



WASHINGTON STATE BOARD OF EDUCATION

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AMENDED BYLAWS FOR CONSIDERATION OF ADOPTION

SUMMARY OF POLICY ISSUE /STATE BOARD OF EDUCATION (SBE) STRATEGIC PLAN GOALS

The Board will consider adopting an amended set of bylaws at the January 2009 Board meeting.

BACKGROUND

The Board's Bylaws state that the Board should review the Bylaws every two years. The Bylaws were last updated in April of 2006. At the September 2008 Board Meeting, the Board asked staff to create a committee to review the Bylaws. Amy Bragdon and Warren Smith were selected as the Board leads and Brad Burnham has been the supporting staff member for review committee. Bylaws of other boards were reviewed as a part of the updating process.

The committee presented a draft set of Bylaws during the November 2008 Board Meeting. The discussion at the Board meeting and other input from Board members has prompted further revision to the Bylaws. The amended Bylaws are included with this memo. The document shows changes to the 2006 version of the Bylaws using Microsoft's "Track Changes."

The changes to the Bylaws include member responsibilities, the Executive Committee and officers, the Executive Director's job description creation, and process for evaluation of the executive director. Some changes offered by Board members and some elements removed from the Bylaws in the revision process may be more relevant to the Board's Procedural Manual, which should be subsequently reviewed and revised.

The following is information about some of the changes:

- The detailed information concerning Board membership is a duplicate of current statute, so it has been removed and replaced with information about Board responsibilities;
- The current practice of both the chair and the executive director making final decisions of items to be included in a Board meeting agenda has been incorporated in the Bylaws;
- The Immediate Past Chair position has been modified to a one-year term in order to provide continuity of direction for one year of a new Chair's two-year term;
- The automatic inclusion of the Superintendent of Public Instruction (SPI) as an officer and member of the Executive Committee has been changed. The change allows SPI to be an equal member of the Board with the possibility of being elected to an officer position;
- The method for creating or modifying the Executive Director's job description and evaluation procedure has been modified. The change will allow more inclusion of the full Board with the possible creation of a committee to consider and draft potential changes.

POLICY CONSIDERATION

It is appropriate for the Board to periodically review the Bylaws. As a result of any revisions, the Board will need to decide when to conduct its planning meeting.

EXPECTED ACTION

Possible adoption of the amended Bylaws. The Bylaws may only be amended by a two-thirds affirmative vote of the Board members.

Draft

Bylaws

of the

Washington State
Board of Education

Previous version adopted April 28, 2006

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**ARTICLE I
Name**

The name of this agency shall be the Washington State Board of Education.

**ARTICLE II
Purpose**

The purpose of the Washington State Board of Education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability system to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the Basic Education Act goals of RCW 28A.150.210.

**ARTICLE III
Membership and Responsibilities**

~~Section 1. Board size. The membership of the Washington State Board of Education shall be composed of sixteen members who are residents of the state of Washington.~~

~~Section 2. Meeting attendance and preparation. Members are expected to consistently attend and prepare for board and committee meetings, of which they are members, in order to be effective and active participants. Members are further expected to stay current in their knowledge and understanding of the board's projects and policymaking.~~

~~Section 3. External communication. Members of the Board should support board decisions and policies when providing information to the public. The executive director or a Board designee will be the spokesperson for the board with the media.~~

~~Section 4. Board responsibilities. The Board may meet in order to review any concerns presented to the chair or executive committee about a Board member's inability to perform as a member or for neglect of duty.~~

**ARTICLE IV
Officers**

~~Section 1. Designation. The officers of the board shall be the chair, the vice chair, immediate past chair, the superintendent of public instruction, and a two members at-large.~~

~~Section 2. Term of officers. (1) The chair shall serve a term of two years and may serve for no more than two consecutive two-year terms.~~

~~(2) The vice chair shall serve a term of two years and may serve no more than two consecutive two-year terms.~~

~~(3) The members at-large shall serve a term of one-year and may serve no more than two consecutive one-year terms.~~

~~(4) The immediate past chair shall serve a term of one-year.~~

~~(3) The immediate past chair shall serve a term of one-year.~~

~~(b) Should the superintendent of public instruction hold the position of chair, vice chair, or serve for a term of two years or until a successor has been duly elected. No more than two consecutive two-year terms may be served by a board member as chair, or vice chair, ~~or immediate past chair.~~~~

(2) **One-year position.** (a) The members s at-large office positions s shall be elected annually by the board at the planning meeting of the board.

(b) The ~~person members of the board~~ elected as members s at-large shall take office at the end of the meeting and shall serve for a term of one year or until a successor has been duly elected. No more than two consecutive one-year terms may be served by a board member as a member at-large.

(3) **Vacancies.** Upon a vacancy in any officer position, ~~except the Superintendent of Public Instruction,~~ the position shall be filled by election not later than the date of the second ensuing regularly scheduled board meeting. The member elected to fill the vacant officer position shall begin service on the executive committee at the end of the meeting at which she or he was elected and complete the term of office associated with the position.

Section 4. Duties. (1) **Chair.** The chair shall preside at the meetings of the board, serve as chair of the executive committee, make committee appointments, be the official voice for the board in **all** matters pertaining to or concerning the board, its programs and/or responsibilities, and otherwise be responsible for the conduct of the business of the board.

(2) **Vice Chair.** The vice chair shall preside at board meetings in the absence of the chair, sit on the executive committee, and assist the chair as may be requested by the chair. When the chair is not available, the vice chair shall be the official voice for the board in all matters pertaining to or concerning the board, its programs and/or responsibilities.

~~(3) **Superintendent of Public Instruction.** The superintendent of public instruction shall sit on the executive committee.~~

(4) **Members At-Large.** The members s at-large shall carry out duties as requested by the chair and sit on the executive committee.

~~(3) **Superintendent of Public Instruction.** The superintendent of public instruction shall sit on the executive committee.~~

ARTICLE V Meetings

Section 1. Regular meetings. (1) The board shall hold an annual planning meeting and such other regular and special meetings at a time and place within the state as the board shall determine.

(2) The board shall hold a minimum of four meetings yearly, including the annual planning meeting.

(3) A board meeting may be conducted by conference telephone call or by use of video/telecommunication conferencing. Such meetings shall be conducted in a manner that all members participating can hear each other at the same time and that complies with the Open Public Meetings Act. Procedures shall be developed and adopted in the BOARD PROCEDURES MANUAL to specify how recognition is to be sought and the floor obtained during such meetings.

Section 2. Agenda preparation. (1) The agenda shall be prepared by the executive committee in consultation with the executive director and other staff, as necessary.

(2) Members of the board may submit proposed agenda items to the board chair or the executive director.

~~(23) In consultation with the executive committee, the board chair or executive director may give final reserves final authority to approve all items and changes that will appear on the agenda at a board meeting.~~

(4) The full agenda, with supporting materials, shall be delivered to the members of the board at least one week in advance of the board meeting, in order that members may have ample opportunity for study of agenda items listed for action.

(5) Hearings to receive information and opinions, other than those subject to the provisions of Chapter 34.05 RCW relating to adoption of rules and regulations or as otherwise provided by law, shall be scheduled when necessary on the agenda prior to final consideration for action by the board.

Section 3. Board action. (1) All matters within the powers and duties of the board as defined by law shall be acted upon by the board in a properly called regular or special meeting.

(2) A quorum of eight (8) voting members must be present to conduct the business of the board.

(3)(a) Subject to the presence of a quorum, the minimum number of favorable votes necessary to take official board action is a majority of the members present. There shall be no proxy voting.

(b) In order to vote at a meeting conducted by telephone or videotelecommunications conference call, members must be present for the discussion of the issue upon which action will be taken by vote.

(4) The manner in which votes will be conducted to take official board action shall be determined by the board chair, unless a roll call is requested and sustained by ~~a majority one quarter~~ of the voting members who are present.

(5) All regular and special meetings of the full board shall be held in compliance with the Open Public Meetings Act (Chapter 42.30 RCW).

Section 4. Consent agenda. (1) Non-controversial matters and waiver requests meeting established guidelines may be presented to the board on a consent agenda.

(2) Items may be removed from the consent agenda upon the request of an individual board member.

(3) Items removed from the consent agenda shall be referred to a standing committee or shall be considered by the full board at the direction of the chair.

Section 45. Parliamentary Authority. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the State Board of Education in all cases to which they are applicable and in which they are not inconsistent with these bylaws, state law and any special rules of order the State Board of Education may adopt.

**ARTICLE VI
EXECUTIVE COMMITTEE**

Section 1. Executive committee. (1) The executive committee ~~of the board shall serve as the planning and agenda-setting committee for the board and~~ shall consist of the chair, the vice chair, the immediate past chair, ~~and two members at-large, the superintendent of public instruction, and a member at-large.~~

(2) When there is a vacancy of an officer position, ~~excepting the Superintendent of Public Instruction,~~ the vacant position shall be filled pursuant to the election process in the Board Procedures Manual.

(3) The board chair shall serve as the chair of the executive committee.

(4)(a). The executive committee shall be responsible for the management of affairs that are delegated to it by way of Board direction, consensus or motion, including transacting necessary business in the intervals between board meetings, inclusive of preparing agendas for board meetings.

(b) The executive committee shall be responsible for oversight of budget and personnel issues.

~~(c) The executive committee shall bring to the board recommendations regarding the duties and other matters relating to the executive director.~~

(6) The executive committee shall assure that the board annually conducts a board review and evaluation.

**ARTICLE VII
Committees**

Section 1. Designation. (1) Responsibilities of the board may be referred to committee for deeper discussion, reflection and making recommendations to the whole board. Rule changes should be discussed in committee before recommended language is referred to the board for discussion and possible vote.

(2) The board chair shall appoint at least two board members to each committee to conduct the business of the board.

(3) Appointments of non-state board members to a state board committee shall be made by the board chair in consultation with the committee chair(s) and the executive director, taking into consideration nominees submitted by board members, and identified groups or organizations.

(4) Board members of committees of the board shall determine which board member shall chair the committee.

(5) Each committee will be responsible for recommending to the budget process costs associated with responsibilities of the committee.

**ARTICLE VIII
Executive Director**

Section 1. Appointment. The board may appoint an executive director.

Section 2. Duties. (a) The executive director shall perform such duties as may be determined by the board ~~The executive director's job description will be developed by the executive committee and approved by the Board. The person thus appointed and~~ shall serve as secretary ~~and non-voting member~~ of the board, ~~without any vote in its proceedings, for the purpose of keeping a record. The executive director shall house records of the board's proceedings in the board's office, which shall be~~

~~available upon request, of board proceedings which shall be kept in the office of the board. The~~
the office and for staff support of board member duties.

~~(b) The board, or a committee of the board, shall establish or modify a job description for the
executive director, as needed. The job description or modifications to the job description shall be
approved by the board at its planning meeting.~~

Section 3. Annual evaluation. ~~(a) The board, or a committee of the board, shall establish or modify
the evaluation procedure of the executive director, as needed, which shall be approved by the board
at its planning meeting.~~

~~(b) The annual evaluation of the executive director shall be undertaken at the meeting prior to
the planning meeting.~~

Section 34. Compensation and termination of the executive director. The rate of compensation
~~and or~~ termination of the executive director shall be subject to the prior consent of the full board at the
planning meeting.

ARTICLE IX Amending Bylaws

Section 1. Amending bylaws.

- (1) These bylaws may be amended only by a two-thirds affirmative vote of the board members.
- (2) All members shall be given notification of proposed amendments to the bylaws at the meeting preceding the meeting at which the bylaws are to be amended.
- (3) The board shall review the bylaws every two years.

Section 2. Suspending bylaws. These bylaws may be suspended at any meeting only by a two-thirds affirmative vote of the voting board members present at the meeting.

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