – governing the public schools – at a local level. Their powers are derived from the Legislature and not from the people of their community. They are representatives of their community to the state.

The first link in the educational governance chain runs from the New Jersey Constitution to the

Legislature. The Legislature delegates its power and function to make rules and regulations (within the law) to the State Board of Education. The state board's staff, the New Jersey Department of Education, has the authority to carry out the mandates created by those higher bodies. Within all these laws and regulations, local boards of education can develop their own policies covering a multitude of issues relevant to their local districts.

The role of a board of education is not to run the schools, but to see that they are well run. To accomplish this, a board makes policies. Policies are the written expression of the board's desires for the district's students. The policy statements of the board serve as a guide to the chief school administrator and provide him with direction, a basis for decision making, and an imperative for action. Clearly defined and expressed policies help eliminate ambiguity and confusion between the board and its chief administrator and go a long way toward insuring a smoothly operating school system.

Within the policy manual there is a section called "Board Bylaws," which explains how the school board governs itself.

Board members have no legal status other than that of any citizen, except when sitting with other board members in a legally constituted meeting. As individuals, board members cannot make decisions for the board, take actions for the board, or speak for the board – unless the board has authorized them to do so.

### **The Importance of the Chain of Command:**

Sometimes board members are contacted by community members about individual student issues. When that happens, board members should immediately refer the person to the appropriate member of the school staff. 'Going right to the top' in a school system, rather than helping solve a problem more quickly, actually complicates it. Going around staff members or over their heads creates morale problems and involves board members outside their area of responsibility. When the chain of command is used properly by citizens and board members, it improves communication and leaves the board of education free to act as final arbiter on issues which have not been resolved at other steps in the chain. To determine who best should handle a matter, citizens should ask themselves, "Who is closest to the problem?" Most often, the answer is a staff member.

When hearing concerns on issues affecting the district as a whole, however, the board members' function as policy makers becomes relevant. Such concerns might appropriately be placed on a meeting agenda for discussion by the whole board or a board committee. The discussion could result in new or revised policies being adopted and implemented in the district.

NJSBA always advises boards to review and update policies on a regular basis. It's never a good idea to change school district policies during a crisis.

Here is an example of how holding firm to a rule not to make or change policy in an emergency was an advantage to a board. Several years ago a New Jersey school district had a written policy concerning its high school senior prom. Students who were attending were asked to sign a pledge not to use alcohol; parents also had to sign the agreement to acknowledge they understood and agreed with promise. The pledge included clear consequences for anyone who was caught drinking or drunk at the prom. For one thing, offenders would not be permitted to attend the high school graduation ceremony. The year came when two girls were sent home from the prom for violating the no-alcohol policy. The school board president was surprised to get a telephone call at 11:30 p.m. from a local judge. He was pleading the case of one of the girls, arguing that the policy was unfair and wrong-headed. It turned out one of the girls was his niece. The board president calmly told him that the school board had a firm rule not to change or disregard policy in a crisis. She told him that he had a cogent argument and an interesting point to make, and that she would suggest a review of the policy for the following year if he would like to come to a meeting and express his views. He passed on the opportunity to further discuss the matter; but the board president was able to diffuse a difficult situation by relying on the board's established practices.

### **Representing All Students:**

Board members represent their entire community, not just the area in which they live or their particular supporters. Board members have a responsibility to listen to all citizens and to explain to those with a special point of view the needs of the school system as a whole. Above all, board members are responsible for and to all the students in the schools. Every policy they approve and every action they take needs to be based on what is best for the education of those students.

### **The Superintendent as Implementer:**

The relationship between the board and the superintendent is one of the most critical factors in determining how well a school system operates. The board must trust its superintendent, have respect for his or her professional training and experience, be confident in the person's ability to administer the district, and be comfortable requesting his or her recommendations on issues under discussion. The superintendent, in turn, should give the board his or her loyalty and best advice, while providing the most competent management of the schools, and seeing that the board's policies are implemented. In working together, both the board and the superintendent must be conscious of each other's responsibilities. The superintendent's responsibilities are divided into three areas. The CSA is the chief advisor to the board of education, the executive officer of the school district, and the educational leader within the community.

### **The Superintendent as Chief Advisor:**

As the chief advisor to the board, the superintendent is consulted for background information, alternatives, suggestions, and recommendations before decisions are made. He will often bring to the attention of the board those things which require board discussion and/or action. He keeps the board briefed on district operations and may ask other district staff to attend board meetings to give reports on

particular items. The superintendent keeps the board informed of problems occurring in the district so that it is always prepared and not surprised by events. As the top education professional, the superintendent continually evaluates and assesses how policies are being implemented. He keeps the board aware of those which are working well, those which need changing, and those areas for which new policy should be adopted. All issues on an agenda for board action are accompanied by the superintendent's recommendation.

A variety of options and alternatives may be provided in the information, but the superintendent includes his judgment on which would be best. In most instances, he is passing on the results of staff input and study. He acts in this capacity as the spokesman to the board for all the district employees.

### **The Superintendent as Executive Officer:**

As the executive officer of the school district, the superintendent is responsible for administering the policies adopted by the school board. He or she is, in other words, responsible for running the school system and accountable to the board regarding how well it is run. By personal action, delegation, and supervisory activities, the superintendent directs appropriate staff members in the following areas of his responsibility:

- Development, expansion, and evaluation of the education program.
- Recommendations for hiring of new staff and renewal or non-renewal of non-tenured staff.
- Recommendations and administration of the teacher and administrator evaluation process.
- Recommendations for disciplinary action for those tenured staff members not performing at expected levels.
- Creation and implementation of professional development programs for the training and improvement of staff.
- Development of sound evaluation procedures for staff, in accordance with state regulations.
- Monitoring of all expenditures and the establishment of control systems for purchasing and accounting.
- Maintenance of all school facilities and equipment.
- Development of safety rules and regulations for staff and students.
- Development of all necessary transportation systems.
- Awareness of and adherence to legal mandates relevant to the public schools.

- Establishment of good lines of communication to community leaders and citizens.

In all of these areas, he must constantly keep the board informed on how things are progressing, where problems might surface, and what actions they should be taking to ensure a smoothly functioning system.

### **The Superintendent as Educational Leader:**

Finally, the superintendent is the educational leader within the community. The CSA remains active in professional education organizations, is familiar with current ideas in education and takes the initiative in bringing worthwhile ideas to the attention of the board and the townspeople.

### **The Board-Superintendent Relationship:**

To ensure that the board and superintendent, in carrying out their respective duties, maintain the best relationship, each partner follows some basic guidelines.

For the board, these are:

- Not taking actions without consulting the superintendent and getting his recommendations.
- Recognizing the superintendent as the district's education leader and listening to him as such.
- Not confusing the role of setting policy for the district with that of running the schools.
- Not surprising the superintendent.

For the superintendent, these are:

- Keeping the board fully informed at all times.
- Implementing policies of the board in the most effective and efficient manner and evaluating the results.
- Recognizing the board as the final authority in the school district and conveying that recognition to the rest of the staff.
- Not surprising the board.

How do the board and superintendent work together in actual decision-making situations? Let's look at two major areas which come up each year – developing a district budget and the hiring and retention of staff – to understand how their roles mesh.

### **Budget Development:**

In developing a school budget, both the chief school administrator and the board of education must reconcile the possibly conflicting expectations of those who look to them to represent their interests.

Together they must see that a budget is adopted which is reasonable in cost, yet educationally sound and sufficient.

The superintendent performs all of his three functions in developing the budget. As executive officer, he requests all staff – administrators, teachers, secretaries and custodians – to provide their recommendations for the next budget. (This process takes place over the course of several months.)

He then meets with his principals and central office staff, reviewing and analyzing these recommendations, winnowing out those which are less important in terms of the district's priorities. Then he is ready to bring to the board, with appropriate supporting information, final recommendations for a budget which will provide the best educational program for students without placing an unreasonable tax burden on the community.

As chief advisor to the board, the superintendent works with the board members as they review the budget. He must be able to explain the educational rationale for his recommendations and answer their questions. He helps them understand the needs of the district in terms of student achievement, curriculum, staffing, maintenance, transportation, and student activities. And he continues to update information as their discussions approach the final decision and adoption of the budget.

As the educational leader of the district, the superintendent actively seeks opportunities to discuss the adopted budget with the citizenry. Such discussions may happen in informal venues, but will certainly take place at the legally mandated public hearing for the budget in the spring.

The board's role in this process is to determine how monies should be allocated to carry out its goals and policies for the district. New Jersey School Boards Association always stresses this point to new board members: When you provide the district and the superintendent with certain educational goals, you are honor-bound to financially support those directives. For example, if it has determined a desired class size in various grades, then enough staff to assure those levels will be needed. If it has a policy on the maximum number of students per guidance counselor, then an appropriate number of counselors must be provided for. If it has a policy on busing students at less than the state-reimbursed limits, then monies must be provided for that. If the board believes that professional development training is valuable, it will approve expenditures for such activities. If it thinks that teachers should rely on textbooks for subject matter, money will go into that account. If, on the other hand, it thinks the district's own staff can develop better materials than are commercially available, it will put funds into curriculum development programs and into printing of duplicated materials.

In order to help them make these decisions, the board members, as representatives of their community, encourage public input throughout their budget discussions. What new programs or changes in offerings does the public want? What are parents' thoughts on class sizes? How important are the intramural programs?

The board looks at the costs involved, the amount of money which will have to be raised through taxes, and the effect of the budget on the citizens' pocketbooks. It then reconciles, to its best judgment, the educational needs of the district's students with the ability of the community to support those needs.

For decades, New Jersey voters in most districts voted on their school district's proposed budget and on school board candidates each April. However, legislation enacted in early 2012 eliminated – for districts that moved board member elections to November – the requirement that a school board submit its proposed budget to a public vote as long as the budget remained at or below the state's 2 percent tax levy cap. The overwhelming majority of boards have chosen this option, and so few districts now submit their budget to a public vote. However it is still important to adequately explain the school board's and the superintendent's rationale for choices made in the school budget. The required public budget hearing is an ideal time to do this. Boards which still have an April vote on their budget also hold spring budget hearings.

### **Staff Hiring and Retention:**

Another important area where the different responsibilities of the board and the chief school administrator come together is the hiring and retention of staff.

Here, the superintendent's responsibility as chief advisor to the board is evident. As the professional head of the district, he delegates to principals, department chairmen, and supervisors the responsibility for evaluating staff under them. Based on their evaluations, he makes his recommendations to the board concerning renewal of non-tenured staff and whether any tenured personnel should have their raises withheld. Tenured staff otherwise automatically receive their raises according to the salary guide in the negotiated contract. The administrators rely on the superintendent to support them if they evaluate staff members as less than acceptable. The teachers rely on the superintendent to protect them from unsubstantiated attacks from members of the public or from other sources.

Teacher and principal evaluations, formerly the exclusive province of local districts, is now regulated by the state of New Jersey under the TEACH-NJ tenure reform law. Boards must adopt one of the state-approved educator evaluation systems for use in their own district. This process provides a good example of a CSA and board working together. Typically the school administrators will assess the options, and using their professional expertise, recommend an educator evaluation system to the board, which votes to adopt the instrument for use in the district.

In a mutually cooperative staff hiring and evaluation process, always considering the district's evaluative criteria, the board and superintendent come to consensus. Their different functions have enhanced the decision-making process.

Board members are their community's representatives, responsible for ensuring that the education provided the students is the best the community can afford. The chief school administrator is the

educational expert, responsible for advising the board, managing the staff, and keeping the community informed.

In carrying out their separate responsibilities cooperatively, the board and the chief school administrator aid each other in the effective management of the school system.

---

**Jane Kershner** is director of NJSBA's Field Services Department.



