

Q & A for Prospective Board Members

What is a School Board?

A school board is a corporate body that over sees and manages a public school district's affairs, personnel, and properties.

- Admission, instruction, discipline, grading, classification of students;
- Employment & management of staff;
- Purchasing, leasing, maintaining, insuring school buildings, properties, equipment, and supplies;
- Detailed statement of estimated expenditures (proposed budget)

What are the qualifications?

In a common, union free, central, central high school or small city school district:

- Must be able to read and write;
- Must be a qualified voter of the district-U.S. citizen, 18 or older, not incompetent;
- Must be a district resident at least one year-continuous and uninterrupted;
- Must not have been removed from district office within preceding year;
- Must not reside with another member of same school board as member of same family;
- Must not be current employee of the school board;
- Cannot simultaneously hold another incompatible public office;

And.....

- Yes, a former employee of the school district may serve on the school board;
- Yes, an individual may be a school board member even if that person's spouse, children, or other relatives are employed by the district;
- Yes, a member of the clergy may be a school board member.

How much time should I expect to spend?

The average board member reports spending approximately 6 hours a week on board work. Some seasons board members may serve longer hours, for example during budget preparation.

What is the Authority of a Board Member?

- Unless the board has taken official action to designate an individual member as the representative of the board for a particular purpose, an individual board member has no more authority than any other qualified voter of the district.
- As an individual board member, you have no legal powers. You can exercise your powers as a board member only through board action.
- A school board is required to transact its business in the same manner as the governing body of any corporation; that is its acts are required to be authorized by resolutions or motions duly adopted or passed by a majority of the whole board at a properly constituted meeting of the board.

- A board of education is a public corporation whose purpose and authority are set forth in the State Education Law and other sections of law.
- A board of education has not inherent powers and possesses only those powers expressly delegated by statute or necessarily and reasonably implied therefrom.

What are the Characteristics Common to Effective Board Members?

- **Focus** on Outcomes, Future, Governance
- **Communicate** – not just speak, actively listen;
- **Think Critically** – facts, relevance, effect;
- **Team** – w/board, superintendent, community;
- **Lead** – agent of change/navigator through change;
- **Learn** – continuously.

What are the Major Roles of Board Members?

Representative – of the entire community

Steward – of the district's resources

Leader – of the district

Advocate – for public education

How do School Boards Fulfill Their Responsibilities?

- Sets the District's Direction – Drawing upon the community, the board describes a shared vision, and establishes goals, standards, and strategy to transform vision into reality;
- Ensures Alignment – of strategy, resources, policies, programs, and processes with district goals;
- Assess & Accounts for Progress – using comprehensive data, thorough deliberation, and open communication;
- Continuously improves the district – accentuating and reinforcing the positive, and correcting the negative.

What Pay Does a Board Member Receive?

School board members may not receive compensation for their services unless expressly authorized by an act of state Legislature....However....may be reimbursed for expenses actually and necessarily incurred in the performance of their official duties...also may receive reimbursement to cover the cost of conferences. (30th Edition, School Law, pg. 31, Section 2:39)

But....

It's a job with incredible perks. You get invited to read to kindergartners, and to attend many school events. You know that every decision you make has a direct impact on children.

What Legal Liability Does a School Board Member Incur?

There is immunity for school board members when they carry out official functions within the context of a school board meeting. For immunity to apply, these functions cannot be exclusively ministerial. They must involve the exercise of discretion or expert judgment in policy matters.

School board members...may be individually liable in a civil rights action if they knew or should have known that their actions would violate the federal constitutional or federal statutory rights of a person.

How Do I Become a Candidate?

Submit nominating petition to district clerk;

- signed by at least 25 qualified district voters,
- or 2% or number who voted in previous annual election, whichever is greater;
- in small city districts, must be signed by at least 100 qualified voters.
- ordinarily, the petition must include: candidate's name & residence; residence of persons signing; specific seat which candidate seeks; name of incumbent; length of the term of office to be filled.

How do I file the petition?

- in the office of the district clerk
- not later than 30 days (20 days in small city school districts) before the election date.
- between 8:00 a.m and 4:00 p.m.

When is the Election?

Each school district (except Albany and Big 5) must hold its board election on the third Tuesday in May.

Do I need to Disclose Expenditures and Contributions?

If a campaign expenditures by candidate or on his/her behalf exceed \$500, or if contributions received by candidate on his/her behalf exceed \$500, candidate must file sworn statement itemizing such expenditures and/or contributions with both district clerk and commissioner of education.

- statement only with district clerk if \$500 or less;***
- must file preliminary statement 30 days before election;***
- must file second statement 5 days before election;***
- final statement 20 days after election***

Please see your district clerk for details.

What Kind of Training is Available?

NYSSBA conducts a wide-ranging developmental program for school board members and administrators. One key learning opportunity for new school board members is the Academy for Public School Governance offered in July and again in September. New York State requires newly elected, reelected, and appointed board members to complete 6 hours of fiscal oversight training. NYSSBA offers fiscal training at the July and September Academies, at regional workshops throughout New York

State, and for individual districts and neighboring districts, in collaboration with local school board associations and BOCES. For more information on training, see NYSSBA Developmental Opportunities.