



# **BOARD MEMBER ROLES AND RESPONSIBILITIES**

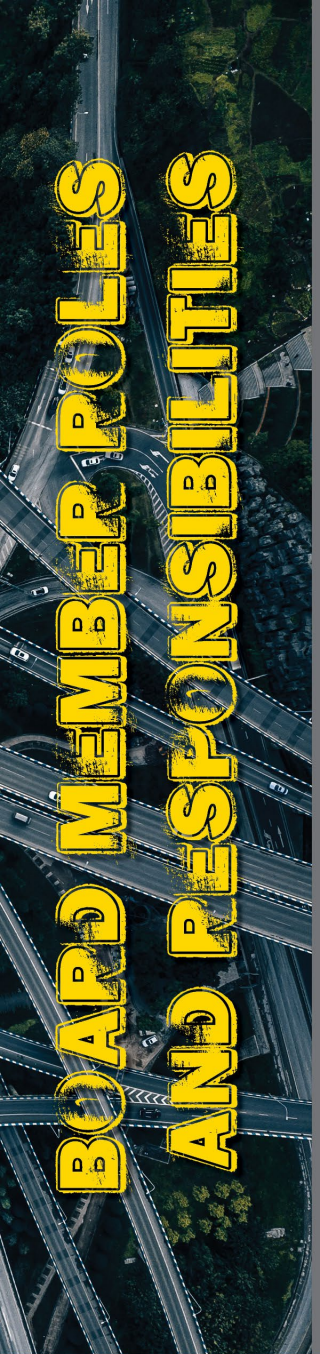
**NAVIGATING YOUR LANE WHILE OPERATING IN DISTRICT TRAFFIC**

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# PLANNING THE JOURNEY

- Board Member Powers and Duties
- Board Member Limitations
- Board Member Conflicts
- Board Member Ethical Considerations
- Positive Board/Superintendent Relationships
- Building/Maintaining an Effective and Unified Board



**BOARD MEMBER ROLES  
AND RESPONSIBILITIES**

# ENGAGING GPS AND HITTING THE ROAD

Board Member Powers and Duties

**NAVIGATING YOUR LANE WHILE OPERATING IN DISTRICT TRAFFIC**

## Policy References:

### BB Board Legal Status

The Board's powers come from the South Carolina Constitution and the Acts of the South Carolina General Assembly.

## Constitutional References:

### Article XVII - Miscellaneous Matters

#### SECTION 1. Qualifications of officers.

No person shall be elected or appointed to any office in this State unless he possess the qualifications of an elector . . .

#### SECTION 1.A. Qualification for office; dual office holding.

Every qualified elector is eligible to any office to be voted for, unless disqualified by age, as prescribed in this Constitution. . .

## Statutory References:

S.C. Code Ann. Section 59-19-10, et al. provides the authority for how boards function.

**SECTION 59-19-10.** School district management.

**SECTION 59-19-20.** Composition of boards of school trustees; terms.

**SECTION 59-19-30.** Appointment of members.

**SECTION 59-19-40.** Appointment of members; special provisions not superseded by Section 59-19-30.

**SECTION 59-19-45.** Mandatory orientation for school district boards of trustees and county boards of education; exceptions.

**SECTION 59-19-50.** Removal of trustees; vacancies.

**SECTION 59-19-70.** Chairman and clerk of board.

**SECTION 59-19-80.** Requirements as to purchases and teacher employment

**SECTION 59-19-90.** General powers and duties of school trustees.

**SECTION 59-19-110.** Rule-making power.

**SECTION 59-19-130.** Acquisition of supplies and equipment.

**SECTION 59-19-140.** Rules and regulations governing use of equipment.

**SECTION 59-19-150.** Maintenance of equipment.

**SECTION 59-19-170.** Acceptance and holding of property by trustees.

**SECTION 59-19-180.** Purchase of lands by trustees.

**SECTION 59-19-200.** Condemnation of lands by trustees.

**SECTION 59-19-250.** Sale or lease of school property by trustees.

**SECTION 59-19-260.** Trustees authorized to insure motor vehicles.

**SECTION 59-19-270.** Trustees may employ medical, technical, and clerical personnel.

Policy References:

## **BBA Board Powers and Duties**

The board serves many functions pursuant to statutory authority. Roles can be distinguished as Legislative/Polycymaking, Executive, Quasi-judicial, and Operational.

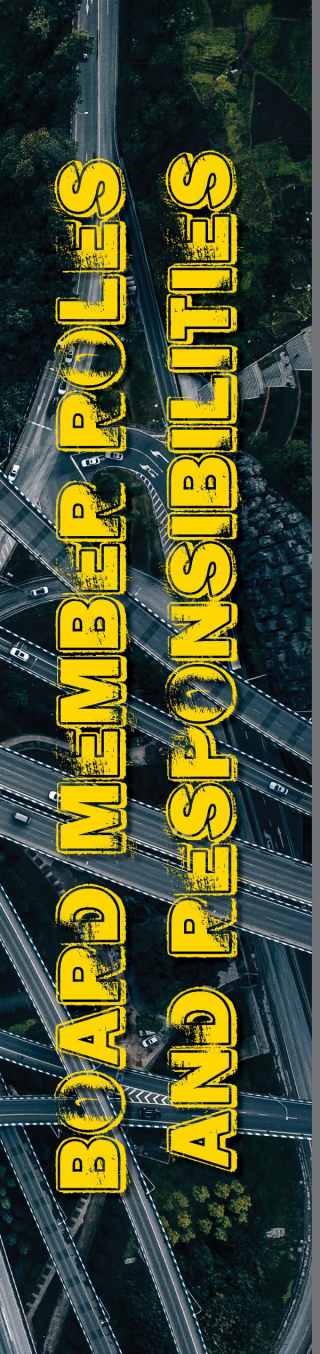
**Legislative/Polycymaking:** The most important function of the board is to set the policy for the district. Policies provide the framework and rules by which all things district related is managed.

**Executive:** The Board is responsible for hiring an effective superintendent. The Board is also responsible for evaluating the superintendent.

**Quasi-judicial:** The board serves as an appellate tribunal when it reviews matters that were handled at the district office level.

**Operational:** The Board has financial and governing authority. The Board sets the academic goals and expectation for the district through collaboration with the superintendent and reflective in district policies.





# TRAFFIC CALMING DUE TO ROAD WORK

Board Member Limitations

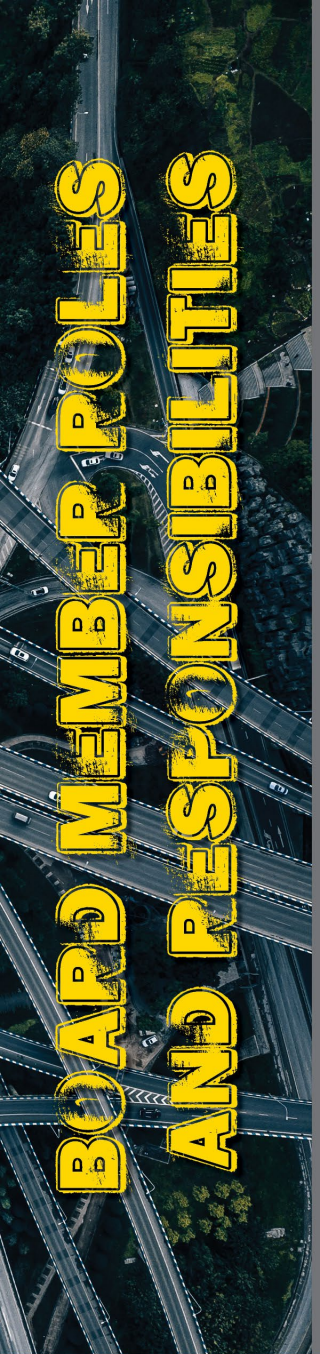
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Policy Reference:

## **BBAA, BBAA –R Board Member Authority and Responsibilities**

The powers delegated to the board by law are **delegated to the board as a whole**. The board exercises its powers and duties only in properly-called meetings where a quorum has been established.

Except when performing specific duty authorized by law or board action, the decision and actions of a single member of the board are not binding on the entire board. Unless specific authorization is granted by the board, a board member does not have any authority greater than members of the general public. Such authorization will be given to an individual board member by a majority vote of the board.



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# GRIDLOCK AND CHECKING MIRRORS

Board Member Conflicts of Interest

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Policy Reference:

## **BCB Board Member Conflict of Interest**

Board membership is an act of public service and, as such, the board strives to avoid any impropriety **or the appearance of impropriety**. However, a conflict of interest may arise between a board member's personal interest and his/her responsibilities as an elected official in a matter proposed or pending before the board. Board members have a legal and ethical responsibility to avoid not only these conflicts of interest, but also the **appearance of conflicts of interest**.

Policy Reference:

BCB Board Member Conflict of Interest Cont. .

Board members are required to disclose any potential conflict of interest to the board. A board member with a personal or private interest in a matter proposed or pending before the board will disclose such interest to the board, **will not deliberate** on the matter, **will not vote** on the matter, and **will not attempt to influence** other members of the board regarding the matter.

## Policy Reference:

### BCB Board Member Conflict of Interest Cont.

If, in the discharge of official responsibilities, the board member is required to take action or make a decision which affects his/her economic interest or the economic interest of a family member or an individual or business with whom he/she is associated, the board member must **prepare a written statement outlining the conflict and give it to the chair of the board. The minutes of the meeting should reflect the conflict and the reasons for it.**

The board member may vote on matters where he/she has no greater interest than does any other member of the board. For example, a board member may vote on a budget that includes salaries of all staff members, even if the board member has a family member employed by the district. However, the board member may not vote on the contract of the family member. A board member may not participate in an action relating to the discipline of his/her family member.

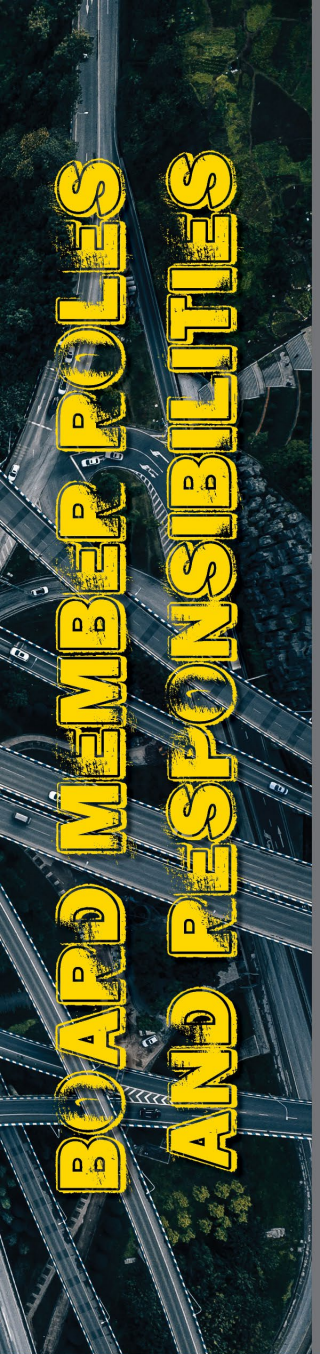
## Policy Reference:

### BCB Board Member Conflict of Interest Cont.

A board member may not receive pay as a teacher of a public school, or otherwise be employed, in the same school district where he/she serves. This includes employment handled through third party entities such as temporary agencies that place substitute teachers.

A board member is not permitted to serve in a volunteer position in the district as he/she would have responsibility for a curricular, co-curricular, extracurricular program or activity, or students and would report directly to the superintendent, principal, athletic director, or other school administrator.

Op. S.C. Att’y Gen., 2016 WL 386066 (January 5, 2016) A master-servant conflict would arise if a board member were to serve as the head or assistant coach, even on a volunteer basis, and as a trustee of the board in the same district.



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# **BACKSEAT DRIVING**

Board Member Ethical Considerations

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Policy Reference:

## **BCA Board Member Code of Ethics**

In addition to your responsibility to avoid conflicts of interest, you are also responsible for displaying ethical behavior in your service. To do so, you have to be knowledgeable of and complying with the S.C. Ethics, Government Accountability, and Campaign Reform Act.

See S.C. Ann. Section 8-13-100 *et seq.*

## Policy Reference:

### BCA Board Member Code of Ethics

The South Carolina Ethics Act is controlling authority. Whether an action violates the Act versus your personal moral code are two separate considerations.

As the state agency responsible for enforcement of the state's ethics laws, the South Carolina Ethics Commission is where you should direct your Ethics inquiries.

201 Executive Center Drive, Suite 150

Columbia, SC 29210

(803) 253-4192

<https://ethics.sc.gov>



**BOARD MEMBER ROLES  
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# BEATING THE TRAFFIC

Effective Board/Superintendent Relationship

**NAVIGATING YOUR LANE WHILE OPERATING IN DISTRICT TRAFFIC**

Policy Reference:

## **BDD Board – Superintendent Relationship**

The most important function of the board is creating and adopting policy. This is because policy establishes the framework and rules for how the district functions on every level. The superintendent executes those policies and manages the district through certain executive powers delegated to them by the board. The board then holds the superintendent accountable for administration.

Policy Reference:

BDD Board – Superintendent Relationship Cont.

The relationship that exists between a board and its superintendent is an intrinsic part of the educational process within a community. Knowledge of what each can reasonably expect of the other can substantially help to promote sound working relationships.

The relationship can be characterized by correlating roles – what the board does and how the superintendent’s actions support the decisions of the board.

Policy Reference:

BDD Board – Superintendent Relationship Cont.

The correlation is best illustrated in the columns of the policy. The are organized on one side in terms of board action. The other side is the corresponding action by the superintendent. This shows a clear distinction between the role of the board versus the role of the superintendent.

## School Board

Selects Superintendent

Sets Policy

Adopts budget

Approves organization

Approves personnel matters

Functions as a board only

Acts as a court of appeals

Adopts a curriculum

## Superintendent

Selects Staff

Recommends and implements policy

Proposes and administers budget

Proposes organization

Recommends personnel matters

Deals with the board as a whole

Takes action based on policy

Recommends a curriculum

## Policy Reference:

BDD Board – Superintendent Relationship Cont.

## Recommendations and Best Practices:

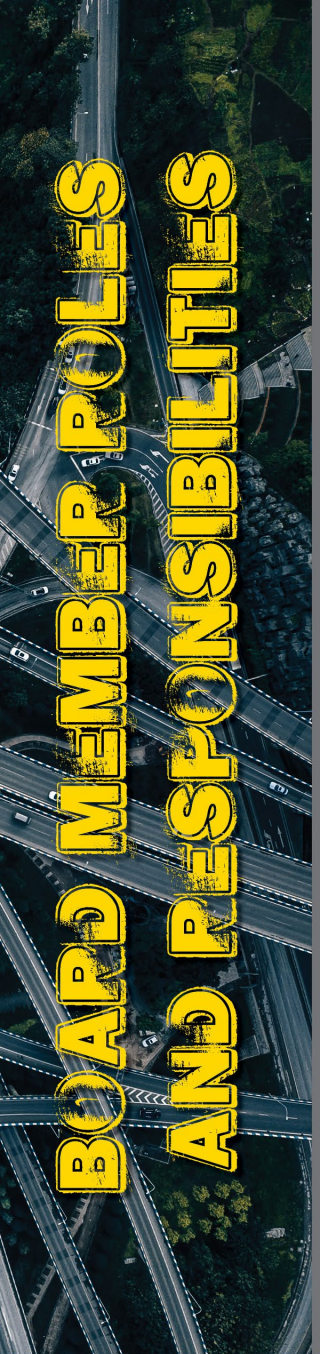
- Ethical, honest, straightforward, and respectful engagement
- Adhere to chain of command by interacting with district staff through the superintendent and refrain from giving orders either publicly or privately.
- Make suggestions and/or recommendations directly to the superintendent.
- Refer questions, requests, complaints and other information received by individual board members from the public to the superintendent for handling.

\* Remember the matter may come up again later requiring board action.\*



What may likely happen if you choose not to do these things:

- Resulting conflict between the board and the superintendent
- Loss of trust
- Board members choosing sides
- Community choosing sides
- Confusion among district staff regarding day-to-day management



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# RUSH HOUR TRAFFIC

Building and Maintaining an Effective and Unified Board

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Building **and** maintaining an effective **and** unified board is not easy but it can be done.

Recommendations and Best Practices:

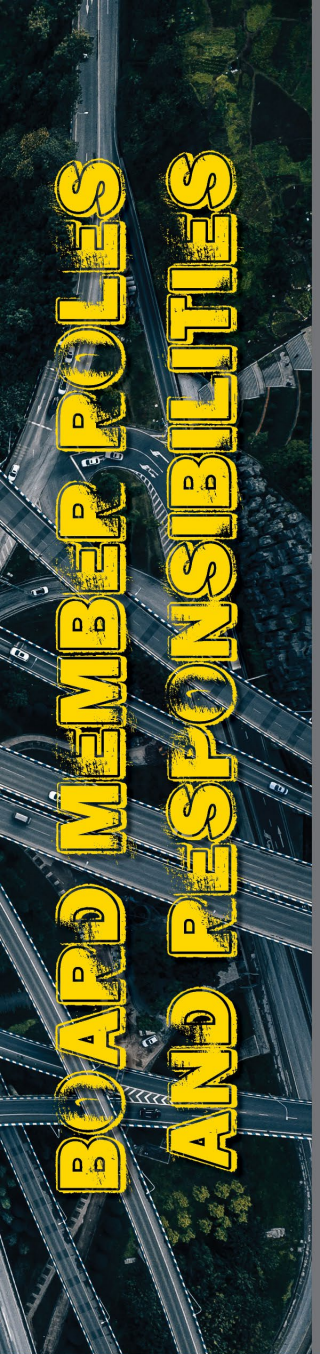
- Interpersonal/Communication skills (persuasive vs. argumentative)
- Avoiding surprise or gotcha moments
- Private conversation and public respect
- Support and not sabotage board decisions
- District wide values (every student, every school, every employee, every program)
- Commitment to teamwork

What may likely happen if you choose not to do these things:

- Resulting board conflict – one group against the other
- Establishing a culture of mistrust
- System shut down on many levels and nothing gets done
- Ultimate harm to students, staff, the community, and the educational process

## Let's Discuss

- Do you vote for what is best for “your” specific geographic area or for the school district as a whole?
- How do you handle being the lone voter on an issue?
- Do you become involved in personnel matters at the building level?
- Do you over hear and/or over promise when approached with an issue?
- Are surprises common at your board meetings and how do you typically handle them?
- Does your board have a relationship that allows free flow of thought, honest feedback, and critique?



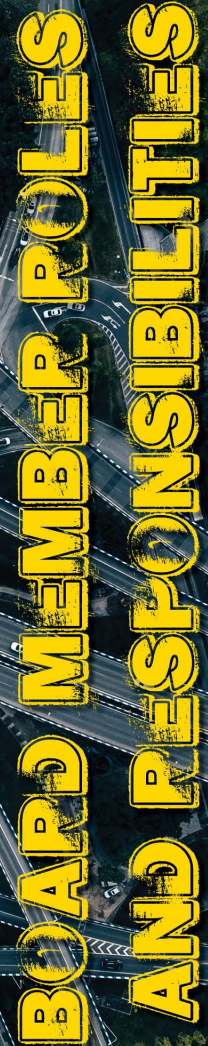
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# ARRIVING AT YOUR LOCATION

We're here . . . now what?

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- Manage your time – This job is more than just monthly or bi-weekly regular board meetings. (committee work, board packet review and research, work sessions, trainings/conferences, personal phone calls and emails from constituents)
- Manage your expectations – The issues of public education are complex, polarizing, politically influenced, and community involved.
- Be willing to learn – You will not know everything day one or year one. Your continued development is required.



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**QUESTIONS?**

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