



2018 Member Packet

The State Board's role in the K-12 system is to lead the development of state policy, provide effective system oversight of public schools, and advocate for student success.



THE WASHINGTON STATE BOARD OF EDUCATION

A high-quality education system that prepares all students for college, career, and life.

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EXAMPLE

TO: New Member
FROM: Executive Director
SUBJECT: ORIENTATION INFORMATION

Welcome to the State Board of Education! This memo is an effort to get you started in your initiation to the State Board.

Your primary contact for day-to-day needs at the SBE office is our Executive Assistant, Tami Jensen. Her main line number is 360-725-4475.

Board Meetings

1. Board meeting materials are posted on our web site one week before the meeting. Directions will be included.
2. We typically have meetings every other month; however, we do have special meetings a few times a year for a variety of reasons (usually to fulfill a duty within a statutory timeline). It is typical for members to attend those by phone, and they often last less than two hours.
3. By statute, non-public employee members are entitled to a stipend of \$100/day for Board meetings. Please contact Tami if you wish to decline the stipend or have questions about your eligibility for a stipend.
4. You will need to contact staff to provide a variety of information, including direct deposit forms, vendor numbers, etc., to allow us to process your stipends and travel reimbursements.
5. Tami will send you a meeting form four weeks ahead of the next meeting. Please fill this out with your travel needs and return to her before the stated deadline so she can make arrangements for you.
6. Lunch is always provided at every board meeting and, depending on the location and start time of agenda, breakfast is occasionally provided. The board will provide dinner on the first night of the annual retreat each September. If a meal is provided at a meeting, members are not eligible for reimbursement if they choose to opt out of what is being served. Meals not provided at meetings are reimbursed at [state per diem rates](#) based on the county of the meeting. (Read more in the Travel Policy section of this packet.)

Board Issues

7. The Board sometimes hosts a community forum in the city of the meeting location either the night prior to a board meeting or the night of the first day. This is scheduled in the evening and the local community is invited to attend for the purpose of engaging with board members on various policy work. Please attend when possible.

Kevin Laverty, *Vice Chair* • Randy Spaulding, *Executive Director*
Alan Burke • Lindsey Salinas • Patty Wood • Joe Hofman • MJ Bolt • Ryan Brault
Peter Maier • Holly Koon • Ricardo Sanchez • Connie Fletcher • Judy Jennings • Janis Avery • Jeff Estes
Chris Reykdal, *Superintendent of Public Instruction*

Old Capitol Building • 600 Washington St. SE • P.O. Box 47206 • Olympia, Washington 98504
(360) 725-6025 • TTY (360) 664-3631 • FAX (360) 586-2357 • Email: sbe@k12.wa.us • www.sbe.wa.gov

8. Mark your calendar with all of the upcoming board meeting dates as listed on our web site: www.sbe.wa.gov; keep in mind that you'll most likely be traveling the day prior to the meetings.
9. You may wish to review the last several board meeting agendas and minutes on our site under "Meetings" to get a flavor for the scope of issues the Board is pursuing.

Basic FAQ Information:

1. Our procedures manual is located on a web page just for members and includes a standard set of FAQ documents that you may find helpful at the outset. They include:
 - a. Board overview
 - b. Board membership
 - c. New Member Forms
 - d. Travel Information/Forms
 - e. Statutes and rules
 - f. Ethics
 - g. Misc.

The site URL is <http://www.sbe.wa.gov/proceduresmanual.php>

RCW 28A.305.130 is our enabling statute, which includes the following introductory language about the purpose of the State Board of Education:

The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order 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 goals of RCW [28A.150.210](#)

Please don't hesitate to contact me or Tami Jensen if you have any questions.



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EXAMPLE

TO: Student Board Member
FROM: Tami Jensen, Executive Assistant
SUBJECT: ORIENTATION INFORMATION

Welcome to the State Board of Education! As a student member of the Board, you should be familiar with the staff and board members you'll be working closely with during your term.

Staff: Tami Jensen
Title: Executive Assistant
Duties: Coordinates your travel and any personal needs you may have
Contact: tami.jensen@k12.wa.us, 360-725-4475 or 360-485-6135 (cell phone when traveling)

Staff: Parker Teed
Title: Data Analyst
Duties: Provides support and guidance on your presentations to the Board
Contact: parker.teed@k12.wa.us, 360-725-6047

Staff: Alissa Muller
Title: Communications Manager
Duties: Provides support and guidance as needed
Contact: alissa.muller@k12.wa.us, 360-725-6501 or 469-226-2018 (cell phone when traveling)

Staff: Randy Spaulding
Title: Executive Director
Duties: General issues regarding the Board or staff
Contact: randy.spaulding@k12.wa.us, 360-725-6024 or 360-789-4192 (cell phone when traveling)

Member Mentor: Connie Fletcher
Duties: Provides mentoring and support; travel chaperone when needed
Contact: fletch501c@comcast.net, 206-660-5022

Kevin Laverty, *Vice Chair* • Randy Spaulding, *Executive Director*
Alan Burke • Lindsey Salinas • Patty Wood • Joe Hofman • MJ Bolt • Ryan Brault
Peter Maier • Holly Koon • Ricardo Sanchez • Connie Fletcher • Judy Jennings • Janis Avery • Jeff Estes
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New Board Member Information Form

Please complete the highlighted sections of the information below and return to Tami Jensen.

The following information in this top section will be used for travel and board rosters. Only staff and board members will have access to this information.

Name _____ (as it appears on your driver's license (for flights))

Address _____

Home Phone _____ Business Phone _____

Cell Phone _____ E-mail Address _____

Are you currently a public employee? Yes No

If you checked the "No" box, do you want the \$100 stipend per day for each board meeting you attend?

Yes No

Please check one:

I would prefer my bi-monthly board packet mailed to the address above.

I would prefer to view the paperless packet online and a hard copy provided to me at each meeting.

I would prefer to view the paperless packet online only

Dietary Restrictions _____

Health Conditions you think SBE should know about: _____

Please send your bio and a picture to Alissa Muller at alissa.muller@k12.wa.us. This will be posted on the website.

Staff will order business cards for you to share with the public. Please provide the following information as you'd like it to appear on your cards:

Email: _____

Phone Number: _____

If no phone number is provided, staff will ask the public to reach you via email only.

Note: You can use any email and phone number you'd like, but **we highly recommend you have a separate email address exclusively for SBE business because all board member emails/accounts are subject to public record requests**. Please let us know if you'd like a state email (firstname.lastname@k12.wa.us) address. Otherwise, staff ask that members use a Gmail account with Google as it's more compatible with survey software staff use. After you leave the Board, staff may contact you requesting records up to six years if a public record request is received. If you don't wish to hold records after your term ends, you may transfer all files/emails to a disk and ask staff hold them on your behalf.



THE WASHINGTON STATE BOARD OF EDUCATION

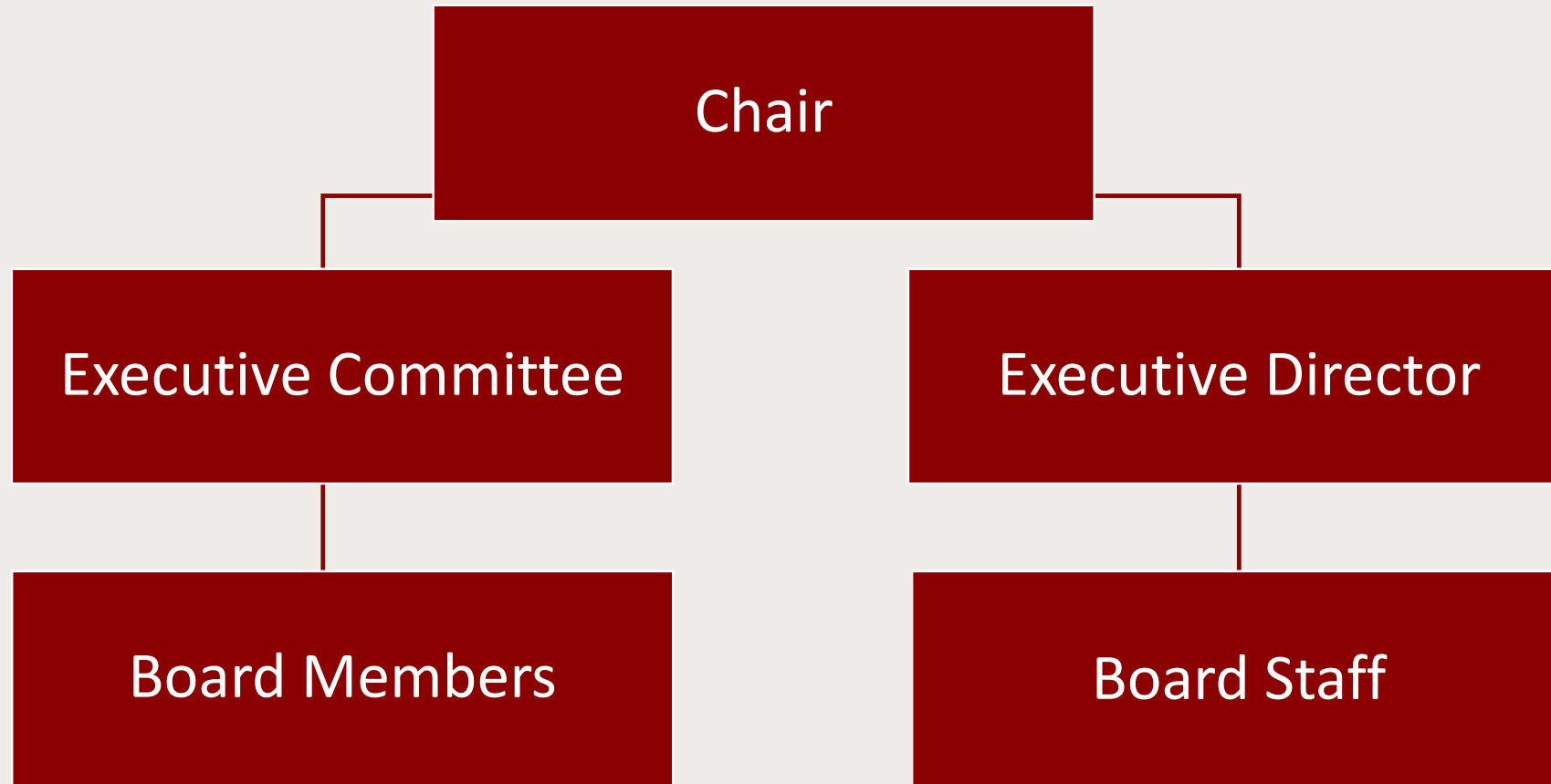
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2018 MEETING CALENDAR AND TOPICS:

Date	Place	City	Annually recurring events
January 10-11	ESD 113	Tumwater	Review any received charter authorizer applications Required Action Districts Exit and Identification
March 7-8	ESD 113	Tumwater	Achievement Index Update Report on alternative high school graduation requirements
May 9-10	ESD 105	Yakima	Member Recognition of Outgoing Student Board Member Achievement Index Update (Even years) Education System Health Report Updates begin CTE Course Equivalency Approval Private school approval
July 11-12	ESD 101	Spokane	Required Action District Update (Biennially) WAC review Executive Director Evaluation
August (Special Meeting if needed)	TBD	TBD	Score-setting if needed
September 11-13	Semiahmoo Resort	Blaine	Annual retreat Elect executive committee Strategic plan review
November 7-8	TBD	Vancouver	Adopt legislative priorities (Even years) Education System Health Report Basic education compliance Charter school report Assessment system report (Even years) Joint report with PESB



Board Organizational Chart





THE WASHINGTON STATE BOARD OF EDUCATION

A high-quality education system that prepares all students for college, career, and life.

Vision

A high quality education system that prepares all students for college, career, and life.

Mission

The mission of the State Board of Education is to lead the development of state policy for K-12 education, provide effective oversight of public schools, and advocate for student success.

Strategic Plan

The [2015-2018 Strategic Plan](#) contains four goals for the State Board of Education:

1. Develop and support policies to close the achievement and opportunity gaps.
2. Develop comprehensive accountability, recognition, and supports for students, schools, and districts.
3. Ensure that every student has the opportunity to meet career and college ready standards.
4. Provide effective oversight of the K-12 system.



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EQUITY STATEMENT OF INTENT

The Washington State Board of Education has committed to using equity as a guiding principle in its decision-making related to its statutory charges, strategic planning, and in developing annual policy proposals for consideration by the Washington State Legislature and Governor.

The Washington State Board of Education is committed to successful academic attainment for all students. Accomplishing this will require narrowing academic achievement gaps between the highest and lowest performing students, as well as eliminating the predictability and disproportionality in student achievement outcomes by race, ethnicity, and adverse socioeconomic conditions.

The Board acknowledges that historical and ongoing institutional policies, programs, and practices have contributed to disparate and statistically predictable educational outcomes.

To address persistent inequities within our educational system the Board will work collaboratively with educational and community partners to:

- Ensure that educational equity is a shared priority and is viewed as a process to identify, understand, and eliminate institutional policies, practices, and barriers that reinforce and contribute to disparate and predictable educational outcomes;
- With transparency and humility, honor and actively engage Washington's underserved communities as partners in developing and advocating for equitable educational policies, opportunities, and resources for marginalized students; and
- Using equity as a lens, engage in a continuous, collective process of policymaking to ensure Washington's education system can meet the needs of all students today and into the future.

Adopted 01/11/18

Goal 1: Develop and support policies to close the achievement and opportunity gaps.



Outreach and Engagement

Strategy 1.A: Engage diverse stakeholders to advance our understanding of achievement and opportunity gaps.

Action Step	Timeline	Measure
1.A.1 Engage and collaborate with racially, ethnically, and economically diverse communities and organizations to gather input, build relationships and develop policies related to closing the opportunity and achievement gaps.	Ongoing	Engagement and collaboration occur with the EOGOAC and targeted engagement of community-based organizations for input
1.A.2 Integrate a policy decision-making framework rooted in equity in opportunity for all students.	2017	Equity Tool for Policy Decisions
1.A.3 Participate in training and other experiences to deepen cultural competence.	2017	Personal Growth of Board and Staff
1.A.4 Utilize the perspective and experiences of our high school student representatives to shape board policymaking to identify and address opportunity gaps.	Ongoing	Student Input

Analysis and Promotion of Policies

Strategy 1.B Analyze data and promote policies for closing achievement and opportunity gaps.

1.B.1 Analyze achievement and opportunity gaps through deeper disaggregation of student demographic data with intentional connection to policy opportunities.	Annual - March	Achievement Index Results
1.B.2 Research and promote policy to reduce the loss of instructional time resulting from exclusionary discipline, absenteeism, and disengagement.	Annual - September	5491 Additional Indicators

Postsecondary Transitions

Strategy 1.C: Develop policies to promote equity in postsecondary readiness, access, and transitions.

1.C.1 Work with partner agencies and stakeholders to strengthen the transition from high school to college and career by promoting coherent state-wide transition policies.	Annual - December	5491 Report
1.C.2 Partner with other education agencies to use the high school Smarter Balanced assessment to improve college placement, admissions, and course-taking outcomes.	Ongoing	Policy Proposal

Transitions within K-12

Strategy 1.D: Promote strategies to strengthen key transition points within a student's K-12 experience.

1.D.1 With OSPI, analyze data to understand trends and underlying causes in students who are and who are not successfully completing a high school diploma.	Annual - January	Data Analysis and OSPI Report on Practices
1.D.2 Analyze and address non-normative school transitions for traditionally underserved student populations and students with special educational needs through analysis of data and identification of gaps in policy.	2017	Completion of Analysis and Policy Proposal

Goal 2: Develop comprehensive accountability, recognition, and supports for students, schools, and districts.



Index and School Improvement

Strategy 2.A: Establish, monitor, and report on ambitious student achievement goals for the K-12 system.

Action Step	Timeline	Measure
2.A.1 Publicly report the Achievement Index results through a website that enables summary and disaggregated data.	Annual – On or before March	Enhanced Website
2.A.2 Revise and implement ambitious yet achievable school improvement goals to ensure alignment with state and federal law.	July 2017	Rule Adoption
2.A.3 Establish Adequate Growth targets to be incorporated into the Achievement Index and the state accountability framework.	March 2018	Inclusion of Adequate Growth in Achievement Index
2.A.4 In partnership with OSPI, implement additional measures and indicators in the state Achievement Index in order to meet the federal requirements for a school quality and student success indicator.	2017	ESSA Consolidated Plan Approval

Development and Implementation of State Accountability

Framework Strategy 2.B: Develop and implement an aligned statewide system of school recognition and support.

2.B.1 Partner with the Office of Superintendent of Public Instruction to ensure alignment of the Achievement Index for the identification of Challenged Schools in Need of Improvement.	Annual – On or before March	Identification of Challenged Schools in Need of Improvement
2.B.2 Monitor and evaluate Required Action District schools for entry to or exit from Required Action status, assignment to Required Action level II status, and consideration of approval of Required Action Plans.	Annual - Spring	Adherence to Rule
2.B.3 Publicly recognize schools through the Washington Achievement Awards.	Annual - May	Washington Achievement Awards

Indicators of Educational System Health

Strategy 2.C: Recommend evidence-based reforms to the Legislature to improve performance on the Indicators of Educational System Health.

2.C.1 Collaborate with stakeholders and peer agencies in identifying reforms for Washington’s unique context.	Biennial - October	Convene Achievement and Accountability Workgroup
2.C.2 Review and revise Indicators of Educational System Health to include measures of student outcomes, and measures of equity and access in the system.	Annual – December, Biennial Report to Legislature	5491 Report
2.C.3 Engage in a process of inquiry to design explicit connections between data analysis projects and opportunities for policymaking and advocacy for the Board.	2017	Restructured Data Spotlight Format

Goal 3: Ensure that every student has the opportunity to meet career- and college-ready standards.



Graduation Requirements

Strategy 3.A: Support district implementation of the 24-credit graduation requirements.

Action Step	Timeline	Measure
3.A.1 With OSPI, partner with stakeholders to examine and address implementation issues of the 24 credit career- and college-ready graduation requirements.	Ongoing	School Counselor Conferences and ESD Outreach
3.A.2 With OSPI, develop guidance on competency-based crediting for use by guidance counselors and administrators.	2017	Guidance on Website

Career Readiness

Strategy 3.B: Strengthen career readiness through effective High School and Beyond Planning.

3.B.1 In partnership with OSPI, promote research-based practices in student personalized planning experiences.	Ongoing	Guidance on Web Page, 5491 Report
3.B.2 In partnership with OSPI and the Workforce Training Board, explore definitions of career readiness and adopting and implementing career readiness learning standards in accordance with the NASBE Deeper Learning grant.	2017	Definition of Career Readiness, Career readiness Learning Standards
3.B.3 In partnership with OSPI, explore the development of a model High School and Beyond course.	2017	Model High School and Beyond Course

Aligned Assessment System

Strategy 3.C: Support the implementation of career and college ready standards and an aligned assessment system.

3.C.1 Establish the scores needed for students to demonstrate proficiency on state assessments, including the graduation score for the high school Smarter Balanced Assessment.	As needed	Scores Established; NGSS as Required
3.C.2 Collaborate with the Office of Superintendent of Public Instruction on supporting an effective assessment system that includes alternative assessments and assessment developed for Next Generation Science Standards.	Annual - December	Annual Report, Legislative Priority

Goal 4: Provide effective oversight of the K-12 system.



Ample Provision

Strategy 4.A Advocate for ample state funding for a high quality education system that prepares all students for career, college, and life.

Action Step	Timeline	Measure
4.A.1 Work closely with the Legislature, agencies, and other partners to ensure ample provision of resources for the program of basic education	2017 session	Ample Provision

Basic Education Compliance and Waivers

Strategy 4.B Ensure compliance with all requirements for the instructional program of basic education.

4.B.1 Implement timely and full reporting of compliance by school districts with basic education requirements.	Annual – July to November	100% Compliance
4.B.2 Provide quality review and approval of private schools as recommended by the Superintendent of Public Instruction.	Annual – Spring	Private Schools Approval List
4.B.3 Conduct thorough evaluations of requests for waivers of Basic Education Act requirements.	As needed	Waiver Request Summaries

Charter Schools

Strategy 4.C Assist in ensuring a quality charter school system by fulfilling statutory duties.

4.C.1 Serve as a primary resource for school districts for information on charter authorizing and the state's charter school law.	Ongoing	Materials on Website, Public Presentations
4.C.2 Implement quality review and approval process for charter authorizer applications based on appropriate criteria.	Annual – February	Reviewed Applications
4.C.3 Perform ongoing oversight, including representing SBE Chair on the WA Charter Schools Commission, as well as issuing annual reports and special authorizer performance reviews.	Annually (12/1) Ongoing and as needed	Annual reports (to Governor, Legislature) Special Performance Reviews if Necessary

NASBE

About NASBE and State Boards of Education



National Association of State Boards of Education¹³

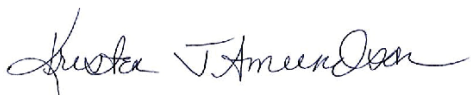
Welcome

Dear New State Board Member,

Welcome to your new, challenging, and rewarding role as a key education policymaker in your state. In the midst of all the other new information and materials coming to your inbox, we hope you will have an opportunity to look through the documents in this packet. We have selected these to provide you with information, boardsmanship tips, and perspectives to assist you in your important new work.

NASBE's mission is to help state boards of education and individual board members be as effective as possible in their efforts on behalf of the students in their state. Please don't hesitate to call us or email us at boards@nasbe.org with any questions you might have. And don't forget to check out all the resources we have available on our website at www.nasbe.org.

Thank you for your service to America's school children,



Kristen Amundson
President and CEO
National Association of State Boards of Education

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About NASBE

MISSION

The National Association of State Boards of Education (NASBE) strengthens state boards of education in their pursuit of high levels of academic achievement for all students. NASBE does this by supporting state boards of education in key areas in which they have policymaking authority: college, career, and civic readiness; effective teacher and leader preparation and support; safe and healthy schools; school climate, discipline, and equity; and education data privacy.

A nonprofit organization founded in 1958, NASBE works to bolster state leadership in education policymaking, advocate equality of access to educational opportunity, promote excellence in the education of all students, and ensure responsible lay governance of education.

KEY NASBE VALUES

- » citizen voice, lay leadership, and volunteerism
- » democratic process of checks and balances
- » equity and equal opportunity for all students to receive a high-quality education
- » partnerships and collaboration
- » nonpartisan representation and discussion of issues

CHARACTERISTICS

NASBE leads public policy through funded research, task forces, and individual expertise. Serving as a rich source of information for its members, NASBE produces original, timely information on education's most pressing issues via Policy Updates, State Innovations, Education Leaders Reports, and the State Education Standard, a journal dedicated to presenting the best thinking by leading experts in K-12 education policy, research, and practice. State Board Insights is a searchable database of the issues and policies on the agendas of state boards of education each month. Through a series called Power of the Question, NASBE suggests key questions boards may ask before adopting policy.

To advance public education for all students, NASBE seeks out partnerships from all sectors of the education community at the federal, state, and local levels with government, association, nonprofit, for-profit, or educational organizations.

NASBE convenes education experts, state education policymakers, and national education officials to collaborate in study groups and regional meetings. Through the Government Affairs Committee (GAC), NASBE advocates for its membership's goals and interests with Congress and federal executive agencies. The Public Education Positions (PEP) Committee recommends changes in NASBE policy positions on key education issues for adoption by the Delegate Assembly. NASBE meets with business, industry, national associations, and other state decision makers—including chief state school officers, state legislators, and governors—to give voice to state board needs and to influence education policymaking at the state and national levels.

WHO ARE NASBE MEMBERS?

State boards operate as lay bodies in state education policymaking, serving as an unbiased broker for education decision making, articulating the long-term vision and needs of public education, and making policy in the best interests of the public and the young people of America.

STATE BOARD OF EDUCATION RESPONSIBILITIES

While the scope of board responsibility varies from state to state, state boards share common areas of jurisdiction: statewide curriculum standards; high school graduation requirements; qualifications for professional education personnel; state accountability and assessment programs; standards for accreditation of local school districts and preparation programs for teachers and administrators; the administration of federal assistance programs; and the development of rules and regulations for the administration of state programs.

POWER OF STATE BOARDS

State boards of education are different in every state. Some are created by the state constitution, others by statute. Some members are elected and some appointed. But all boards and board members have three important areas in which they exercise power:

The Power of Policy. The state board is responsible for policies that promote educational quality throughout the state, defining the fundamental mission of the state's education system and developing the system's long-range goals. To meet these goals, the board enacts appropriate regulations, advocates for necessary legislation, develops an adequate education budget, supports local implementation efforts, oversees the state education agency, and regularly measures the performance of the system.

The Power of Convening. The state board considers input from a wide range of stakeholders when making policy: educators, the business community, elected officials, parents, and students. Frequently, state boards will bring together groups of stakeholders to solicit their input on issues to come before the board. At other times, the board may convene a group of experts on a particular issue. The state board serves as a bridge between educators and others involved in education policy.

The Power of the Question. Board members can and should ask questions about policies that come before the board. As the citizen voice in education, they should not hesitate to ask about the potential impact of any policy they are asked to adopt. Boards will find the power of the question particularly beneficial in areas where they lack direct policy authority but still seek a positive impact and influence. NASBE's Power of the Question publications tee up questions that boards can ask on key issues. NASBE is a nonpartisan entity whose diverse members come from both political parties. NASBE's members are state boards of education themselves. Any individual who sits on a state board has access to NASBE member services.

NASBE also has two affiliate associations. The National Council of State Board of Education Executives (NCSBEE) comprises those in charge of helping the state board accomplish its work effectively and efficiently. Their responsibilities vary from state to state, and they are members of NASBE and NCSBEE by virtue of their state boards being members of NASBE. The National Council of State Education Attorneys (NCOSEA) is composed of attorneys who work most usually for both the state education agency and the state board of education.

Boardsmanship Review

State Boards: Critical Link to Quality Public Education

FEBRUARY 2016

By Kristen Amundson

Control over education through citizen volunteer governing boards is an American tradition that dates to the early 19th century. The first citizen groups were organized on the state level to administer public schools, and these state boards of education soon became integral to the governance of education in America. State mandates provided not only for compulsory teaching but also for school building, supervision, school attendance, and certification of teachers. In the years after World War I, state board independence from direct political pressure and from the political rhythms of gubernatorial and legislative elections was firmly established. In state constitutions and state statutes, the missions of boards were articulated through clear and unequivocal duties and responsibilities.

Today, in 47 states and three territories, state boards provide citizen voice and leadership to state education policy decisions.

State boards are being increasingly given new responsibilities. In virtually every state, the state board of education (SBE) has these responsibilities:

- adopt content standards for subjects ranging from the arts to world languages;
- adopt the assessments that will be used to measure whether students have mastered required content and skills for their grade and course level;
- determine graduation requirements;
- establish guidelines for the teacher and principal pipeline; and

- develop a state system of accountability.

KEY ROLES OF STATE BOARDS OF EDUCATION

SBE members come to the office in a variety of ways. Some states elect board members. In others, members are appointed by the governor, the legislature, or even local school boards. (A description of how each state board's governance model is here: www.nasbe.org/wp-content/uploads/Governance-matrix-February-2015.pdf.)

While each state board is unique, all advocate for a quality education for all children, serve as a liaison between educators and other stakeholders, seek consensus, and make policy.

Advocate for Education. The state board serves as the primary advocate for a quality education for all children and youth in the state. As such, the board seeks to promote excellence in the education of all students and advocates equality of access to educational opportunity. Because the actions of state legislatures and Congress can affect the quality of education, board members provide information about how best to meet the needs of students in their state. The board articulates the needs of the education system to the state's public and private constituencies and helps ensure continued, broad citizen support for education.

Liaison. The state board serves as a bridge between educators and others who care about education policy. It listens to the concerns of the general public, elected officials, business leaders, civil rights organizations, philanthro-

pies, and civic groups about what students need to know and be able to do. At the same time, the board listens to educators to learn more about the needs of the education system so members can advocate for those needs. This bridge-building role helps ensure continued citizen support for education.

Effective state boards use their power to convene as one way to fulfill this role. They bring together diverse stakeholders who represent a range of perspectives on a topic, often from different organizations. Out of these convenings should come a commitment to action among all the groups at the table.

Consensus Builder. The state board encourages communication and works for consensus among all those who seek to influence state education policies and helps formulate long-range policy goals and plans. Hearing from a wide range of diverse perspectives can help the state board craft policy that addresses the needs of all students. Although concurrence may not always be possible, a commitment to consensus building ensures that all citizens will be heard.

Policymaker. The state board is responsible for policies that promote educational quality throughout the state. In this capacity, the board defines the fundamental mission of the

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BOX 1. EMBEDDED IN DELAWARE'S MISSION

One example of a commitment to consensus building is in the mission statement and guiding principles adopted by the Delaware State Board of Education.

MISSION STATEMENT

In collaboration with community and stakeholders, the Delaware State Board of Education serves as the primary voice for Delaware citizens on education policy to create a world class education system for every student.

GUIDING PRINCIPLES

- Further our thriving democratic society with opportunities for an excellent and equitable education for all students.
- Enrich education policymaking with the inclusion of diverse perspectives that represent the breadth and depth of Delaware's citizens.
- Utilize research-based viewpoints to inform decisions in the best interest of all students.
- Advocate for the development of the whole child through learning, teaching, and community engagement.

(emphasis added)

state's education system and develops the system's long-range goals. Policies should accomplish the following:

- clearly define the priorities and goals of the state's education system;
- allow districts and schools the flexibility to respond to the unique needs of their students;
- define roles and responsibilities, spelling out who is responsible for what; and
- include measurable outcomes.

Once policies are developed, the board has a responsibility to evaluate and revise them. Successful boards have a regular schedule for policy review.

No matter what their individual mandates, state boards have always been regarded as critical to ensuring the prominence of education as a state function. The responsibilities of state boards reflect two deeply held American educational values: the lay governance of education and the separation of educational policymaking from partisan politics. While others in the policymaking process tend to reflect specific concerns and more political perspectives, the state board is intended to serve as an unbiased broker of education decision making, focusing on the big picture, articulating the long-term vision and needs of public education, and making policy based on the best interests of the public and the young people of America.

Kristen Amundson is NASBE's president and CEO. This report is a revised edition of "State Boards: Critical Link to Quality Public Education," Policy Update 15, no. 1 (January 2007).

BOX 2: FROM LISTENING TO LEADERSHIP

The Kansas State Board of Education developed a new vision for the state's schools by asking citizens for their advice. More than 2,000 Kansans were part of the planning process.

Citizens defined a successful graduate of the state's K-12 system as one who has the academic and cognitive preparation and the technical skills and employability to succeed in postsecondary education or to attain an industry- or workforce-recognized certification without the need for remediation. To achieve this level of success for all students, the state board is committed to

- redesigning curriculum;
- developing new roles for school counselors; and
- coordinating with businesses and community organizations in a more integrated way.

POWER OF THE QUESTION

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National Association of State Boards of Education

? What New Board Members Should Ask

By Kristen Amundson

When state board of education members are asked to reflect on their first few months in office, most describe the experience using the same words: It was like drinking from a fire hose. Although state board members typically come to the job with a wealth of experience in education, government, and business, service on their state board of education is unique. For the board to function well, new board members need help in becoming fully effective.

The board chair, the board executive/administrator, and the chief state school officer should work together to ensure that new board members have answers to these key questions.

1 WHAT ARE THE LEGAL FOUNDATIONS OF THE BOARD'S AUTHORITY?

State boards of education are, first and foremost, legal bodies. Many are authorized by the state constitution; all operate within the framework of the state's laws.

It is nearly impossible to promote and achieve an agenda for learning when a board does not know what policy levers it has at its disposal. This training must be done systematically and should be reevaluated and modified as needed.

All new state board of education members need a primer on the constitutional and/or statutory responsibilities of the board. The full board should devote some time to educating and reeducating itself on

State boards of education exercise policy authorities that vary from state to state. Yet no matter what their level of policy authority, all boards have the power to convene stakeholders and ask questions on matters affecting their state education system. This series is designed to present boards with a set of questions they may want to ask on key education matters before them.

its roles, responsibilities, and authority at least once each year. Board members should ask these questions:

- What do the state constitution and state statutes say about the board's authority?
- What responsibilities are given exclusively to the board?
- What responsibilities are given exclusively to the chief state school officer?
- What responsibilities are shared between the two?
- What authority does the legislature have over education policy?
- What authority does the governor have over education policy?
- How can the board use its authority to promote the twin goals of equity and excellence?

2 HOW DOES THE STATE EDUCATION AGENCY CARRY OUT ITS RESPONSIBILITIES?

State education agencies (SEAs) have wide-ranging responsibilities. New board members need a basic understanding of how the department in their state operates. Prior to the first meeting, new members should ask the following:

- What are the key programs and responsibilities of the SEA? From special education to school lunch, what are the most important programs the SEA administers?
- Who does what? Who are the key SEA personnel? How is the SEA organized?
- Which federal programs operate in the state? How are federal programs supported (through grants or formula allocations)? What are the requirements for continued funding? When does the state board of education have a responsibility for oversight or signoff?
- What is the board's plan for accountability? How does the state board of education determine whether students are meeting learning goals? How are schools and districts evaluated? What can the board do to assist schools and districts that are persistently low achieving?
- What is the budget? How does the SEA develop its budget, and how are the board's priorities reflected in the SEA's budget?
- What acronyms are regularly used? What are the most commonly used abbreviations and acronyms in the state?

3 HOW DO THE STATE BOARD AND THE STATE CHIEF WORK TOGETHER?

The relationship between the state board and the chief state school officer varies from state to state. Chiefs, like boards, may

be appointed or elected. However these policymakers attain their position, one thing is clear: For the education system to work well in the state, everyone has to work collaboratively.

That isn't always easy. But when the board and the chief work at cross-purposes, little gets done. Here are some questions new board members should ask about their relationship with the chief state school officer:

- Does the board select and evaluate the state chief? Some boards choose the chief. Others submit names to the governor, who selects someone off the list. If the board hires and evaluates the chief, it must develop measurable goals for the chief to follow and annually evaluate progress toward achieving those goals.
- How can boards work best with elected chiefs or those appointed by the governor? It is essential that the chief and the board engage in an open, honest discussion of the board's goals, the chief's goals, issues of mutual concern, and operational style.
- Does the board clearly understand that the SEA staff reports to the chief? Board members have a critical policymaking role but not an operational role.
- How does a board member get state information? (Some boards prefer that all requests to the department be routed through the chief state school officer or a specific designee. This is generally the preferred approach so that staff members are clear about how to prioritize board requests along with their other responsibilities. In other states, board members are free to contact department staff directly. New board members should know and follow established practice.)

4 WHAT FORMAL PLANS DIRECT THE WORK OF THE STATE BOARD AND THE SEA?

Many states have developed a strategic plan to guide their work. Other states used the Every Student Succeeds Act (ESSA) to create a vision for education in their state. New board members should be aware of the plans that already exist. They should ask the following questions:

- Does the board or the SEA have a strategic plan? How was the plan developed? When was it last updated, and how were stakeholders involved in its development? What is the process for reporting progress to the board? Is there a state ESSA plan? Has the state filed its ESSA plan? How has the board been involved with the development of the plan? How will the board be involved with reviewing progress toward the goals set out in the plan? (See "Seven Questions State Boards Should Ask before State Plans for ESSA Are Submitted" for more information.)
- How does the board involve stakeholders—parents, teachers, students, citizens—in its planning?

5 HOW DOES THE BOARD OPERATE?

Every board has a unique set of operating procedures. Some are set out in writing; others are unstated assumptions. Even state board members who have served on their local school board will find that they need to learn more about how this board operates. Questions to ask:

- How is the agenda prepared? How do members get items added to the agenda? How far in advance do members receive meeting agendas?
- How can new members work on their priorities? New board members often have a set of issues they want to advance during their term. It is important for the board chair to help new members understand what is within the board's authority to address. The chair can also school new members in the appropriate way to get their issues onto the board's action plan for the coming year.
- Does the board have a set of principles for board conduct? What are the board's principles of conduct in dealing with attendance, board/staff relations, and media relations and communications? Who speaks for the board? How does a member balance obligations to one region or constituency with responsibilities to all students?
- How are meetings run? Does the board operate under Robert's Rules of Order? Are there written procedures that govern board meeting processes?

6 HOW CAN NEW MEMBERS CONTRIBUTE TO THE WORK OF THE BOARD FROM THE START?

Although the learning curve is steep, new members need to contribute to the work of their board right away. New members should ask the following questions:

- Who are board staff? Most states have an executive director or board administrator who handles board administrative responsibilities. Some states have additional staff. How should new board members seek staff support and help?
- When does the board meet? When does the board meet for regularly scheduled meetings? How frequently are special meetings called? How much notice do board members receive for these special meetings? Are there other meeting obligations for board members? How are board members reimbursed for expenses?
- Does the board use a committee structure? How does the board use committees? When do committees meet? Who makes assignments? How can members express their preference for work on a specific issue or committee?
- Where does a new member find board policies? Does the board maintain a policy manual governing both the operational policies of the board and the major education issues on which the board has adopted policies? Does the board have a mission statement and a strategic plan? Is there a formal review cycle for policies and the strategic plan?
- What is the role of the chair and committee chairs? Boards are made up of citizen volunteers, and they find different ways to share the workload. What information needs to go through the board chair? the committee chairs?
- How can new board members handle the workload? Do board members access meeting documents electronically or by paper? How can board members prioritize the huge amount of information that will arrive in their inbox every day? Do board members have separate official email accounts? Does the board provide technology to members? Who ensures that technology is working?

- How does the board provide initial and continuing professional learning? Ongoing professional learning is essential for all board members. How does the board ensure that new board members receive information on state and national issues? Does the board provide training on how to work with the media and how to use (or not use) social media? What opportunities are there for meeting and learning from other state board of education members?
- How does the board interact with NASBE? Some boards designate a specific individual to serve as the liaison to the association. That person is responsible for sharing information about NASBE activities as a regular part of the board meeting. If there is no designated liaison, this might be a good way for a new member to learn more about national issues.

State boards typically have long lists of responsibilities and short meeting times. The sooner new board members can be a full participant in the board's work, the better. Providing answers to these questions will allow new members to join the board's discussion and decision-making process with confidence and a sense of being part of a responsive, caring body.

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Boardsmanship Review

Five Steps to Being a Better Board Member

JULY 2015

By Kristen Amundson

Joining a state board of education involves commitment. Citizen volunteers routinely dedicate substantial time and energy to this demanding job. The vast majority report that they have taken on this challenge because they want to help all students succeed. When their talents and abilities are used maximally, they believe their service is well worth the personal cost.

New board members may worry that it will take them years to become truly effective. But effective board service is a skill, and like any skill, it can be learned, practiced, and improved.

Here are ways that a new member can make a difference from day one.

1. FOCUS ON STUDENT ACHIEVEMENT

Does board service make a difference? Research shows it can. A recent study of local school board members found that some boards can help students beat the odds—that is, they help students perform better academically than one would expect, given their demographic and financial characteristics. Yet it is clear that such achievement is possible only when board members make it their top priority.

Many other issues and considerations take up a board's time. But the most successful board members do not allow themselves to be distracted by "bright, shiny objects." Instead, they focus consistently on student achievement.

2. DEVOTE THE TIME

Service on a state board of education is time intensive, and there are times when the demands on a member's time are overwhelming. Agendas are long and complex.

For example, a recent meeting in one state required the state board to consider and act

on high school graduation requirements, subject regulations for mathematics and English language arts, a maintenance-of-effort (funding) waiver for one school district, regulations governing the qualifications for school superintendents and school administrators, science standards adoption, and the statewide school discipline plan.

No single board member, especially not one who is combining board service with a demanding career, can be an expert on all those topics. One approach is for the board to divide the workload by assigning some topics to committees. The members of those committees can then serve as resources for the rest of the board.

In addition to attending meetings, most state board members will also be asked to serve on board committees, visit schools to see how programs are working, and meet with many groups: legislators, business leaders, parents, and teachers. All of these add to the time commitment but also pay off in improved student achievement.

3. DO YOUR HOMEWORK

On occasion, board members express frustration when colleagues do not do their homework before meetings. This reflects poorly on the entire board and slows progress. When a board member is chronically unprepared, it is proper for the chair of the board to speak to that individual in private, letting them know the critical importance of meeting preparation. After all, the board is often under a microscope and must be cognizant of its public appearance.

There is also a responsibility for staff members who prepare materials for the board. Members must receive relevant material in a workable time frame. The board should have an operating policy that guides staff on the materials that will be sent to members.

Boards should use executive summaries, report logs, and other devices to give members a chance to read as much as they can to prepare for a given issue.

The board member who has read and digested the information in the board agenda packet will be able to follow and participate in the discussion at the board table. For members who want to influence state education policy, the first step is to read the board materials.

4. QUESTION

Some state boards are created in the state constitution; others were established by state statute. Members may be elected or appointed. But there is one thing they all have in common: the power of the question.

A new board member may be concerned about asking a "dumb question." But odds are that if one board member is wondering about something, others are as well. And as Albert Einstein once noted, "The important thing is not to stop questioning."

Even if a new board member decides not to ask at a first or second board meeting, he or she should definitely ask the question by the second or third time an issue arises.

At a minimum, new board members should ask the following:

- Does the state board have a strategic plan? How do members learn about progress toward meeting the goals set out in the plan?

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- How does the board know if its policies are being implemented in schools and districts?
- What are the ground rules for determining what is board work and what are staff responsibilities?
- How do members place items on the board agenda?
- What can new board members do to help ensure a positive working relationship among all members?

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5. MAKE DECISIONS

Effective boards make decisions. These decisions are sometimes controversial. Rather than deal with that controversy, boards may be tempted to put off a decision until the next meeting (or the meeting after that).

In nearly every case, however, postponing a decision will not make the problem go away. It is far better to take a vote and then develop a strategy for explaining why the vote was important and how the policy will be implemented.

For board members, however, the responsibility for a decision does not end when the vote is taken. A member who voted with the majority has a responsibility to see that the policy is carried out effectively. The member will work with the chief state school officer to ensure that timelines are established, benchmarks for achievement are clear, and a regular schedule for reporting on progress is developed.

And what if a member opposed the policy that eventually prevailed? Board members who take part in a democratic process have a responsibility to respect it once the vote is taken. Effective boards share common expectations of their colleagues that they observe during deliberation on the policy and in the representation of the board's views once the policy is enacted. When it meets those expectations, the board is a better institution and the focus of policymaking remains squarely on producing results for students.

Boardsmanship Review

What State Boards Should Know About Sunshine Laws

JULY 2015

By Kristen Amundson

Citizens have a right to expect that the decisions that will affect their lives will be made at a time and place when the public can observe the proceedings. State open meetings laws, sometimes called “sunshine laws,” govern public access to governmental meetings.

Every state has some version of a sunshine law. In addition, most states have laws ensuring public access to government documents and records.

The Supreme Court of Oklahoma gave a clear statement of why open meetings are so important:

“If an informed citizenry is to meaningfully participate in government or at least understand why government acts affecting their daily lives are taken, the process of decision making as well as the end results must be conducted in full view of the governed”¹ [emphasis added].

This primer on open meeting laws is not intended to replace the advice of the board attorney. But it will provide a new board member with a general overview of what is—and is not—permitted.

WHAT IS A MEETING?

Public officials are required to debate and vote on public issues in public. The open meeting laws of the state apply every time a board meets in a regular or special session.

But what about the other times when board business may be discussed? Many public officials are either unclear or too loose about what actually constitutes a meeting.

For example, what if a board gathers for breakfast before a regularly scheduled board meeting and talks about a proposed policy? In that case, most state laws would suggest that these board members were in a meeting. (In fact, in some states, even two board members meeting together and discussing board business would be considered a meeting.)

The key is to remember the goal of the open meeting law: The public has a right to know how decisions are made and, whenever possible, to participate in making those decisions.

TECHNOLOGY AND OPEN MEETINGS

Many open meeting laws were written before the advent of today’s technology. But that does not mean that technology can be used to evade open meeting laws. An email discussion of an upcoming board issue or a conference call scheduled for the specific purpose of strategizing about an upcoming vote could be considered subject to open meeting laws.

Some states have begun to incorporate technology into their open meeting laws. Board members may be allowed to participate and even vote on board matters via conference call. Missouri law specifically provides for meetings “by Internet chat, Internet message board, or other computer link,” provided the public is notified of how to access the meeting.²

PUBLIC NOTICE

Even the most committed and involved citizen needs some advance notice of an upcoming meeting. State laws do not always spell out how much notice is required, but in general boards try to provide between 24 and 72 hours.

When notice had to be printed in a newspaper, it was more of a challenge for boards to meet this requirement. Today, social media can simplify the process of informing interested members of the public and the press. Unless state laws specify what the notice should contain, boards should provide at a minimum the date, time, and location of the meeting and the topic to be discussed.

CAN ANYTHING BE DISCUSSED IN PRIVATE?

In most states, boards can go into executive or “closed” session. Typically, the state laws governing meetings spell out what topics qualify for a closed session. These may include the following:

- discussion of the performance of a public official (for example, the evaluation of the state superintendent or commissioner);
- strategy sessions related to pending legislation;
- public safety and security;
- allegations of criminal misconduct against a specific individual.

Generally, the board needs to specify why it is going into a closed session. Following the closed session, the board needs to certify that

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only business that was lawfully exempt from the state's open meeting law was conducted. If any votes are required coming out of a closed session, they must be taken in public.

The board attorney can be an invaluable partner when a board goes into a closed session. Some boards invite the attorney to be present to ensure that the board discussion remains within the limitations of open meeting law.

OPEN MEETINGS AND THE PRESS

Today, anyone with a smartphone and access to the Internet can “publish” a story about a public meeting. It is critical that board members treat each other and members of the public with respect at all times, and it is especially important when the board is discussing a controversial or challenging subject.

As a general rule, boards should follow these procedures when dealing with members of the press:

- Provide reporters with information on the issues to be discussed. In many cases, this may mean making the board packet available, except for items to be discussed in closed session.
- Establish clear policies about whether recording and broadcasting public meetings is allowed. Most boards allow the practice as long as the meeting is not disrupted.
- Determine the board's practice for speaking with the press. Some boards prefer that only the board chair give the official position of the board.

BOARD MEMBERS' RESPONSIBILITY

Consequences for violating open meeting laws can be serious. They can include criminal penalties, removal from office, noncriminal infractions, payment of attorney fees, and invalidation of official acts. The board attorney can and should inform board members about the current definition of what constitutes a meeting in their state.

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NOTES

1. *Oklahoma Association of Municipal Attorneys v. State* (1978).
2. Missouri Revised Statutes § 610.020(1).

Boardsmanship Review

Governing State Board Operations Through Parliamentary Procedure

SEPTEMBER 2015

Kristen Amundson

It is very material that order, decency, and regularity be preserved in a dignified public body.

—Thomas Jefferson, *A Manual of Parliamentary Practice*

Parliamentary procedures are the rules and precedents that regulate how a governing body conducts its business. As state boards have grown more diverse in their views and compositions, the significance of parliamentary procedures has taken on new meaning.

Proper parliamentary procedure can expedite the board's business and makes the most of the limited time boards have together. All members of state boards of education should be familiar with their board's parliamentary rules and how to appropriately use either these rules, or special rules the board has approved, or the parliamentary authority the board has adopted.

Effective boards and their members use parliamentary procedures to ensure that the rights of all participants are protected, that debate is balanced, and that the business of the board is conducted in a fair and orderly manner.

All board members need a basic understanding of parliamentary procedure. The rules are based on a regard for the rights and responsibilities of all members of the governing body. Put simply, these rules should ensure that the minority has the right to be heard and the majority has the right to decide. A member who is familiar with parliamentary procedure knows how to do the following:

- phrase and offer a motion;

- protect his or her right to be heard on an issue;
- rise to a point of order;
- evaluate the relevance of amendments;
- conduct an effective meeting; and
- differentiate the nature and use of committees.

Most state boards use *Robert's Rules of Order, newly revised, 11th edition* as the basis for determining their procedures of operation. Boards that use *Robert's Rules* as their guiding document should spell out in their bylaws or operating procedures the edition on which they will rely. A new board member's orientation materials should include a guideline to parliamentary procedures. Topics that are most common and useful to state boards include the role of the chair, the importance of a quorum, the use of motions in board deliberations, and the use of the committee structure.

THE ROLE OF THE CHAIR

The chair is the presiding officer of the board. He or she must facilitate the work of the board and build consensus among the membership to achieve common goals. As *Robert's Rules* notes, the chair should be familiar with parliamentary procedure but should also "bear in mind that no rules can take the place of tact and common sense on the part of the chairman" (§47). The chair maintains oversight over the meeting agenda, ensures that meetings start and end on time, and keeps the board moving toward established goals. On some boards, the chair has a vote on any motion. On other boards, the chair votes only in case of a tie. This should be spelled out in the

bylaws of the board. Any ruling of the chair can be challenged, but appeals must be made immediately after the chair's ruling.

THE IMPORTANCE OF A QUORUM

A board cannot conduct its business unless a minimum number of voting members are present. The board's bylaws should define a quorum, which may also be specified in state law or in state regulation. If they do not, a board quorum is typically a majority of all members.

The only official business a board can conduct without a quorum is to set the time to adjourn, recess, or take measures to obtain a quorum. If a meeting has a quorum at the beginning but members leave during the meeting, the continued presence of a quorum is presumed unless the chair or a member notices that a quorum is no longer present. If the chair notices the absence of a quorum, it is his or her duty to at least declare the fact before taking any vote or stating the question on any new motion. Any member noticing the apparent absence of a quorum can raise a point of order to that effect at any time as long as he or she does not interrupt a person who is speaking. A member must question the presence of a quorum at the time a vote on a motion is to be taken. A member may not at some later time question the validity of an action on the grounds that a quorum was not present when the vote was taken.

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Hearings, programs, and presentations can proceed without the presence of a quorum. However, the absence of a sufficient number of members to constitute a quorum may be interpreted by the watching public as a lack of board interest and support for the specific program or presentation being made.

THE USE OF MOTIONS IN BOARD DELIBERATIONS

Robert's Rules of Order lists at least 87 kinds of motions, but many may never be used in a state board of education meeting. To promote democratic and effective meetings, members should familiarize themselves with the rules of the most common motions used:

- making a motion
- amending a motion
- referring to committee
- limiting or closing debate
- rising to a point of order
- appealing the ruling of the chair
- questions of privilege
- motion to reconsider
- point of inquiry
- recess and adjournment

In addition, members should know if a motion is amendable, debatable, or when a vote is required to pass the motion. A point of order, a point of information, and a point of personal privilege are always in order (table 1).

AMENDING A MOTION

On some boards (and in *Jefferson's Manual*), it is assumed that a member who presents an amendment to a motion that is accepted by the body will then vote for the main motion. This is frequently not covered in formal bylaws, but board members should inquire about the custom and practice of their board.

Table 1 Rules Used with Motions

Motion	May Interrupt Speaker	Second Required	Debatable	Privileged Motion	Subsidiary Motions
Fix time to adjourn		✓		✓	
Adjourn		✓		✓	
Recess		✓		✓	
Question of privilege	✓	✓	✓	✓	
Order of the day	✓			✓	
Table		✓			✓
Previous question		✓			✓
Limit/extend debate		✓			✓
Postpone		✓	✓		✓
Refer		✓	✓		✓
Amend		✓	✓		✓
Postpone indefinitely		✓	✓		✓
Main		✓	✓		✓

THE USE OF THE COMMITTEE STRUCTURE

When a board does not have sufficient information to make a judicious decision, when greater detail is necessary, or when it appears that the board could accomplish more through the work of a committee, a motion can be made to refer the issue to committee. The rules for committees are different from the rules that apply to the entire board:

- Members are not required to obtain the floor before making motions or speaking.
- Motions need not be seconded.
- There is no limit to the number of times a

member can speak to a question, and motions to close or limit debate generally are not allowed.

- Informal discussion of a subject is permitted while no motion is pending.
- The chair can speak in discussion, make motions, and usually votes on all questions.

A motion to refer should not be a tool to avoid or bury an issue but rather a mechanism to support the board's work. Committees work best when the policy questions are identified early in the committee's study and deliberations, and they can be effectively used to inform the full board of the committee's work.

Boardsmanship Review

Conflict of Interest

JULY 2016

By Eve Tilley-Coulson and Kristen Amundson

At every meeting, state board members vote on motions that affect the spending of tax dollars and people's lives. They may decide whether an educator gets to retain his license. They may vote to open or close schools. Because state board members are also doctors, lawyers, business owners, and educators, they may also be asked to vote on a matter in which they could gain financially.

The public has a right to expect that all of these decisions are made impartially, based on what board members believe to be the best interest of the public. If it appears that the self-interest of board members influences their vote more than the public interest of citizens, citizens will no longer trust the board. Such decisions may reflect poorly on the board's integrity and transparency, undermining public confidence in its ability to carry out its duties fairly.

In any of these cases, board members need to avoid any conflict of interest. Conflict of interest is defined as a situation that has the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest.

State board members are rightly subject to the same conflict of interest rules as other public officials. They should avoid both actual conflicts of interest and the appearance of such conflicts. Actual conflicts of interest are rare. They occur when private interests and official responsibilities of a person in a position of trust are inherently in conflict. For this reason, a member of a state board of education in most states cannot also serve as a member of the state legislature.

Potential conflicts of interest are much more common. They are also the most misunder-

stood concept in public service ethics. The North Carolina Board of Ethics describes a potential conflict of interest this way:

"Potential" means "capable of being but not yet in existence"—*possible*. Thus, when a covered Public Official has a *potential* conflict of interest due to some financial, familial, or personal situation, that means that such Official must exercise appropriate caution (sometimes extreme caution) to ensure that the unrealized, possible conflict does not "ripen" into a forbidden actual conflict in violation of his or her public responsibility.

This is usually done by the Official removing himself or herself from the situation to an appropriate degree (commonly in the form of "recusing" himself or herself from a particular vote). Rather than a source of embarrassment or anger, an evaluation that an Official has a potential conflict of interest should be viewed as an ethical "red flag," a warning that he or she must be careful when whatever is causing the potential conflict comes before the Official for public action [*italics in original*].

RECOGNIZING A CONFLICT OF INTEREST

If there is any question about whether a conflict of interest exists, a board member should disclose the details of the situation to the board. In any case, board members should disclose the following instances:

- a board member stands to benefit from any policy or decision if it is approved;
- a board member would receive goods, services, or payment as a state board

member for upholding or approving a policy or procedure;

- a board member's personal organization would receive goods, services, or payment for the state board member's action in upholding or approving a policy of procedure; or
- a board member would benefit directly from an action, even though the benefit was not the intended consequence of the policy or procedure.

Examples of potential conflicts of interest and some ways board members could handle them are included in the table.

The NASBE Board of Directors has adopted conflict of interest policies and procedures to increase NASBE's reliability and transparency. These policies are intended to limit decisions to those board members who are impartial toward a particular decision and prevent personal interests from interfering with state board members' duties to their state. Many state boards of education have similar policies.

WHAT STATE BOARD MEMBERS SHOULD DO

So what should you do if you think you could have a conflict of interest?

Educate yourself. A copy of a state board of education's conflict of interest policies should

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POTENTIAL CONFLICT	POSSIBLE SOLUTION
The board must make a decision on whether to revoke the charter of a school owned by a board member's spouse.	The board member should make public the potential conflict and then recuse himself from consideration of the issue.
A school superintendent serves on a state board that is revising standards for licensing administrators.	Since these regulations apply equally to all superintendents, it is likely that there is no conflict. Check with the board attorney.
A state board is considering whether to hire outside counsel. One board member is a partner in a firm under consideration.	The board should scrupulously follow the state's procurement rules. The board member should not participate in any discussions nor vote on the issue. The board member should also not perform any of the legal work.
A state board is considering a new state summative evaluation. One of the vendors offers a board member a vacation trip.	The board member should not accept the gift and should report the offer to the board attorney.

be given to all board members at the beginning of their terms. If you have not received the policy, ask for a copy.

Consult the state board's attorney. Laws governing conflict of interest vary from state to state, so the board attorney is the best source of information and advice on your individual situation.

Be transparent. Work with the board attorney to write a statement explaining your potential conflict of interest and why you did (or did not) determine that a conflict exists. Read this before the board takes up the issue, whether you plan to vote on it or not.

If a conflict exists, recuse yourself. If you and the board attorney conclude that a conflict of interest exists, you should neither discuss nor vote on the issue. You may want to leave the board table during the discussion and vote to make it clear to the public that you are not participating.

Be aware of the appearance of a conflict of interest.

Kristen Amundson is president and CEO of NASBE, and Eve Tilley-Coulson is a policy analyst.

Boardsmanship Review

Building Partnerships with the State Legislature

July 2016

By Kristen Amundson

As education policymaking moves back to states, it is critical that state boards of education and state legislatures work together collaboratively. The interests of students are usually best served when state legislatures and state boards of education view education policymaking as a shared responsibility. When the two bodies are feuding over turf, they are not devoting their time to addressing their state's pressing needs.

In states where there is open dialogue about the expectations of the board, the state education agency, and other branches of government, legislatures have been inclined to strengthen or maintain the responsibilities of the state board. In states where the board operates in obscurity and fails to convey its goals and vision for education to the legislature and the governor on a regular basis, others have attempted to usurp the board's authority. To create the climate of open dialogue with the legislature, state boards should do the following:

BUILD RELATIONSHIPS.

As Lyndon Johnson once observed, "The time to make friends is before you need them." Creating a relationship based on mutual respect and open communication between the state board and the state legislature is a key board responsibility.

Ideally, board members will reach out to prospective legislators even before they are elected. These early conversations can help future lawmakers understand the key issues facing the state. If possible, members should set up school visits that will illustrate these issues vividly. Early conversations are also a good way to clarify the roles of legislators and state boards. These roles will differ from state to state, so a briefing by your board attorney might be helpful for new legislators.

Of course, some legislators may have campaigned against specific board policies or practices. In those cases, an open dialogue is even more critical. Boards should seek common ground wherever it can be found. It may be that the new legislator needs more information about what is actually in the policy or what the board is already doing to address constituent concerns. For example, knowing that the state's curriculum standards in a particular subject area are already slated for review during the coming school year might prevent the introduction of a bill to mandate that outcome.

LEARN THE FUNDAMENTALS OF THE LEGISLATIVE PROCESS.

Remember that every bill goes through a long process before coming to a final vote. It is possible to influence the legislation at several points. Board members are likely to have the most impact before the bill is ever introduced. It is possible to talk with the potential sponsor of the bill, answer questions, and offer insights. It may also be possible to offer suggestions of what to include in the bill—and what to omit.

There are other points at which the board can influence the legislation: committee hearings, floor debate (either through amendments or by encouraging legislators to support or oppose the bill), and when the bill moves through the other house. If necessary, the board may be able to persuade the governor to amend or even veto a bill.

It is essential to know who the key players are. At a minimum, this will include the chair and ranking member of the relevant House and Senate committees as well as the chairs of the budget subcommittees that deal with education. Staffers on these committees are also critical allies. In addition, members

of state boards should reach out to the legislator(s) who represent their districts.

STAY IN TOUCH EVEN WHEN THE LEGISLATURE IS NOT IN SESSION.

In some states, contact between the board and key members of the legislature is limited to the time when the legislature is in session. By that point, legislators are often too busy for substantive policy conversations. It is far better to establish a process for regular, ongoing communication with members of key legislative committees and their staffs to ensure legislators are aware of the board's policy priorities.

Invite legislators and staff to your board's work sessions or to informal meetings. The board in one state invited legislative leaders and key staff to join them for lunch before the board meeting began. Over time, these lunchtime conversations strengthened the relationship between the two bodies.

CONSIDER CREATING A LEGISLATIVE COMMITTEE.

Each year, thousands of bills addressing the needs of education (both real and perceived) are introduced in state legislatures. State board members, most of whom are volunteers, do not always have time to monitor all of the legislation introduced in a given session. Many elective state boards of education have legislative committees to ensure that the board's concerns are accurately conveyed to the state's lawmakers. These

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LEGISLATIVE DO'S AND DON'TS

DO

Communicate regularly. Don't wait for legislators to contact the board. Promote transparency and openness in everything the board does.

Avoid misunderstandings. Clearly convey the "why" for state board policies and the "how" legislators can help.

Tie board legislative priorities to the board's strategic plan. Communicate clearly what the board hopes to accomplish through these priorities.

Avoid partisan politics when possible. A board is at its best when it is focused on children, teaching, and learning.

DON'T

Rely solely on the chief and department staff to convey the board's agenda to the legislature. The board chair and/or legislative committee chair should be familiar to legislators. Individual board members should know the legislators who represent their district.

Depend on the relationship between one or two board members and a particular legislator to accomplish the board's agenda. The lack of a board/legislature infrastructure will be felt when board members or legislators leave their positions.

Promote an individual or organizational position that is not consistent with the board's goals and strategic plan. It will divide the board and reinforce the idea that the board is not supportive of its own agenda.

committees can take on these tasks:

- recommend a legislative agenda to the full board;
- maintain oversight of legislative issues as they progress through the legislative process;
- convey board goals and visions to the legislature;
- work with the chief and the appropriate department staff to ensure the board's goals are reflected accurately in legislative proposals;
- analyze new board initiatives for legislative implications.

In some states, the state board's policy

agenda is presented through the state education agency or the governor's office. Even in those cases, it makes sense for board members to have their own independent analysis of legislation being considered.

INVOLVE EDUCATION STAKEHOLDERS IN DEVELOPING LEGISLATIVE PRIORITIES.

The Every Student Succeeds Act mandates stakeholder involvement in the development of the comprehensive state plan, but there are many other ways that stakeholders can strengthen the board's work. The more support the board can generate for its legislative priorities, the more likely it is that the legislature will act favorably upon them. The legislative committee should invite representatives of interest groups, parents, and community and business leaders to share their views and concerns about proposed legisla-

tive initiatives sponsored by the board. When possible, the board should incorporate these concerns into its legislative agenda. The more comprehensive and inclusive a proposal, the more support it engenders from a wide range of individuals.

COMMUNICATE CLEARLY AND CONCISELY.

Be sure legislators know exactly what you want them to do: "Support H.B. 1203 in committee," or "Oppose S.B. 981 on the floor." Since legislators are even more pressed for time than state board members, state board members must keep their comments brief and to the point. The legislator is more likely to read one-page letters or memos than lengthier documents.

AVOID BURNING BRIDGES.

No board will win on every issue. So it will be important to keep the lines of communication open with the legislators who oppose board priorities as well as those who support them. An opponent on one issue may be a strong ally on the next. As one wise observer put it, "Be sure there are still some M&Ms in the jar" at the end of any particular legislative session. In other words, don't burn bridges.

Given the nature of state governance and politics, boards will inevitably, from time to time, find themselves in conflict with some members of the state legislature. But following the recommendations presented here of maintaining communications with the legislature, developing and using a legislative committee, and involving a wide range of stakeholders in the policymaking process should help boards avoid such conflicts and maintain their focus on the improvement of education for all children in the state.

Kristen Amundson is president and CEO of NASBE. She was a member of the Virginia General Assembly for a decade.

Thanks to Lee Posey of the National Council of State Legislatures for help developing this brief.

Boardsmanship Review

State Board and Governor Relations

Relationships among state boards of education and their governors vary across the states and across governance structures. Changes in those relationships can occur with new board members, new governors, and new issues. Some assume that gubernatorial appointments naturally promote a good working relationship between a board and the governor's office. This governance structure, however, is not always a predictor of a productive relationship. Boards sometimes find themselves at odds with governors who mistakenly assume that their appointed board will always support their positions. In reality, any effective state board can create and sustain a good working relationship with the governor, whatever the method of board selection. Such a relationship requires planning and frequent communication, but the benefits are well worth the effort. It is the responsibility of the board to communicate with the governor on the board's goals and to identify common interests that the two can agree on and promote. When a positive working relationship exists between the governor and the board, the board is neither a rubber stamp body for promoting a governor's agenda nor an antagonistic institution challenging the governor on her or his goals for education.

In recent years, some governors have moved to bypass the roles and responsibilities of boards. Others have shown well-deserved confidence in the board by supporting an expansion of the institution's functions. The trend to usurp board authority is usually grounded in one or more of the following factors:

- ★ The governor has philosophical differences with the board.
- ★ The governor believes the board is moving too slowly to promote change.
- ★ The governor believes responsibility for education should directly rest with the governor. This belief has been voiced more frequently over the last 10 to 15 years and sometimes includes higher education as well as K-12. It is usually accompanied by proposals to replace the board-appointed or independently elected chief state school officer with a secretary of education appointed by the governor.
- ★ The governor and his or her staff lack of a clear understanding of how the board operates and develops policy.
- ★ The governor and his or her staff do not understand or value the importance of lay leadership.

Even when there is a positive relationship between a board and a governor, the governor, his or her education aides, and the appointment personnel rarely know the depth and breadth of board work. Most assume the responsibility and work load of the board begins and ends with the board meeting. Few are aware of the voluminous reading piles, the hours of hearings and deliberation, or the multitude of invitations and expectations to participate in local school activities that consume board members' time. Most often state board work is done as voluntary service to the state. Few understand how vested and committed individuals become to the importance of lay leadership in education or to the goal of improving education for all students. Given this fact, at least two elements must be in place if a board wants a good working relationship with the governor. The board must:

- ★ Ensure the governor understands and values the work of the board, and
- ★ Provide a vehicle for having the governor's views presented before the board constructively.

The Board's Role in Building a Positive Relationship with the Governor

A good working relationship between the board and the governor is grounded in ongoing and frequent communication between the two entities. This can even begin prior to a governor taking office: one board recently met with the major

candidates for governor well before the election to hear their views on education issues and establish a relationship. After inauguration, the board should use an agreed upon strategy to:

- ★ **Convey the board’s goals and accomplishments to the governor and his or her staff regularly.** A board that does an annual self-evaluation and planning retreat should inform the governor’s office of the results.
- ★ **Develop a structured liaison relationship with the governor’s office.** The board chair or his or her designee should have regular meetings with the governor’s education aide to ensure that both understand where there is agreement and where there is a divergence of views on major education issues facing the state.
- ★ **Ensure that there are “no surprises.”** The governor should not learn of new policies, fractious issues, or other board concerns from individuals outside the board. When someone else is interpreting the works of the board, there are bound to be misinterpretations.
- ★ **Incorporate the governor’s priorities into the board’s priorities when possible.** Most boards and governors have similar goals for education. The challenge develops when the methods for achieving those goals differ. Boards and governors that have a constructive relationship look for common ground and find ways to support one another’s agendas.

The Governor’s Role in Building a Positive Relationship with the Board

As chief executive officer, the governor is ultimately responsible for the programs and services that benefit the citizens of the state. However, the governor should recognize that no other body in the state spends as much time and effort solely on education policy as the state board of education. The governor should respect and value the work done by the board. The governor has a responsibility to:

- ★ Communicate with the board;
- ★ Make him or herself aware of the board’s goals and time lines for achieving those goals;
- ★ Respect the statutory and/or constitutional responsibilities of the board; and
- ★ Ensure there are “no surprises.”

For states with appointed boards, the appointment process is one of the most important decisions a governor can make for education in the state. The governor should consider the needs of the board as it currently exists. The governor’s education aide should talk to the board chair and the superintendent or commissioner about the current makeup of the board and what kinds of individuals would complement the body. When making appointments, a governor should:

- ★ Carefully evaluate the current strengths and weaknesses on the state board of education and appoint individuals who will strengthen the board and broaden its vision;
- ★ Ensure that parents, business, and community interests are adequately represented on the board;
- ★ Include individuals from diverse racial and ethnic populations within the state to serve on the state board; and
- ★ Be prepared to let the body govern.

Conclusion

The nature of boards and governors dictate that there will always be creative differences on how to best solve the state’s pressing education problems. A mutual respect for both institutions can go a long way toward producing solutions. Changing governance structures, avoiding honest discussions, and working at odds will not. Putting aside distracting issues and the battle of ideas that rage about us, policymakers must step back, look at the whole picture, and work to establish steady, nonpartisan, representative leadership that earnestly tackles difficult education challenges.

Boardsmanship Review

Building Partnerships in the Education Community

JUNE 2017

By Abigail Potts

State boards have an obligation to build relationships with education stakeholders and ensure their voices shape education policies. Under the Every Student Succeeds Act (ESSA), states are required to engage stakeholders in “timely and meaningful consultation.” While it is a federal requirement, building strong relationships with diverse stakeholders is also essential to fulfilling your role as the citizens’ voice in education. Board members can leverage ESSA to not only bolster relationships with current partners but to seek out new ones, particularly among those who feel disconnected or who have not been historically engaged in a public education dialogue.

DIFFERENT FOLKS, DIFFERENT STROKES

If you are serious about folding meaningful input into your board’s policymaking, you must tailor interactions with your constituencies in a way that recognizes and values their unique contributions to the education process. Those charged with implementing the policies that your board enacts have very different concerns from those the policies affect—parents, business leaders, and employers, who view themselves as consumers of the system. Because of the diverse, divergent perspectives of stakeholders, boards must position themselves in a way that facilitates open, honest discussions. Your board can then lay the groundwork for pragmatic consensus building and broker positions that are acceptable to various interests without compromising the integrity of the policy.

Successful engagement creates a sense of buy-in and shared ownership of the state’s vision and strategic plan for education. Board-approved policies have run into implementation roadblocks when factions of the commu-

nity are not involved at the outset and learned about policies’ impacts only after the fact.

Ask about whether your board has operational policies on how they will engage education constituencies continually. Public meetings and hearings are important tools for receiving input, but they generally focus on specific issues and require stakeholders to monitor state notices. Creating an environment of mutual understanding of responsibilities and concerns requires more substantive, sustained interaction in a less formal setting. A progressive board understands that meaningful engagement also means that its members are visiting school communities regularly and listening to their concerns and ideas to improve education.

Consider the full range of stakeholders throughout the state with vested interests in the education system:

- parents
- students
- teachers
- school leaders
- community-based organizations
- local school boards
- district superintendents
- early childhood educators
- charter school leaders
- civil rights organizations
- governors
- legislators
- postsecondary administrators
- businesses
- philanthropic and grant-making organizations

Your board should demonstrate an understanding of each group’s unique role within the sphere of public education. Local school boards have experiences and responsibilities that are most similar to those of state boards. As the lay education policymakers at the state and local level, these two groups are the public’s voice on issues of excellence and equity. Both develop strategic plans and mission-based policy. To promote a unified approach to goal setting, your state board could host an annual session on strategic planning for local boards that would benefit both. Such sessions can help local boards understand what you envision for all students while allowing them to customize according to community mores.

Most state boards honor their state teachers and principals of the year at an annual ceremony. Some boards have taken this a step further, using these experts’ skills and experiences to help the board think through issues of professional learning and teacher preparation programs. A few states have created teacher advisory boards or panels comprising former teachers of the year or other distinguished professionals. These panels serve as resources to state boards when they deliberate on teacher-related issues.

Most state boards have time allotted for study sessions to increase their understanding of an issue. A board could invite key leaders of

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the education or business community to hear speakers on an issue that the board expects to include on a future policy agenda. By allowing these leaders to learn more about an issue of importance to the state board, raise questions with experts, and have a common understanding of the data, the board is building support before the issue is translated into policy recommendations.

The turnover in superintendents across the nation is reaching critical levels. While many spend less than three years in their posts, they are often the point people for making change happen. They also try to serve multiple masters: teachers, principals, board members, parents, and business leaders. Your board can help education leaders in the state: Work with local superintendents to identify their needs, their frustrations, and their hopes. At the same time, define what the state board can do to support them.

ENGAGING PARENTS AND STUDENTS

Parents often feel that education policymakers undervalue their opinions, particularly at the state level. Your board must be sensitive to those who are active in parent-teacher organizations as well as to those who are less involved in their schools. Identifying and recognizing other established groups that include large numbers of parents, such as civic and church groups, can reinforce the board's commitment to inclusiveness and encourage all parents to take a more active role in schools.

Several state boards have student members who make significant contributions to the board's deliberations. Frequently, these students are elected through an elaborate process that involves hundreds of students across the state. You should consider including these student conventions on the board agenda or seek to have board representation at the meeting to further students' understanding of the importance of the board and its work. Your board should also identify meaningful ways to foster relationships with students who are not active in school politics or student councils. These students are sometimes less aware of the purposes behind

state board actions and would benefit from interaction with the board.

Although this Boardsmanship Review has touched on only a few of the relationships between state boards and other groups, productive relationships share common ingredients. The fundamental elements of good working partnerships are ongoing evaluations of those important relationships at the state and local level, a process for meaningful interactions, and a demonstration that the board is listening. What is most important to remember is that the quality of your policies will come to reflect the quality of your relationships with the community.

Abigail Potts is NASBE's director of college, career, and civic readiness. Please contact her at abigail.potts@nasbe.org for questions about stakeholder engagement. This Review is based on an earlier version, "Building Strong Relations in the Education Community," published in 1998.

Boardsmanship Review

Working with the Media

JUNE 2017

By Renée Rybak Lang and Michael Spaeth

Regardless of whether you are an appointed or elected member of your state board, your role as a state policymaker opens you up to scrutiny from parents, community leaders, and the news media.

Working with the media and communicating with the public through the media are essential to a board member's role as a public official. Reporters depend on board members to be authoritative sources of information about state education matters, and they pay close attention to board proceedings. In turn, board members can work with the media to help communicate important decisions to stakeholders and build public trust. This Boardsmanship Review outlines ways state board members can effectively interact with the media.

TYPES OF NEWS MEDIA

Although a growing number of people, and particularly young people, get their news from social media and other nontraditional online media sources such as blogs, most still depend on traditional media sources for their news: newspapers, magazines, television, and radio.

BOX 1. WHAT MAKES NEWS?

You know the old saw: "Dog bites man. Not news. Man bites dog. That's news." What excites the news media are stories of rarity, conflict, and drama. When your board moves to change policy in a drastic way, it makes news. When it makes a decision that conflicts with a legislative decision or when it can't agree to make any decision, it makes news. An ethical misstep by a member makes news. As your state board conducts its business, be mindful of agenda items that will pique a reporter's interest and be prepared to answer their calls.

A reporter's job is to report news and information accurately and quickly. Reporters are often assigned "beats," or issues to cover, including politics and education. But as data from the Pew Research Center suggests, newsrooms are increasingly short-staffed. The number of full-time reporters covering state legislatures for daily newspapers declined by 35 percent between 2003 and 2014, and less than one-third of the 801 daily newspapers in the United States send a reporter to cover state capital news. Likewise, just 14 percent of TV stations have an assigned state reporter, and only 124 reporters cover state houses on radio.

One-third of education beat reporters say their newsroom has shrunk in recent years, according to the Education Writers Association. Because of this, reporters covering the state board of education may be working on multiple beats at once, and they are likely to be younger and less experienced.

This inexperience can be both a challenge and an opportunity for state board members. In responding to press inquiries on board decisions, board members can educate reporters new to the beat on the intricacies of education policy-making while answering their specific questions.

Board members can expect both print and online-only newspapers and local TV and radio to report on state board decisions (box 1). Newspaper reporters often have more time to spend on a story and will call for a quote or background, or they may want to confirm a detail about a board decision for a story the next day. Broadcast reporters are likely working on a story for later that day and must distill the same content into a short clip, sometimes only a minute or two long. Concise, complete statements are important for TV or radio interviews, and board members can expect that some of these interviews will be recorded live.

State boards should also consider getting to know the editorial boards and writers from their state's newspaper of record. Newspaper editorials can both affect and reflect public perceptions of an issue. It is in the state board's best interest to develop a rapport with editorial writers before they weigh in on education matters.

BEST PRACTICES FOR PRESS INTERVIEWS

Speaking to reporters can be nerve-wracking, especially if you've never done a press interview before. They will ask difficult questions and sometimes ones meant to throw you off guard. Remember though, they are only doing their jobs. For any press interview, it is important to stay calm and follow these 10 tips:

- 1. Ask yourself, "Am I the appropriate spokesperson?"** Many boards choose to have only one member serve as spokesperson or have rules on member interactions with the media (box 2). Before agreeing to an interview, be clear about what your board's policy is on talking with the press. In cases when you are contacted by reporters but are not the appropriate person to answer their questions, refer them to the appropriate spokesperson or suggest someone else with more expertise on an issue. Reporters will appreciate the tip.
- 2. Be responsive.** Reporters operate on deadlines, so timeliness is of the utmost importance. Reporters remember who is responsive and who is not, so when they call, always ask

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BOX 2. STATE BOARD PRESS POLICIES

State boards of education have thought carefully about how members should interact with the press. All of the 24 boards that responded to NASBE's request for information have either a formal or informal press policy or are developing such a policy. Nearly half of them have a written press policy in their bylaws or other board documents.

About two-thirds of the boards designate a specific person—usually the chair or president, communications director, or executive director—to speak on behalf of the entire board. When that person is unavailable, a few states designate another board member or staff member as spokesperson.

Most of the boards allow members to share their own views with the press, but at least half ask members to provide a disclaimer that they are offering their own opinions and do not represent the entire board, just as Nebraska has done in its policy:

Board members have the responsibility to make it clear when they are speaking or writing on their own behalf that they are not representing the Board. Board members should add a disclaimer to written and electronic communication indicating that their statements represent the Board member's personal views and not those of the State Board of Education. When directed by the full Board, or as directed by Board President, they may speak on behalf of the Board.

But having a media policy is only the first step. It is critical that members work together to articulate and find agreement on clear, cohesive messages that help the public make sense of board decisions. Members should always leverage the expertise of their executive director and/or communications team to craft a messaging plan that accurately reflects the board's vision for education and consult them with them on any press inquiries.

when their deadline is and meet or beat it.

3. Prepare, prepare, prepare. A successful interview depends on how well you know the issue being covered. Before agreeing to be interviewed, ask the reporter what they want to speak with you about. Read up on the issue and outline the key points, messages, and facts that you want to make sure you cover during the interview—regardless of what questions you are asked. Try to anticipate their questions. If you are doing a phone interview, write out important data points you may be asked about and have your talking points handy to help you stay on message. If time allows, review your notes and practice with a colleague or communications staff member beforehand.

4. Check out the interviewer. It's important to research reporters who will be interviewing you. What have they written about recently? Do their stories tend to have a particular angle or point of view? How long have they covered education? Knowing these details can help build rapport with a journalist.

5. Be concise. It's easy to get tripped up by an interview question and say more than you mean to. Before you give a response, ask yourself: "What is the essential information?" Keep your answers short and relevant. Do not use jargon, acronyms, or wonky terms. If you want to drive home a point or key message, be explicit. "The bottom line is...."

6. Accuracy and honesty are critical. Never under any circumstances lie to a reporter. Relationships with the press are built on trust, and every effort should be made to ensure your words are accurate and truthful. If you are caught in a lie, that will be the news. Avoid responding to questions with "no comment," as it can sound like you have something to hide. Instead, if you don't know an answer to a question, say "I don't know." Refer them to another expert, or tell them that you'd like to double check the information before being quoted on it.

7. There is no such thing as "off the record." It is always safest to assume that whatever you say during an interview with a

reporter will be used in her story and attributed—even if your interview is "on background." It is easy for a reporter to misread her notes or decide that something you said is too good not to include. If you are being interviewed in person at your office, clear your desk of any sensitive information. For TV or radio, always assume your microphone is "hot" to avoid stray comments.

8. Watch out for leading questions and hypotheticals. "Wouldn't you say that...." Reporters often try to put words in people's mouths to get them to share insider information. Or they may have already written the story and are trying to set up a quote they need to fill a gap. Avoid the temptation to fill the silence or speak out of turn. Stick to the facts and your talking points.

9. Keep your cool. Sometimes the excitement of an interview brings about unplanned emotions. You may get frustrated by a question. Take a deep breath and try to stay calm. Be mindful of how fast you are talking and your tone. If you are conducting an interview in person, be aware of your posture and facial expressions.

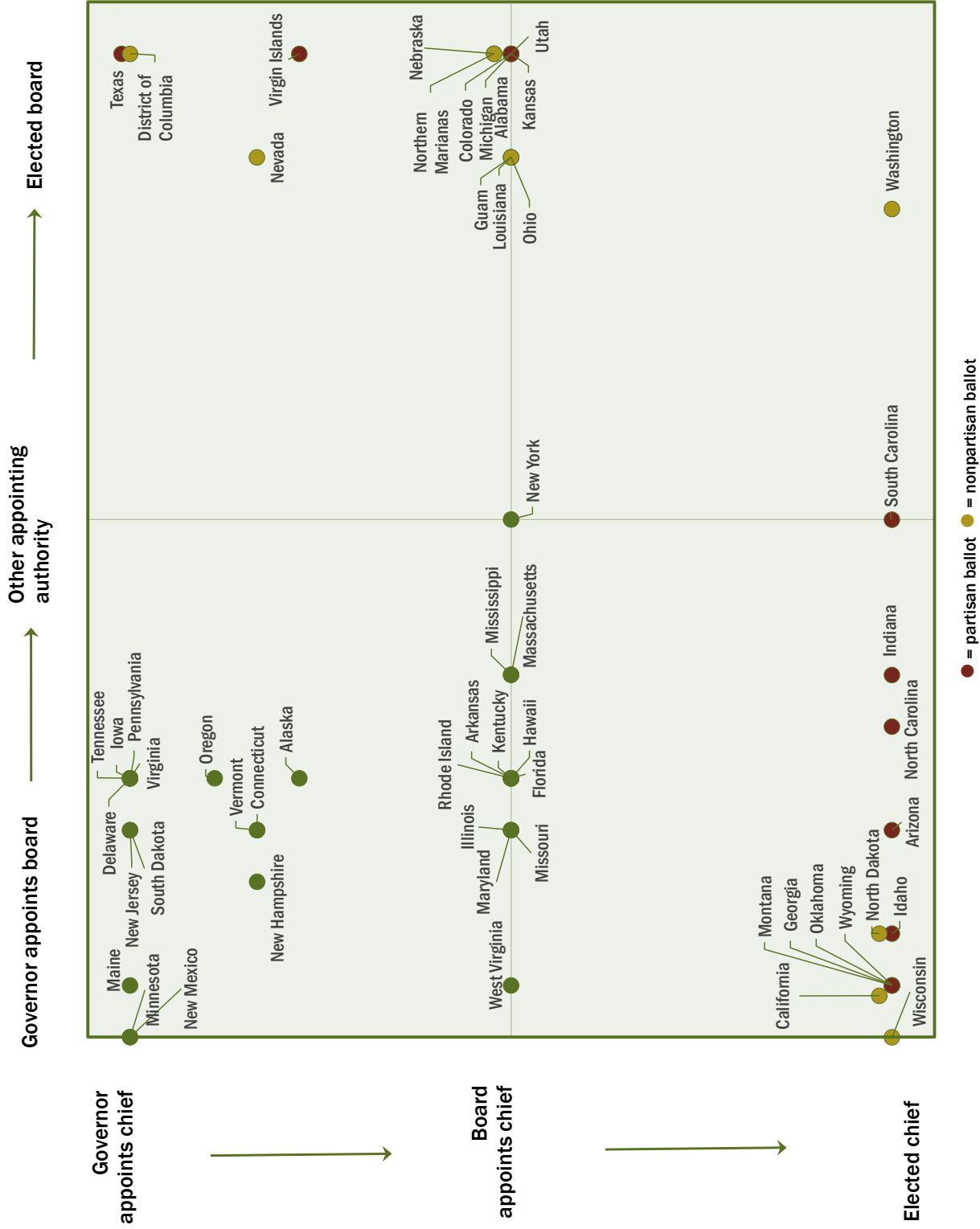
10. Repeat your main points. At the end of every interview, slowly go through your two or three most important points. You want to make sure the reporter has recorded or written—and understands—the most salient facts. You might say, "I just want to make sure you got these three essential points...." And always make the sure the reporter has a phone number where you can be reached for additional information on deadline.

CONCLUSION

The Every Student Succeeds Act (ESSA) prioritizes ongoing stakeholder engagement throughout the state planning process and implementation. The news media are not specifically called out in ESSA, but journalists have the power to influence your most important stakeholders. Having a strong relationship with the media can increase public awareness of and support for your board's policymaking.

Renée Rybak Lang is NASBE's communications director, and Michael Spaeth is communications associate.

STATE EDUCATION GOVERNANCE AT A GLANCE



STATE EDUCATION GOVERNANCE MATRIX

Compiled by the National Association of State Boards of Education
(Updated June 2017)

STATE	SELECTION OF STATE BOARD MEMBERS	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATE BOARD CHAIR/PRESIDENT	NUMBER OF VOTING STATE BOARD MEMBERS	LENGTH OF TERM FOR STATE BOARD MEMBERS	STATE BOARD ESTABLISHED IN STATUTE OR CONSTITUTION	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS ADOPTION
Alabama	Partisan ballot	SBE appoints	Governor is president of SBE	8 plus governor	4	Constitution	SBE	SBE
Alaska	Governor appoints; legislature confirms	SBE appoints with approval by governor	SBE elects	7	5	Statute	SBE	SBE
Arizona	Governor appoints with consent of Senate, except CSSO	Partisan ballot	SBE elects	11	4	Constitution	SBE	SBE
Arkansas	Governor appoints; Senate confirms	SBE appoints	SBE elects	9	7	Statute	SBE	SBE
California	Governor appoints	Nonpartisan ballot	SBE elects	11 voting members including a student member	4	Constitution	PSC	SBE
Colorado	Partisan ballot	SBE appoints	SBE elects	7	6	Constitution	SBE	SBE
Connecticut	Governor appoints with advice and consent of General Assembly	SBE makes recommendation to governor	Governor appoints	11 voting members; commissioner of Dept. of Higher Education serves ex-officio	11 voting members are appointed to 4 year terms; student members are appointed to 1 year terms	Statute	SBE	SBE
Delaware	Governor appoints; Senate confirms	Governor appoints	Governor appoints	7	6	Statute	SBE	SBE
Florida	Governor appoints; Senate confirms	SBE appoints	SBE elects	7	4	Constitution	SBE	SBE
Georgia	Governor appoints, with consent of Senate	Partisan ballot	SBE elects	13	7	Constitution	PSC	SBE

STATE	SELECTION OF STATE BOARD MEMBERS	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATE BOARD CHAIR/PRESIDENT	NUMBER OF VOTING STATE BOARD MEMBERS	LENGTH OF TERM FOR STATE BOARD MEMBERS	STATE BOARD ESTABLISHED IN STATUTE OR CONSTITUTION	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS ADOPTION
Hawaii	Governor appoints; Senate confirms	SBE appoints	SBE elects	9 board members, a student council representative, and a military liaison	7	Constitution	Standards Board	SBE
Idaho	Governor appoints 7 with consent of Senate; CSSO also serves	Partisan ballot	SBE appoints	8	5	Constitution	SBE	SBE
Illinois	Governor appoints with consent of Senate	SBE appoints	Governor appoints	9	4	Constitution	SBE	SBE
Indiana	Governor appoints 8; speaker of the House 1; president pro tempore 1; CSSO also serves	Partisan ballot	CSSO serves as chair	11	4	Statute	SEA	SBE
Iowa	Governor appoints	Governor appoints	SBE elects (2 year term)	9 and 1 nonvoting student member also appointed and serving a 1 year term	6	Statute	Independent Board	SBE
Kansas	Elected	SBE appoints	SBE elects	10	4	Constitution	SBE	SBE
Kentucky	Governor appoints; Senate confirms	SBE appoints	SBE elects	11 plus 1 additional member, the president of the Council on Postsecondary Education, who serves as nonvoting member	4	Statute	PSC	SBE
Louisiana	8 elected by nonpartisan ballot; governor appoints 3	SBE appoints	SBE elects	11	4	Constitution	SBE	SBE

STATE	SELECTION OF STATE BOARD MEMBERS	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATE BOARD CHAIR/PRESIDENT	NUMBER OF VOTING STATE BOARD MEMBERS	LENGTH OF TERM FOR STATE BOARD MEMBERS	STATE BOARD ESTABLISHED IN STATUTE OR CONSTITUTION	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS ADOPTION
Maine	Governor appoints	Governor appoints	SBE elects	9 plus 2 nonvoting student members	5	Statute	SBE	SEA
Maryland	Governor appoints, with advice and consent of Senate	SBE appoints	SBE elects	12	4	Statute	SBE	SBE
Massachusetts	Governor appoints 6; 4 voting ex-officio members, 1 student	SBE appoints	Governor appoints	11	5	Statute	SBE	SBE
Michigan	Partisan ballot	SBE appoints	SBE elects	8	8	Constitution	CSSO	SBE
Minnesota	None	Governor appoints	NA	NA	NA	None	Standards Board	CSSO
Mississippi	Governor appoints 5; legislature appoints 4	SBE appoints	SBE elects	9	9	Constitution	SBE	SBE
Missouri	Governor appoints with consent of Senate	SBE appoints	SBE elects	8	8	Constitution	SBE	SBE
Montana	Governor appoints	Partisan ballot	SBE elects	7	7	Constitution	SBE	SBE
Nebraska	Nonpartisan ballot	SBE appoints	SBE elects	8	4	Constitution	SBE	SBE
Nevada	4 are elected; governor appoints 3, 2 of whom the legislature nominates	Governor appoints from 3 nominees SBE provides	SBE elects	7 voting members, plus 4 nonvoting members the governor appoints	4	Statute	Standards Board	SBE
New Hampshire	Governor and executive council appoints	Governor appoints after consulting SBE, confirmed by council	Named by governor for 1 year term	7	5	Statute	SBE	SBE
New Jersey	Governor appoints, with advice and	Governor appoints	SBE elects	13	6	Statute	SBE	SBE

STATE	SELECTION OF STATE BOARD MEMBERS	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATE BOARD CHAIR/PRESIDENT	NUMBER OF VOTING STATE BOARD MEMBERS	LENGTH OF TERM FOR STATE BOARD MEMBERS	STATE BOARD ESTABLISHED IN STATUTE OR CONSTITUTION	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS ADOPTION
	consent of Senate							
New Mexico	None	Governor appoints	NA	NA	NA	None	SEA	SEA
New York	Legislature appoints	SBE appoints	SBE elects	16	5	Constitution and Statute	SBE	SBE
North Carolina	Governor appoints and legislature confirms 1.1; 2 voting ex-officio members: state treasurer and lt. governor	Partisan ballot	SBE elects	13	8	Constitution	SBE	SBE
North Dakota	Governor appoints 6; CSSO also serves	Nonpartisan ballot	SBE elects	7	6	Statute	Standards Board	CSSO
Ohio	11 elected by nonpartisan ballot; governor appoints 8	SBE appoints	SBE elects (2 year term)	19	4	Constitution	SBE	SBE
Oklahoma	Governor appoints	Partisan ballot	CSSO serves as chair	7	4	Constitution	SBE	SBE
Oregon	Governor appoints; Senate confirms	Education Investment Board appoints	SBE elects	7	4	Statute	Standards Board	SBE
Pennsylvania	Governor appoints; Senate confirms	Governor appoints	Governor appoints	21	6	Statute	SBE	SBE
Rhode Island	Governor appoints; Senate confirms	SBE appoints	Governor appoints	11	3	Statute	SBE	SBE
South Carolina	Legislature appoints	Partisan ballot	SBE elects	17	4	Constitution	SBE	SBE

STATE	SELECTION OF STATE BOARD MEMBERS	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATE BOARD CHAIR/PRESIDENT	NUMBER OF VOTING STATE BOARD MEMBERS	LENGTH OF TERM FOR STATE BOARD MEMBERS	STATE BOARD ESTABLISHED IN STATUTE OR CONSTITUTION	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS ADOPTION
South Dakota	Governor appoints with consent of the Senate	Governor appoints	SBE elects	9	4	Statute	SBE	SBE
Tennessee	Governor appoints; General Assembly confirms	Governor appoints	SBE elects (4 year term)	9	5 year term, except student member, who serves 1 year	Statute	SBE	SBE
Texas	Partisan ballot	Governor appoints	Governor appoints (2 year term)	15	4	Constitution	Independent Board	SEA
Utah	Partisan ballot	SBE appoints	SBE elects	15	4	Constitution	SBE	SBE
Vermont	Governor appoints 9 voting members and 2 nonvoting members with consent of Senate	Governor appoints from 3 nominees SBE provides	SBE elects (2 year term)	9	6	Statute	Standards Board	SBE
Virginia	Governor appoints; General Assembly confirms	Governor appoints	SBE elects	9	4	Constitution	SBE	SBE
Washington	Local school board members elect 5; governor appoints and Senate confirms 7; private schools elect 1; CSSO also serves	Nonpartisan ballot	SBE elects	14, plus 2 nonvoting student members	4	Statute	Standards Board	CSSO
West Virginia	9 appointed by the governor and 3 nonvoting ex-officio members	SBE appoints	SBE elects	9	9	Constitution	SBE	SBE
Wisconsin	None	Nonpartisan ballot	NA	NA	NA	None	SEA	CSSO
Wyoming	Governor appoints; Senate approves	Partisan ballot	SBE elects	11	6	Statute	Standards Board	SBE

STATE	SELECTION OF STATE BOARD MEMBERS	SELECTION OF CHIEF STATE SCHOOL OFFICER	SELECTION OF STATE BOARD CHAIR/PRESIDENT	NUMBER OF VOTING STATE BOARD MEMBERS	LENGTH OF TERM FOR STATE BOARD MEMBERS	STATE BOARD ESTABLISHED IN STATUTE OR CONSTITUTION	AUTHORITY FOR TEACHER LICENSURE	AUTHORITY FOR STANDARDS ADOPTION
District of Columbia	Nonpartisan ballot	Mayor appoints chancellor and CSSO	SBE elects	9	4	Statute	CSSO	SBE
Guam	6 elected at large; governor appoints 3; 1 voting student	SBE appoints	SBE elects	10	3 years for appointed, 2 for elected	Statute		
Northern Marianas	Elected	SBE appoints	SBE elects	5	4	Constitution		
Virgin Islands	Elected	Governor nominates; Senate approves	SBE elects	9	4	Statute	SBE	SBE

SBE = state board of education; SEA = state education agency; CSSO = chief state school officer; PSC = professional standards commission

The National Association of State Boards of Education is a nonprofit, private association that represents state and territorial boards of education. Our principal objectives are to strengthen state leadership in education policymaking; promote excellence in the education of all students; advocate equality of access to educational opportunity; and assure responsible lay governance of public education.

NASBE

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State Board of Education Statutory Responsibilities

Core Duties	Accountability	High School Graduation Requirements	Basic Education Compliance	Charter Schools/Other
Advocacy & Strategic Oversight of public education RCW 28A.305.130	Adopt performance improvement goals for the system in Reading, Math, Writing, Science, etc. RCW 28A.305.130 (a)	Establish credit and non-credit (HSBP) requirements for high school graduation; establish equivalencies, other. RCW 28A.230.090 (1)	Monitor compliance with basic education; require withholding of funds when necessary RCW 28A.150.220 (7) RCW 28A.150.250 (3)	Approve and monitor charter school authorizers, certify charter schools under the annual cap, issue reports, other RCW 28A.710.090
Implement Standards-based Accountability Framework RCW 28A.305.130	Develop an accountability framework that creates a unified system of support for challenged schools. RCW 28A.657.110 (1)	Set minimum scores for graduation on required high school assessments RCW 28A.230.090 (2)(a) RCW 28A.655.070 (3)(a)	Adopt rules to ensure compliance with the program of basic education and such related program approval requirements SBE may establish. RCW 28A.150.220 (7)	Consult with OSPI in developing and maintaining statewide academic assessment system RCW 28A.655.070 (3)(a) RCW 28A.300.041(7)
Provide leadership in personalizing education, and ensuring respect for diverse cultures and abilities RCW 28A.305.130	Develop Achievement Index for Recognition (Awards) and Support (School Improvement) of schools RCW 28A.657.110 (2)	Establish minimum scores to be achieved on assessment alternatives for graduation; explore options for other alternatives RCW 28A.655.061	May grant waivers to basic education requirements based on certain criteria RCW 28A.305.140	May make changes in the number and boundaries of the ESDs; and prescribe duties by rule RCW 28A.310.020
Promote achievement of basic education goals. RCW 28A.305.130	Required Action Districts: approve designation and exit, monitor plans and progress, require OSPI to redirect Title I funds in absence of Required Action Plan. RCW 28A.657.100 RCW 28A.657.080	Approve CTE equivalency statewide course frameworks for earning math and science credit RCW 28A.230.097	Approve private schools RCW 28A.305.130	Jointly report to the legislature regarding the status of the assessment system, including formative assessments. RCW 28A.300.041(8)
Articulate with higher education, workforce, and early learning to coordinate and unify the system RCW 28A.305.130 (6)	WA Educational System Health: lead data analysis process, partner coordination and reform recommendations (biannual report to Legislature) RCW 28A.150.550	SBE, in consultation with OSPI, will identify the performance standard for 10 th grade students to be on-track for College and Career Readiness RCW 28A.305.130		Board administration: conduct regular public meetings, select officers, maintain bylaws and other foundational documents, submit legislative reports, etc.

Core Duties

28A.305.130: The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order 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 goals of RCW [28A.150.210](#) [Basic education—Goals of school districts].

28A.305.130 (6): Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system

Accountability

28A.305.130 (4)(a): Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW [28A.655.090\(7\)](#) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students from disproportionately academically underachieving racial and ethnic backgrounds. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

28A.657.110 (1): By November 1, 2013, the state board of education shall propose rules for adoption establishing an accountability framework that creates a unified system of support for challenged schools that aligns with basic education, increases the level of support based upon the magnitude of need, and uses data for decisions. The board must seek input from the public and interested groups in developing the framework. Based on the framework, the superintendent of public instruction shall design a comprehensive system of specific strategies for recognition, provision of differentiated support and targeted assistance, and, if necessary, requiring intervention in schools and school districts. The superintendent shall submit the system design to the state board of education for review. The state board of education shall recommend approval or modification of the system design to the superintendent no later than January 1, 2014, and the system must be implemented statewide no later than the 2014-15 school year. To the extent state funds are appropriated for this purpose, the system must apply equally to Title I, Title I-eligible, and non-Title I schools in the state.

28A.657.110 (2): The state board of education shall develop a Washington achievement index to identify schools and school districts for recognition, for continuous improvement, and for additional state support. The index shall be based on criteria that are fair, consistent, and transparent. Performance shall be measured using multiple outcomes and indicators including, but not limited to, graduation rates and results from statewide assessments. The index shall be developed in such a way as to be easily understood by both employees within the schools and school districts, as well as parents and community members. It is the legislature's intent that the index provide feedback to schools and school districts to self-assess their progress, and enable the identification of schools with exemplary performance and those that need assistance to overcome challenges in order to achieve exemplary performance.

28A.657.100:

- (1) The superintendent of public instruction must provide a report twice per year to the state board of education regarding the progress made by all school districts designated as required action districts.
- (2) The superintendent of public instruction must recommend to the state board of education that a school district be released from the designation as a required action district after the district implements a required action plan for a period of three years; has made progress, as defined by the superintendent of public instruction using the criteria adopted under RCW [28A.657.020](#) including progress in closing the educational opportunity gap; and no longer has a school within the district identified as persistently lowest-achieving. The state board shall release a school district from the designation as a required action district upon confirmation that the district has met the requirements for a release.
- (3) If the state board of education determines that the required action district has not met the requirements for release after at least three years of implementing a required action plan, the board may recommend that the district remain in required action and submit a new or revised plan under the process in RCW [28A.657.050](#), or the board may direct that the school district be assigned to level two of the required action process as provided in RCW [28A.657.105](#). If the required action district received a federal school improvement grant for the same persistently lowest-achieving school in 2010 or 2011, the board may direct that the school district be assigned to level two of the required action process after one year of implementing a required action plan under this chapter if the district is not making progress. Before making a determination of whether to recommend that a school district that is not making progress remain in required action or be assigned to level two of the required action process, the state board of education must submit its findings to the education accountability system oversight committee under RCW [28A.657.130](#) and provide an opportunity for the oversight committee to review and comment.

28A.657.080: The state board of education may direct the superintendent of public instruction to require a school district that has not submitted a final required action plan for approval, or has submitted but not received state board of education approval of a required action plan by the beginning of the school year in which the plan is intended to be implemented, to redirect the district's Title I funds based on the academic performance audit findings.

RCW 28A.150.550: Statewide indicators of educational system health—Disaggregation—Use of indicators—Status reports.

- (1) The following statewide indicators of educational system health are established:
 - (a) The percentage of students demonstrating the characteristics of entering kindergartners in all six areas identified by the Washington kindergarten inventory of developing skills administered in accordance with RCW [28A.655.080](#);
 - (b) The percentage of students meeting the standard on the fourth grade statewide reading assessment administered in accordance with RCW [28A.655.070](#);
 - (c) The percentage of students meeting the standard on the eighth grade statewide mathematics assessment administered in accordance with RCW [28A.655.070](#);
 - (d) The four-year cohort high school graduation rate;
 - (e) The percentage of high school graduates who during the second quarter after graduation are either enrolled in postsecondary education or training or are employed, and the percentage during the fourth quarter after graduation who are either enrolled in postsecondary education or training or are employed; and
 - (f) The percentage of students enrolled in precollege or remedial courses in college.
- (2) The statewide indicators established in subsection (1) of this section shall be disaggregated as provided under RCW [28A.300.042](#).
- (3) The state board of education, with assistance from the office of the superintendent of public instruction, the workforce training and education coordinating board, the educational opportunity gap oversight and accountability committee, and the student achievement council, shall establish a process for identifying realistic but challenging system-wide performance goals and measurements, if necessary, for each of the indicators established in subsection (1) of this section, including for subcategories of students as provided under subsection (2) of this section. The performance goal for each indicator must be set on a biennial basis, and may only be adjusted upward.
- (4) The state board of education, the office of the superintendent of public instruction, and the student achievement council shall each align their strategic planning and education reform efforts with the statewide indicators and performance goals established under this section.

(5)(a) The state board of education, with assistance from the office of the superintendent of public instruction, the workforce training and education coordinating board, the educational opportunity gap oversight and accountability committee, and the student achievement council, shall submit a report on the status of each indicator in subsection (1) of this section and recommend revised performance goals and measurements, if necessary, by December 1st of each even-numbered year, except that the initial report establishing baseline values and initial goals shall be delivered to the education committees of the legislature by December 1, 2013.

(b) If the educational system is not on target to meet the performance goals on any individual indicator, the report must recommend evidence-based reforms intended to improve student achievement in that area.

(c) To the extent data is available, the performance goals for each indicator must be compared with national data in order to identify whether Washington student achievement results are within the top ten percent nationally or are comparable to results in peer states with similar characteristics as Washington. If comparison data show that Washington students are falling behind national peers on any indicator, the report must recommend evidence-based reforms targeted at addressing the indicator in question.

High School Graduation Requirements

28A.230.090 (1): The state board of education shall establish high school graduation requirements or equivalencies for students, except as provided in RCW [28A.230.122](#) and except those equivalencies established by local high schools or school districts under RCW [28A.230.097](#). The purpose of a high school diploma is to declare that a student is ready for success in postsecondary education, gainful employment, and citizenship, and is equipped with the skills to be a lifelong learner.

28A.230.090 (1)(c): Any decision on whether a student has met the state board's high school graduation requirements for a high school and beyond plan shall remain at the local level. Effective with the graduating class of 2015, the state board of education may not establish a requirement for students to complete a culminating project for graduation.

28A.230.090 (2)(a): In recognition of the statutory authority of the state board of education to establish and enforce minimum high school graduation requirements, the state board shall periodically reevaluate the graduation requirements and shall report such findings to the legislature in a timely manner as determined by the state board.

28A.655.070 (3)(a): In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

28A.655.061 (10)(b)(i): A student's score on the mathematics, reading or English, or writing portion of the SAT or the ACT may be used as an objective alternative assessment under this section for demonstrating that a student has met or exceeded the state standards for the certificate of academic achievement. The state board of education shall identify the scores students must achieve on the relevant portion of the SAT or ACT to meet or exceed the state standard in the relevant content area on the statewide student assessment. A student's score on the science portion of the ACT or the science subject area tests of the SAT may be used as an objective alternative assessment under this section as soon as the state board of education determines that sufficient data is available to identify reliable equivalent scores for the science content area of the statewide student assessment. After the first scores are established, the state board may increase but not decrease the scores required for students to meet or exceed the state standards.

28A.230.097 (1): Each high school or school district board of directors shall adopt course equivalencies for career and technical high school courses offered to students in high schools and skill centers. A career and technical course equivalency may be for whole or partial credit. Each school district board of directors shall develop a course equivalency approval procedure. Boards of directors must approve AP computer science courses as equivalent to high school mathematics or science, and must denote on a student's transcript that AP computer science qualifies as a math-based quantitative course for students who take the course in their senior year. In order for a board to approve AP computer science as equivalent to high school mathematics, the student must be concurrently enrolled in or have successfully completed algebra II. Beginning no later than the 2015-16 school year, a school district board of directors must, at a minimum,

grant academic course equivalency in mathematics or science for a high school career and technical course from the list of courses approved by the state board of education under RCW [28A.700.070](#), but is not limited to the courses on the list. If the list of courses is revised after the 2015-16 school year, the school district board of directors must grant academic course equivalency based on the revised list beginning with the school year immediately following the revision.

Basic Education Compliance

28A.150.220 (7): The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW [28A.150.250](#) and [28A.150.260](#), and such related supplemental program approval requirements as the state board may establish.

28A.150.250 (3): If a school district's basic education program fails to meet the basic education requirements enumerated in RCW [28A.150.260](#) and [28A.150.220](#), the state board of education shall require the superintendent of public instruction to withhold state funds in whole or in part for the basic education allocation until program compliance is assured. However, the state board of education may waive this requirement in the event of substantial lack of classroom space.

28A.305.140 (1): The state board of education may grant waivers to school districts from the provisions of RCW [28A.150.200](#) [Program of basic education] through [28A.150.220](#) [Basic education—Minimum instructional requirements—Program accessibility—Rules] on the basis that such waiver or waivers are necessary to:

- (a) Implement successfully a local plan to provide for all students in the district an effective education system that is designed to enhance the educational program for each student. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program;
- (b) Implement an innovation school or innovation zone designated under RCW [28A.630.081](#); or
- (c) Implement a collaborative schools for innovation and success pilot project approved under RCW [28A.630.104](#).

28A.305.130 (5): [The state board of education shall] [a]ccredit, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW [28A.195.010](#), private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

Charter Schools/Other

28A.710.090:

- (1) The state board of education shall establish an annual application and approval process and timelines for school districts seeking approval to become charter school authorizers. The initial process and timelines must be established by July 1, 2016.
- (2) At a minimum, each applicant district must submit to the state board of education:
 - (a) The applicant's strategic vision for chartering;
 - (b) A plan to support the vision presented, including explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the responsibilities of quality charter authorizing;
 - (c) A draft or preliminary outline of the annual charter school application process that the applicant would, if approved as an authorizer, issue to solicit charter school applicants;
 - (d) A draft of the performance framework that the applicant would, if approved as an authorizer, use to guide the establishment of a charter contract and use for ongoing oversight and evaluation of charter schools;
 - (e) A draft of the applicant's proposed renewal, revocation, and nonrenewal processes, consistent with RCW [28A.710.190](#) and [28A.710.200](#);

(f) A statement of assurance that the applicant seeks to serve as an authorizer in fulfillment of the expectations, spirit, and intent of this chapter, and that, if approved as an authorizer, the applicant will fully participate in any authorizer training provided or required by the state; and

(g) A statement of assurance that the applicant will provide public accountability and transparency in all matters concerning charter authorizing practices, decisions, and expenditures.

(3) The state board of education shall consider the merits of each application and make its decision within the timelines established by the state board of education.

(4) Within thirty days of making a decision to approve an application under this section, the state board of education must execute a renewable authorizing contract with the applicant district. The initial term of an authorizing contract must be six years. The authorizing contract must specify each approved applicant district's agreement to serve as an authorizer in accordance with the expectations of this chapter, and may specify additional performance terms based on the applicant's proposal and plan for chartering.

(5) No approved school district may commence charter authorizing without an authorizing contract in effect

28A.655.070 (3)(a): In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system may include a variety of assessment methods, including criterion-referenced and performance-based measures.

28A.310.020: The state board of education upon its own initiative, or upon petition of any educational service district board, or upon petition of at least half of the district superintendents within an educational service district, or upon request of the superintendent of public instruction, may make changes in the number and boundaries of the educational service districts, including an equitable adjustment and transfer of any and all property, assets, and liabilities among the educational service districts whose boundaries and duties and responsibilities are increased and/or decreased by such changes, consistent with the purposes of RCW 28A.310.010: PROVIDED, That no reduction in the number of educational service districts will take effect after June 30, 1995, without a majority approval vote by the affected school directors voting in such election by mail ballot. Prior to making any such changes, the state board shall hold at least one public hearing on such proposed action and shall consider any recommendations on such proposed action. The state board in making any change in boundaries shall give consideration to, but not be limited by, the following factors: Size, population, topography, and climate of the proposed district.

The superintendent of public instruction shall furnish personnel, material, supplies, and information necessary to enable educational service district boards and superintendents to consider the proposed changes.

28A.250.020 (1): The superintendent of public instruction, in collaboration with the state board of education, shall develop and implement approval criteria and a process for approving online providers; a process for monitoring and if necessary rescinding the approval of courses or programs offered by an online provider; and an appeals process. The criteria and processes for multidistrict online providers shall be adopted by rule by December 1, 2009.

RCW 28A.300.041:

(7) The superintendent of public instruction, in consultation with the state board of education, shall begin design and development of an overall assessment system that meets the principles and characteristics described in this section. In designing formative and summative assessments, the superintendent shall solicit bids for the use of computerized adaptive testing methodologies.

(8) Beginning December 1, 2009, and annually thereafter, the superintendent and state board shall jointly report to the legislature regarding the assessment system, including a cost analysis of any changes and costs to expand availability and use of instructionally supportive formative assessments.



2018 SESSION: Legislative Priorities

A high-quality education system that prepares all students for college, career, and life.

The State Board of Education urges the Legislature to prioritize funding for programs and services that close opportunity gaps and support high achievement so that every student in Washington graduates from high school career- and college-ready.

Top legislative priority: Fund Special Education

Washington State's Special Education program remains underfunded, which necessitates districts' use of local funds to meet federal mandates under the Individuals with Disabilities Education Act. The State Board of Education urges the 2018 Legislature to eliminate districts' reliance on local dollars for this basic education purpose by increasing the per-student state funding for students with an Individualized Education Plan from 0.93 FTE to 1.09 FTE and by increasing safety net account funding from \$31 million to \$47 million.

Support for other timely policy and budget requests:

- Persistent educational opportunity and achievement gaps exist across the P-20 spectrum among various student groups based on race, ethnicity, special needs, income, and English language proficiency. The State Board of Education urges the Legislature to increase personnel and programmatic investments proven to close these egregious gaps, including culturally responsive teaching and learning.
- Far too many of our students are suffering deeply, and students throughout our K-12 system need educators' help to bolster their abilities to manage emotions, set and accomplish goals, establish and sustain relationships, and make responsible decisions. The State Board of Education urges the Legislature to invest in social-emotional and trauma-informed educational approaches.
- Hundreds of schools across our state are poised to be identified for *targeted or comprehensive support* in the new Achievement Index. The State Board of Education urges the Legislature to provide financial and programmatic support for persistently low performing schools and technical support for challenged schools in need of improvement.
- Strong guidance and planning around post-secondary preparation has been shown to be critical for students. The 2017 Legislature made the High School and Beyond Plan more meaningful by expanding it to the middle school level. The State Board of Education urges the Legislature to provide the financial and programmatic support at the middle school level required to effectively implement the new changes.



THE WASHINGTON STATE BOARD OF EDUCATION

A high-quality education system that prepares all students for college, career, and life.

Board Norms for the Washington State Board of Education

Adopted by the Board, November 2015

- Board meetings will focus on State Board of Education goals as articulated in the Strategic Plan, while recognizing that other matters may also be part of a meeting agenda.
- At board meetings, and in all communications with the public and staff, Board members will maintain the dignity and integrity appropriate to an effective public body.
- Every board member should play a meaningful role in the Board’s overall operations. Each member expects of others a dedication to the work of the Board and will endeavor to understand the views of other members and to engage in civil discussion. The Board embraces healthy debate on policy issues.
- The purpose of Board meetings, is to discuss policies that help all students to succeed and to graduate college- and/or career-ready. Agendas, presentations, and discussions for each board meeting should reflect this overarching purpose.
- Board meetings should include the following procedures:
 - Board meetings should start on time and end on time.
 - Meeting materials should be made available one week in advance (see Bylaw Article V section 2) and should consistently be of high quality.
 - Board members are expected to consistently attend and prepare for Board meetings and to read the materials in advance of the meeting (see Bylaw Article III, section 2).
 - Each staff presentation should start with clarity of the purpose of the presentation and the decision to be made or issue to be considered.
 - Board members should hold their questions (except for brief clarifying questions) until the end of each presentation, or until the presenter offers a designated “pause” for questions.
 - Each Board member expects of others a commitment to speak with purpose during each discussion. The Board Chair – or his/her designee – will provide leadership to ensure that the discussions and deliberations are leading to a focused outcome.
 - Board meetings should be a forum for Board discussion. Staff and guest presentations should be structured to facilitate this discussion, not supplant it.
- When considering policy proposals, each board member expects of others an opportunity for advance review. The Board agrees to a “no surprises” mode of operation – all significant proposals should be sent in advance of the meeting (preferably before Board packets are sent) to the Chair and Executive Director for their consideration in constructing the agenda and advance materials for the meeting.

- Board members may submit proposed agenda items to the Chair or Executive Director (see Bylaw Article V, section 2) for consideration by the Executive Committee. The Executive Committee will respond to member proposals, as appropriate.
- Although the Board is composed of appointed and elected members, Board members strive for commonality and unity of purpose through their deliberations.
- Board members will maintain the confidentiality of executive sessions.
- Members of the SBE should support board decisions and policies when providing information to the public. This does not preclude board members from expressing their personal views. The executive director or a board designee will be the spokesperson for the board to the media (same as Bylaw Article III, section 3).
- Each year, the Board may choose 1-3 issues to explore and learn more about over the next year with a goal of identifying one or possibly two new initiatives to include in the next iteration of the Strategic Plan. The exploration is not necessarily a commitment to future Board action, but rather lays the groundwork to identify and build the SBE's capacity on possible initiatives where the SBE could have a significant impact.
 Process for selection of these 1-3 issues:
 - During a set time period, Board members send the Executive Director suggestions of issues for the Board to consider.
 - Executive Director gathers suggestions, and where appropriate groups or combines related issues.
 - Executive Director analyzes how the suggestions fit into the present Strategic Plan and SBE staff capacity to work on each issue.
 - Executive Committee reviews suggestions and reports back to Board at a subsequent meeting about suggestions and possible recommendations for 1-3 issues.
 - At a subsequent meeting the Board votes on 1-3 issues to work on in coming year.
- For these selected 1-3 issues , the SBE staff will provide Board members with 1) background materials to read (or links to resources); 2) identification of key outside experts and possible partners for an SBE initiative; 3) identification of key questions and issues (including suitability of the area for SBE involvement); 4) description (tentatively, for initiation of discussion) of possible approaches and solutions, including how other states are addressing the issue; and 5) any other information requested by the Board or Executive Committee, or considered appropriate by the Executive Director.
- At a future Board meeting, probably as part of the annual Strategic Plan review, the Board may vote to include one or more of these issues in the SBE Strategic Plan work plan.

Bylaws

of the

Washington State Board of Education

Adopted January 15, 2009

Amended January 8, 2015

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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 composition. The membership of the Washington State Board of Education is established by the Legislature and specified in the Revised Code of Washington (RCW 28A.305.011).

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. This does not preclude board members from expressing their personal views. 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.

Section 5. Member designation as external group liaison. (1) The board chair may designate an individual member as a liaison to an external group.

ARTICLE IV Officers

Section 1. Designation. There shall be five officers of the board: the chair, the vice chair, the immediate past chair, when available, and at least 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) (a) The immediate past chair shall serve a term of one-year.

(b) Once the immediate past chair has served her/his one year term, the fifth officer position shall be elected as a member at-large.

Section 3. Officer elections. (1) Elections shall be conducted by ballot and in accordance with RCW 42.30.060

(2) **Two-year positions.** (a) The chair and vice chair shall be elected biennially by the board at the planning meeting of the board.

(b) Each officer under subsection (1)(a) shall take office at the end of the meeting and shall 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.

(3) **One-year position.** (a) The member at-large officer positions shall be elected annually by the Board at the planning meeting of the board.

(b) The members of the board elected as members 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.

(c) The immediate past chair position shall be considered a member at-large position for the purpose of duties and term limits.

(4) **Vacancies.** (a) Upon a vacancy in any officer position, 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.

(b) Time served filling the remainder of a term of office due to vacancy does not count towards the established term limits.

(5) **Ties.** (a) After three tied votes for an officer position, the election shall be postponed until the next regularly scheduled meeting, at which time one final vote will be taken.

(b) If the final vote results in a tie, all candidate names shall be placed in a receptacle and the election for the officer position shall be decided by a blind draw of a candidate name from the receptacle by the chair.

Section 4. Duties. (1) **Chair.** The chair shall preside at the meetings of the board, serve as chair of the executive committee, make committee and liaison appointments, be the official voice for the board in 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) **Immediate Past Chair.** The immediate past chair shall carry out duties as requested by the chair and sit on the executive committee. If the immediate past chair is not available to serve, a member of the board will be elected in her/his place and shall serve as a member at-large.

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

(5) Members serving as officers of the board may continue to participate in board debates and vote on business items.

ARTICLE V EXECUTIVE COMMITTEE

Section 1. Executive committee. (1) (a) The executive committee shall consist of the chair, the vice chair, two members at-large, and the immediate past chair, if available, or third member at-large as elected.

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

(c) The executive committee shall be responsible for oversight of the budget.

(2) When there is a vacancy of an officer position, 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) The executive committee shall meet at least monthly.

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

(6) Agendas for each meeting of the executive committee shall be provided to all board members prior to each executive committee meeting.

(7) Minutes for each meeting of the executive committee shall be provided to all board members promptly after each executive committee meeting.

ARTICLE VI Meetings

Section 1. Regular meetings. (1) The board shall hold regularly scheduled meetings, including an annual planning meeting, and other special meetings as needed 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.

Section 2. Agenda preparation. (1) The agenda shall be prepared by the executive committee in consultation with the executive director.

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

(3) In consultation with the executive committee, the board chair, or executive director at the direction of the chair, will give final approval of all items and changes that will appear on the agenda at a board meeting prior to being sent to board members.

(4) The full agenda, with supporting materials, shall be provided 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) The board chair may modify the agenda and items as needed following finalization and provision to board members.

(6) (a) If a member proposes a new agenda item (as described in subsection 2) and it is not included on the final agenda, any member may bring the agenda item for consideration to the board.

(b) If the board passes a motion in support of including the agenda item, the item shall be included on the agenda at a future meeting.

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 in person, or by telephone or video telecommunications, 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 voting members present. There shall be no proxy voting.

(b) In order to vote at a meeting conducted by telephone or video telecommunications 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. A roll call vote shall be conducted upon the request of an individual member or the chair.

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

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

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

(3) Items removed from the consent agenda shall be added to the regular agenda for further consideration.

Section 5. 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 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.

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

(3) The board chair or executive director shall inform the board of the formation of any committee and of the appointment of members to that committee.

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

ARTICLE VIII Executive Director

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

Section 2. Duties. (1) The executive director shall perform such duties as may be determined by the board and shall serve as secretary and non-voting member of the board. The executive director shall house records of the board's proceedings in the board's office and the records shall be available upon request. The executive director is responsible for the performance and operations of the office and for staff support of board member duties.

(2) The board shall establish or modify a job description for the executive director, as needed.

Section 3. Annual evaluation. (1) The board shall establish or modify the evaluation procedure of the executive director, as needed,

(2) The annual evaluation of the executive director shall be undertaken by the board no earlier than one year after the job description or evaluation tool is established or modified. Subsequent to the evaluation, the chair, or chair's designee, will communicate the results to the executive director. If available, the vice chair shall participate in the communication.

Section 4. Compensation of the executive director. The rate of compensation and terms of employment of the executive director shall be subject to the prior approval of the board at the planning meeting.

Section 5: Termination and discipline of the executive director. (1) Decisions regarding the termination and discipline of the executive director shall be subject to the approval of the board.

(2) Decisions regarding the termination and discipline of the executive director may be made at a regular or special meeting if action is required prior to the next scheduled annual 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 voting board members present at the meeting.

(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.

Boards and Commissions Membership Handbook

ROLE OF A BOARD MEMBER AND RESOURCES AVAILABLE

LAWS AFFECTING BOARD ACTIVITIES

BOARD TRANSACTIONS

OFFICE OF THE GOVERNOR

JANUARY 2013



To accommodate persons with disabilities, this document is available in alternative formats and can be obtained by contacting the Office of the Governor at (360) 902-4111. TTY/TDD users should contact the Governor's Office via the Washington Relay Service at 711 or 1-800-833-6388.

THIS PUBLICATION IS AVAILABLE ELECTRONICALLY AT www.governor.wa.gov



Message from the Governor

Congratulations on your appointment! Thank you for your willingness to serve the people of Washington state. As Governor, I am committed to increasing our citizens' faith in government. Our state needs public servants who share my vision of open and accountable government. Your service on a board or commission is a tremendous opportunity to influence the decisions and actions taken by our government.

Your gubernatorial appointment carries a great deal of responsibility. You will be expected to maintain the highest level of ethical standards and avoid the appearance of conflicts of interest. Your preparation for and regular attendance of meetings are vital to the success of your term. Your level of participation will directly correlate to the satisfaction you derive from your experience.

As you put your time and considerable talents to work, it is critical that you keep the public interest in mind. You are not only a representative; you are an ambassador to your community.

Again, I deeply appreciate your commitment to public service and improving the quality of life in Washington. I know you will do a great job!

Sincerely,

Jay Inslee

THE ROLE OF A BOARD MEMBER AND RESOURCES AVAILABLE

Citizen Participation through Boards and Commissions

Washington's system of boards and commissions is fundamental to encouraging the use of citizen talent and interest in affairs of the state, keeping government innovative and responsive, and improving the performance of state agencies and institutions.

Our citizens have enjoyed a long tradition of participation in state government. Through representation on boards and commissions, Washington residents are offered an important avenue to help create effective and equitable policies. Citizen involvement contributes to the success of government and the quality of life enjoyed by our families and communities.

Citizen participation works at all levels of state government. It encompasses a broad range of issues, such as education, the environment and natural resources, general government, social services, economic development and transportation. Some boards appointed by the Governor shape policy for major state agencies and departments, others prepare regulations governing program areas, and some serve solely in an advisory capacity.

In selecting members, the Governor strives to create geographic, gender and ethnic diversity. This helps ensure that decisions reached and services rendered more adequately reflect the populations being served.

Types of Boards and Commissions

Boards and commissions are created by state laws and rules, executive orders, and federal laws and regulations.

Each board is unique in its purpose, mission and role. It is especially important that members be familiar with their board's governing statutes or other authorizing directives so they understand the framework within which the board must operate. Copies of your board's governing statutes or authority may be obtained from your staff employees. The three main types of boards are:

Advisory Boards. These may be created by the Governor, Legislature, individual agencies or existing boards. The members serve as advisers on policy matters to the appointing authority responsible for administering policy. Advisory boards may study policy and make recommendations for changes or implementation. Advisory boards do not have authority to enforce policy or create rules, but their analysis and recommendations can play an important role in furthering the effective operation of state government.

Policy-Making Boards. These boards generally receive their authority by statute. Policies are created through careful analysis and interpretation of legislative intent, as set forth in law. Policy-making boards often serve as governing boards for an agency. The boards may be responsible for directing the agency, approving budgets, creating and implementing agency policy, or appointing the agency director. Members of these boards have final decision-making authority.

Regulatory Boards. These boards may have some of the responsibilities of the advisory and policy boards, depending on the statute or order under which they were created. Usually, these boards are created by the Legislature, and perform rule-making or quasi-judicial functions. In fulfilling these functions, the board may operate as a legislative body or as a review and appeals body. As an appeals body, regulatory boards hear individual cases and issue rulings; board decisions, however, are subject to judicial appeal.

Some regulatory boards have the responsibility to determine the competence of members of a professional or occupational group. Such boards examine and license members of occupations to practice in the state, and take disciplinary or corrective actions, such as revoking or suspending licenses.

The Advisory Role

Members of advisory bodies provide an important link among the public and agencies, the Legislature and the Governor. The information that members provide about community needs and opinions can have a profound effect on state policies and lead to better service. Advisory board members play a very special role in creating recommendations on important societal and governmental issues.

If you are appointed as a member of an advisory board, you will be expected to:

- » Interpret community opinions, attitudes and needs to agencies, the Legislature and the Governor.
- » Study programs and services, and analyze issues and needs.
- » Offer proposals and recommend changes in programs, policies and standards.
- » Provide the public with information and interpretation of department and state policies, programs and budgets.

Advisory boards support and counsel departmental and gubernatorial staff. They make important recommendations about policy. Most advisory boards, however, do not create or administer policy, programs or services, unless this power is granted to them by their governing statute.

When presenting recommendations to an agency, the Legislature or the Governor, it is essential that board members keep the following in mind:

- » Recommendations should be in written form.
- » Ideas should be expressed in clear and concise language.
- » Proposed solutions should be viable and cost-effective.
- » Recommendations should identify reasons for the changes suggested.
- » Advice should reflect the views of a consensus or a majority of board members.

About Policy Making

As a board member, you are responsible for being knowledgeable about board policies and changes. Understanding the fundamental meaning and characteristics of policy is essential.

Policy is a written statement intended to be a guiding principle that defines an organization's intent and direction. It is most useful when set forth in broad terms so that it remains applicable and usable for a long period of time. It should not be so detailed that it dictates how, when or where things must be done. Policy should be stated clearly and concisely.

Policy may be amended, rewritten or abolished. Thus, policy should be reviewed periodically to ensure that it remains appropriate.

Board interpretative policy statements should be made available to the public in compliance with the Administrative Procedure Act, RCW 34.05.230. This requirement is most applicable to regulatory boards.

Rule Making

Most boards are granted authority by the Legislature to establish the rules and regulations necessary to implement their own statutory powers; however, a board may not pass rules which go beyond the scope of its statute.

A rule is any agency order, directive or regulation of general applicability, as defined in RCW 34.05.010 (15). It may set forth standards and expectations in general terms or may deal specifically with day-to-day objectives. A rule, rather than a policy, is adopted when the subject matter affects the public or another agency of government, or when the statute directs that a rule be adopted. Once adopted, a rule has the force of law, and all people or entities to whom the rule applies must adhere to it. Failure to adhere to the rule may subject a person to a penalty or administrative sanction.

Legal Guidelines. Because rules often affect the public, they must be adopted in compliance with the Administrative Procedure Act (Chapter 34.05 RCW). In developing rules, board members should keep the following guidelines in mind:

- » The board must have statutory authority to adopt the rules, and may adopt only those rules supported by statute.
- » The board may not adopt a rule which conflicts with law or the state Constitution.
- » The board must comply with the Administrative Procedure Act on rule-making procedures.
- » The board's legal counsel from the Attorney General's Office should approve all proposed rules.
- » The board must give notice to the public on the intent to adopt the proposed rule, and hold a public hearing.
- » Rules must reflect a consensus or a majority of members of the board.
- » The board must take into account the economic impact of the proposed rule on consumers, businesses, industries and others who may be affected.

Being an Effective Board Member

Despite the different sizes and types of Washington boards and commissions, it is imperative that board members recognize they are in a critical position to shape and influence board decisions and actions. It is important that each member keeps informed and up-to-date on issues, legislative activity and statutes affecting their board.

Attendance. Regular attendance is essential so that decisions will represent the opinions of the board as a whole. In addition, regular attendance enables board members to keep abreast of board concerns and helps ensure that issues are examined from a variety of perspectives. The bylaws of your board should define attendance requirements. A person may forfeit his or her position on the board as a result of poor attendance.

Preparation. Adequate preparation is another requisite for effective board membership. Your board's staff members will provide reports, proposals and other information to help you make informed decisions. Do not hesitate to request additional information you need to make thoughtful and appropriate decisions.

In a nutshell, effective board members:

- » Attend all board meetings.
- » Are well prepared for meetings.
- » Recognize that serving the public interest is the top priority.
- » Recognize that the board must operate in an open and public manner.
- » Are knowledgeable about the legislative process and issues affecting the board.
- » Examine all available evidence before making a judgment.
- » Communicate well and participate in group discussions.
- » Are aware that authority to act is granted to the board as a whole, not to individual members.
- » Exhibit a willingness to work with the group in making decisions.
- » Recognize that compromise may be necessary to reach consensus.

- » Do not let personal feelings toward other board members or staff interfere with their judgment.

Resignations. If you are unable to complete your term, it is important to inform the Governor’s Office and the appropriate staff from your board. A letter of resignation should be sent to the Governor indicating the date your resignation is effective and whether you are able to serve until a replacement is named.

Board Staff Members

Some boards have employees dedicated to perform daily administrative tasks. However, there are a number of boards that work within a state agency or have access to advice from the agency, with no exclusively dedicated staff. In such cases, the agency usually provides support services. Board members must keep in mind that staff have other job responsibilities outside of their board duties.

Staff Functions. The primary function of the board staff is to carry out the rules, policies and programs developed by the board. In addition, staff members notify board members of pertinent issues and legislative activity. They may also arrange meetings, prepare meeting materials, compile background information and conduct research.

Board staff members also serve as a liaison to other boards and agencies, the Attorney General, the Legislature and the public. Staff members are a valuable resource to boards. A good staff member can enhance the productivity and effectiveness of a board. Board members should not hesitate to ask staff for reasonable help in carrying out their responsibilities.

Office of the Attorney General

The state Attorney General is the state’s chief legal officer and is elected for a term of four years. The Attorney General is responsible for providing a broad range of legal services to public officials and others.

Legal Counsel. The Attorney General serves as legal counsel to the Governor, members of the Legislature, state officials, and boards and commissions. The Attorney General advises and represents state agencies as they fulfill their official duties, issues legal opinions, and defends state officials and employees for actions performed in their official capacities and in good faith.

When to Involve Your Assigned Counsel. Each board and commission is assigned an Assistant Attorney General to provide valuable information and advice about statutes and legal issues. A board that follows the advice of its Assistant Attorney General is immune from liability and is far less likely to find itself involved in legal problems.

Board members may request the following services from their Assistant Attorney General:

- » Assurance that board decisions and actions fall within statutory authority.
- » Questions about conflict of interest.
- » Review of proposed regulations and revisions, and the drafting of such documents in legally correct language.
- » Evidence in support of complaints, and the cross-examination of witnesses in disciplinary hearings.
- » General legal advice about board actions and activities.

Legal Fees. The board should be aware that its budget will be charged for all advice and service rendered by the Office of the Attorney General. Agencies generally have budgeted funds for this purpose, but they are limited.

The Office of Financial Management

The Office of Financial Management (OFM) was established to coordinate and integrate the biennial budget proposals of state agencies with the long-range, unified planning goals of the state. In addition, OFM advises the Governor and Legislature on matters of planning, management and policy. It also provides policy direction, and reviews business and management practices of state agencies and institutions. The director of OFM is appointed by and serves at the pleasure of the Governor.

Policy Support. The Governor's Executive Policy Office is one of several divisions within OFM. This unit works most closely with boards and commissions. It is composed of executive policy advisors who are responsible for advising the Governor on areas of state government such as education, transportation, social services, general government, the environment and natural resources, and economic development.

The Governor's Executive Policy Office reviews all legislation proposed by state agencies. The policy advisors then track the legislation and provide analyses. Policy advisors are very knowledgeable in their areas and an excellent resource if you require information on issues, legislation or statutes. They also can direct you to other resources both within and outside OFM.

The Office of State Human Resources

The Office of State Human Resources (OSHRD) is a valuable resource that appointees should consult for guidance and training when dealing with hiring or other human resource issues. If your board has the responsibility of hiring the agency head, it is critical that all board members have a clear understanding of the state's hiring process and follow appropriate procedures.

Recruitment/Hiring. Because agency heads are exempt from state civil service laws, there is considerable latitude in the hiring process. OSHRD can assist the board in developing an appropriate recruitment strategy. Remember to communicate with the Governor's Office and keep the Governor's staff updated on the progress of recruitment and hiring efforts.

Evaluation of Agency Head. Once the decision to hire has been made, the board must make it clear to the agency head what is expected and how the board intends on measuring that person's success. Regular, periodic performance reviews of the agency head are crucial to determine how well the expectations of the board and the Governor are being met. The board should develop and agree upon the best method for conducting performance reviews of the agency head. This is another area where the board should use the expertise of OSHRD staff.

Supervisory Responsibilities. For the board and agency head to work successfully together, the role of the board versus that of the agency head must be clear. Who supervises the agency head? Who supervises other staff members? Clear understanding of these issues will help ensure a successful working relationship.

LAWS AFFECTING BOARD ACTIVITIES

Restrictions and Requirements

As a Governor's appointee, you must be aware of certain restrictions and requirements that may affect you during your tenure:

- » Board members must be familiar with and operate at all times within their board's governing statutes and bylaws, and state and federal laws.

- » To ensure accountability, all applicable policies and procedures adopted by the board should be in written form.
- » No board member may make unilateral decisions or take action without the consent of the board as a whole.
- » At professional or industry gatherings, or in other settings where appearance may be construed as representing the board, individual board members must use discretion to avoid the appearance of speaking for the board, unless specifically authorized to do so.
- » Board members must keep in mind that their mission is to serve the public, and that it is inappropriate to use board membership to create a personal platform.
- » Members are restricted by RCW 42.52.130, 140, 150 and 42.18.230 from accepting or soliciting anything of economic value as a gift, gratuity or favor if it is given only because the member holds a responsible position with the state.
- » Questions about board issues should be directed to the board's administrative or executive officer, who will see that all board members receive full information by the next regular meeting.
- » Details of board investigations, personnel files or business discussed at closed executive sessions should not be disclosed unless they are part of the public record.

Open Public Meetings Act

The Open Public Meetings Act applies to nearly all boards and commissions. To determine whether the Act applies to your board, consult the Assistant Attorney General assigned to your board. Regardless of whether the Act applies, all boards should comply with open meeting requirements to the extent they can do so.

Notification of Meetings. The Open Public Meetings Act requires that all meetings of the governing body of a public agency, as well as some other meetings on policies affecting the public, be open to the public. In addition, the public must be notified of such meetings in a timely manner.

Confidential Transactions. Exceptions to the Open Public Meetings Act include confidential subjects such as personnel matters and real-estate transactions, which may be dealt with in executive sessions.

Public Disclosure. The minutes of all regular meetings must be recorded and made available for public inspection.

Accessibility Requirements. To afford members of the public who have disabilities an equal opportunity to participate, meetings subject to the Open Public Meetings Act are to be held in facilities which are wheelchair accessible. Public notices about such meetings must include a statement that sign language interpreters, materials in Braille, large print or tape, and other necessary auxiliary aids will be provided with advance notice. Notices should include the name and phone number of the individual responsible for coordinating such requests. Refer to RCW 42.30.010 and 42.30.900 for more information.

Reasonable Accommodation of Persons with Disabilities

In addition to the Open Public Meetings Act, the Americans with Disabilities Act (ADA) sets criteria for accessibility and accommodation. Under the ADA, people who have disabilities have a right to an equal opportunity for effective participation in the activities of boards and commissions, whether as appointed members or as members of the public.

Accessible Locations and Communications. Meetings and other board-sponsored activities should be held in wheelchair-accessible locations. Qualified sign language interpreters, materials in accessible formats such as Braille, large print and tape, and other forms of auxiliary aids for effective communications should be provided upon request.

Reasonable modifications should be made to policies or procedures, including travel reimbursement policies for members of boards, whenever such a policy or procedure creates a barrier to the full and equal participation of a person who has a disability.

As is true for all entities of Washington state government, boards and commissions are required to carry out five steps necessary to bring a public entity into compliance with the ADA. These steps are:

- » Designate a responsible employee or ADA coordinator to plan and coordinate the entity's compliance efforts.
- » Provide notice on a regular basis to employees, members, participants, other interested individuals and the public of the protections against discrimination on the basis of disability provided under the ADA.
- » Establish and publish grievance procedures for the prompt and equitable resolution of complaints alleging discrimination on the basis of disability.
- » Conduct a self evaluation to identify policies or practices that do not comply with the requirements of the ADA, and modify those policies and practices to bring them into compliance.
- » Develop a transition plan that identifies any physical barriers that limit the accessibility of board programs, services or activities to people with disabilities; describes the methods and timetables for the elimination of those barriers; and designates the public official responsible for the implementing the plan.

A board that is administratively linked to a larger state entity may choose to incorporate its own ADA compliance activities into those of the host agency or institution.

Administrative Procedure Act

The Administrative Procedure Act applies primarily to those boards involved in rule making and adjudicative actions. The Act provides that any orders, directives or agency policies or procedures that have general applicability to the public must be adopted as rules in accordance with Chapter 34.05 RCW. You should always consult with your Assistant Attorney General when preparing and adopting rules.

Executive Branch Ethics in Public Service

The Ethics in Public Service Act places restrictions on the activities of those working with state agencies, boards, commissions or any other entity of state government.

Additionally, the Act provides that former state officers and employees may not benefit from or assist others regarding certain contracts or other decisions or transactions that they were involved in while in state service. State employees are prohibited from disclosing any confidential information acquired while in state service.

The Executive Ethics Board has jurisdiction to enforce the ethics laws and rules, and to order payment of penalties and costs.

All board members should familiarize themselves with the Ethics in Public Service Act, Chapter 42.52 RCW. The Assistant Attorney General assigned to your board can offer additional information.

Ethics and the Appearance of Fairness

As a board member, you are expected to uphold a high ethical standard. It is extremely important that board members avoid conflicts of interest or even the appearance of conflicts of interest.

Using a public position for private gain is improper and illegal. Similarly, actions benefiting close relatives are prohibited. There are penalties for violations of state ethics statutes.

The following are examples of conflicts of interest:

- » Directing state contracts to a business in which you have a financial interest.
- » Using confidential information for private investments.
- » Accepting gifts or favors in exchange for certain regulatory rulings.
- » Accepting gifts or favors in exchange for making certain purchases.
- » Obtaining personal favors from employees.
- » Accepting favors for disclosure of confidential information.
- » Engaging in outside employment which assists non-governmental entities in their quests for state business.

Board members can avoid conflict of interest issues by being aware of and adhering to statutory restrictions, using good judgment, and being fair and equitable in decision-making. For additional information on provisions of the state ethics law, visit the Washington State Executive Ethics Board website at www.ethics.wa.gov/.

BOARD TRANSACTIONS

Each board should have a set of bylaws to direct and clarify its actions, procedures and organization. Board members are expected to adhere to bylaws and all relevant statutes.

Bylaws are the guidelines by which a board functions. According to Robert's Rules of Order, bylaws define the primary characteristics of an organization, prescribe how it should function, and include rules that are so important that they may not be changed without prior notice to members and formal vote and agreement by a majority of members.

An organization's bylaws include a number of articles, such as the following:

- » Name of board
- » Mission statement
- » Membership
- » Officers
- » Meetings
- » Executive board (if needed)
- » Committees and subcommittees
- » Parliamentary procedure, often including the name of the manual of parliamentary procedure the board will follow
- » Amendment procedures for making changes in the bylaws

Bylaws should include expectations as well as guidelines for members. Issues such as attendance, responsibilities and discipline should be addressed in the bylaws.

Quorum

A quorum is the number of members who must be present to conduct official business. If a quorum is not present, any business transaction is null and void. The quorum protects against unrepresentative actions by a small number of individuals.

The bylaws should specify the number of individuals who constitute a quorum and whether a majority of this quorum may take action. In some cases, the governing statutes will establish what the quorum will be.

The minimum number of officers who must be present to conduct business includes a presiding officer and a secretary or clerk. If these officers are members of the board (as they usually are), they are counted in determining whether there is a quorum.

At meetings where a quorum is not present, the only actions that may be legally taken are to fix a time for adjournment, adjourn, recess or take measures to obtain a quorum (such as contacting absent members).

Order of Business

After the presiding officer has called the meeting to order, a board generally follows the order of business specified in its bylaws. If a board has not adopted an order of business, the procedure below is generally followed:

1. Reading and approving of minutes of previous meeting(s).
2. Reports of officers and standing (permanent) committees.
3. Reports of special (select or ad hoc) committees.
4. Special orders (matters previously assigned a special priority).
5. Unfinished business and general orders (matters introduced in previous meetings).
6. New business (matters initiated in present meeting).

The Chair and Voting

If the chair is a member of the board, he or she may vote just as any other member. When not a member of the board, the chair may vote whenever his or her vote will affect the outcome; to break or cause a tie; or to block or cause attainment of a two-thirds majority when it is necessary.

A chair has only one vote, and may not vote as a member of the board and as a presiding officer.

Voting by secret ballot is prohibited by the open meetings law.

Public Disclosure

State agencies and boards are required to have available for public inspection and copying their public records, such as procedural rules and statements of general policy, and other records, written or electronic, pertaining to the board's business. Exemptions to disclosure are limited and identified in statute.

Records relating to the conduct of official business are subject to disclosure even if they are on a personal computer.

For additional information on disclosure requirements and exemptions from disclosure, refer to Chapter 42.56 RCW or consult with your Assistant Attorney General.

Lobbying

There exists a very fine line between advising and lobbying. It is important that board members be aware of this distinction. Board members are in a unique position that allows them to provide information and recommendations on issues.

However, a board member becomes a lobbyist when he or she attempts to influence the passage or defeat of any legislation by the Legislature, or the adoption or rejection of any rule, standard, rate or other legislative enactment or any state agency action under the Administrative Procedure Act, RCW 18.185.200, Chapter 34.05 RCW.

Lobbying also includes trying to influence the Governor's actions on legislation that has passed both houses.

Quarterly Reporting. Any public entity that undertakes lobbying must submit quarterly reports that consolidate all lobbying expenditures made or incurred by the entity's departments or divisions during the calendar quarter. Lobbying includes in-person contacts by agency lobbyists or liaisons with legislators to influence action or inaction on legislation, as well as in-person contacts with legislative staff. Boards must report all gifts, travel, contributions and entertainment expenditures for legislators and staffers alike, whether using public or nonpublic funds.

What, When and Where. All lobbying must be accomplished within the established channels of the Legislature, such as testifying at hearings, contacting legislators and staff, etc.

According to the Public Disclosure Commission (PDC), lobbying does not include any of the following activities for public agencies:

- » Agency requests for appropriations to OFM or requests by OFM to the Legislature for appropriations other than its own agency budget. (Once a budget request is before the Legislature, attempts to influence any portion of it does constitute reportable lobbying.)
- » Recommendations or reports to the Legislature in response to a legislative request, whether oral or written, expressly requesting or directing a specific study, recommendation or report on a particular subject.
- » Official reports, including recommendations submitted annually or biennially by a state agency as required by law.
- » Requests, recommendations or other communications between or within local or state agencies. However, attempts to influence the Governor with respect to signing or vetoing legislation are considered reportable lobbying. Other communications or negotiations with the Governor's Office would not be reportable.
- » Telephone conversations or preparation of written correspondence. Thus, only in-person contact, including testifying at hearings, is considered lobbying.
- » Preparation or adoption of policy positions within an agency or groups of agencies. However, once a position is adopted, further action to advocate it may constitute lobbying.
- » Attempts to influence federal or local legislation.

For details or additional information about lobbying, contact the PDC or your Assistant Attorney General.

Prohibition on Elections or Ballot Measures Using Public Resources. RCW 42.17.130 strictly forbids the use of public or agency facilities for the purpose of assisting a campaign for election of any person to any office or for the promotion or opposition to any ballot proposition unless they are activities which are a part of the normal and regular conduct of the office or agency.

Testifying at Hearings

Board members often have an opportunity to testify at hearings conducted by legislative, local government or community committees. When providing testimony on behalf of the board, members should refrain from expressing personal opinions.

Effective Testimony. To provide effective testimony, members should keep the following guidelines in mind:

- » Testimony should be brief, concise and truthful.
- » Avoid reading lengthy written testimony; instead, orally highlight important points in the written report.
- » If others are offering similar testimony, try to coordinate information to avoid repetition.
- » Avoid being technical.

- » Be prepared to answer questions and comments by committee members. If you are unable to answer a question, offer to provide a written response later and always follow through.
- » If you must give a personal opinion, make sure that the committee understands that you are not speaking for the board, but for yourself.
- » Legislative staff members find it helpful to receive copies of written testimony prior to the hearing.

When Testifying Becomes Lobbying. Providing testimony is not a form of lobbying if it is done on behalf of the board and at the request of the committee. Testimony provided by individuals outside of board activities and for personal interest may be considered lobbying; therefore, the individual may have to register with the PDC. For applicability, contact the PDC or refer to Chapter 42.17 RCW.

Providing testimony may be deemed lobbying if a board member is visibly advocating an issue. Any contact with committee members or legislative employees after a hearing about testimony may be considered lobbying, and consequently must be reported under Chapter 42.17 RCW.

The News Media

The news media has the important function of informing the public about state government operations. In doing so, it provides a valuable communications link with the community. It is important to maintain a truthful, cooperative and open relationship with the media without violating privacy or other citizen rights.

The following are suggested guidelines for working with the media:

- » Establish policies for media relations and designate staff people as media contacts.
- » Be as open as possible and keep your focus on the business of the board. Personal opinions, especially those of other people, are inappropriate. The news media is not the avenue to air dissatisfactions or carry on conflicts among board members or agency employees.
- » If you do not know the answer to a question or are unsure about an issue, refer the matter to a knowledgeable person in your agency or to the Governor's Office.
- » If you believe it is important that the public have specific information, please notify the Governor's communications director.
- » A "wise" board anticipates when an event in the community will stir the interest of the media. It provides materials that are responsive and informative, but which do not violate individual privacy or undermine the dignity and authority of the board. In such a case, inform the Governor's communications director prior to the release of any such information.
- » Be aware that the comments you make in public may also have to be repeated in a court of law. Do not risk your personal integrity or that of another by thoughtless or unwarranted remarks.

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Open Government Responsibilities



**STATE BOARD OF EDUCATION
JANUARY 11, 2018**

**LINDA SULLIVAN-COLGLAZIER,
ASSISTANT ATTORNEY GENERAL**

Laws Affecting Governing Boards

2

This Training will cover:

- **Open Government Laws**
 - **Open Public Meetings Act**
 - **Public Records Act**
- **Ethics in Public Service**
- **Administrative Procedures Act - Rulemaking**
- **Additional Resources / Training**

Open Government Trainings Act

3

- **Requires Regular Training on the Requirements of:**
 - Open Public Meetings Act (OPMA) – RCW 42.30
 - Public Records Act (PRA) – RCW 42.56
- **Ongoing Requirement:**
 - Initial training – within 90 days of appointment
 - Refresher training – every **four years**
- **Purpose:**
 - Promotes increased knowledge and understanding of the open government requirements
 - Risk Management
 - ✦ Training can help avoid or reduce penalties

Open Public Meetings Act (OPMA)

4

RCW 42.30

Declaration of Purpose

5

- Public agencies exist to aid in the conduct of the people's business.
- Actions are to be taken openly and deliberations conducted openly.
- The people do not give public servants the right to decide what is good for the people to know and what is not good for them to know
- The people insist on remaining informed so they may retain control over the instruments they have created

Meetings Declared Open and Public

6

- ◆ All *meetings* of the *governing body of a public agency* shall be open and public
- ◆ public and all persons shall be permitted to attend any meeting of the governing body of a public agency

What Is a Governing Body?

7

“All meetings of a ***governing body*** of a public agency shall be open and public”

- ◆ Multi-member governing bodies of state and local agencies (like this board)
- ◆ Subcommittees, if quorum
- ◆ Subcommittee, if delegated final decision-making authority, conducting hearings, or taking public comment or testimony

What Constitutes a Meeting ?

8

“All ***meetings*** of a governing body of a public agency shall be open and public”

- ◆ A meeting is a gathering where “action” is taken. Any such meeting must be open.
- ◆ “Action” means “the transaction of the official business”

What Constitutes Action?

9

Includes (but is not limited to):

- ◆ Receiving public testimony
- ◆ All deliberations
- ◆ Discussions / Considerations
- ◆ Reviews / Evaluations
- ◆ and
- ◆ Final action – collective decision (positive or negative) or actual vote by a majority sitting as a body

What About Emails & Texts?

10

- **Caution:** An exchange of emails or text messages among board members can constitute a deliberation or discussion and become a “meeting” subject to the OPMA requirements
- Also phone discussions of board business between members may become a meeting
- Violations may subject members to penalties

Travel and Gathering

11

- Not a violation of OPMA for a majority of the members of a governing body to travel together or gather for the purposes other than a regular meeting or special meeting
- PROVIDED, that they take no action
- OK to discuss your kids, the weather, sports – but not board business

Regular Meetings

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- ◆ Recurring meetings of the governing body
- ◆ Board must adopt a schedule of the time and place of meetings for each year
 - ◆ Schedule must be filed with the Code Reviser on or before January 1st of each year
- ◆ Agenda must be posted on website 24 hours before the meeting but subsequent modifications can be made

Special Meetings

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Called by presiding officer or majority of members

- ◆ Written notice must be given to:
 - ◆ Each member of governing body
 - ◆ Each media entity which has requested notice
- ◆ And posted on:
 - ◆ Website
 - ◆ Main entrance of principal location and meeting location
- ◆ And delivered at least 24 hours in advance
- ◆ Specify the time, place, and business to be transacted

Final Action Is Limited To Agenda Items

Executive Sessions

For limited, specific topics listed, including:

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- ◆ Receive and evaluate complaints or charges against a public officer or employee
- ◆ Review performance of an employee
- ◆ Evaluate qualifications of a job applicant
- ◆ Meet with legal counsel relating to potential or actual litigation and enforcement actions
- ◆ Site selection, acquisition, price of real estate (minimum acceptable value only, not factors)

Going Into Executive Session

15

- May be called at a regular or special meeting
- Presiding Officer publicly announces purpose for excluding the public from the meeting and the time when the executive session will be concluded
- Time may be extended by announcement of Presiding Officer

Penalties for Violating Open Public Meetings Act

16

- Personal civil liability (\$500/\$1,000)
- Costs and attorneys' fees
- Action taken is null and void
- Media attention (of the bad kind)

Public Records

17

RCW 42.56

Records Shall Be Available

18

“Each agency . . . shall make available for public inspection and copying all public records,

unless the record falls within the specific exemptions of . . . this chapter, or other statute which exempts or prohibits disclosure of specific information or records.”

What Is a Public Record?

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- Any writing containing information relating to
 - (a) the conduct of government, or
 - (b) the performance of any governmental or proprietary function
- Prepared, owned, used, or retained by any agency
- Can be in any media or format

Public Records Definition (cont'd)

20

- The definition is broad enough to encompass anything you prepare or use for board business
- Includes email and text messages
- Includes materials you prepare or receive on **personal** computer, phone, iPad, and voicemail

Public has right to review and seek copies

Public Policy Strongly Favors Disclosure

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- Duty to disclose public records is broadly construed
- Exemptions are narrowly construed
- Remember: Emails between and among board members are public records and must be disclosed if requested unless a specific exemption applies

Some Exemptions

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- Communications protected by the attorney-client privilege (seeking/giving advice)
- Private information in employee personnel files/ application materials
- Preliminary drafts in which policies are formulated
- Other statutes which exempt or prohibit disclosure: federal and state laws

Potential Penalties

23

- Penalties can range from \$0-\$100 per day per record for improperly withheld records
- Plus - attorney fees and costs
- It can really add up
- Plus - Negative Media Attention

Email Tips

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- Compose email under the assumption that it will be made publicly available
- Don't hit "Reply All" to a message sent to multiple board members
- If using personal device for board business (computer or phone) including email, keep board business in a separate file

Search Tips

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When you receive a public records request:

- Search all locations where you may have responsive records
- Communicate with and seek clarification from your public records coordinator – can help with search terms
- When in doubt, err on the side of disclosure and forward records to your public records coordinator for review

- Do NOT withhold records because you believe they are exempt – you must provide all responsive documents to your public records coordinator
 - Public records coordinator reviews for exemptions, redacts or withholds if exempt, and prepares an exemption log

Open Government Take Aways

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- Open Meetings—Everything is action
- Public Records—Everything is a public record

**Be transparent in your board business
ALWAYS**

Executive Ethics Act

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RCW 42.52

Why You Need to Know About the State Ethics Law

28

- Public officers and employees are held to a high ethical standard
- **You are responsible for compliance**

Basic Principles of Public Service

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- **Maintain public trust** & confidence in government
- **Place the public's interest first** - before any private interest or outside obligation
- **Serve best interest of all citizens** by exercising fair, independent, and impartial judgment
- **Conserve and protect public resources** & funds against misuse and abuse
- **Practice open and accountable government** in everything you do related to your position on the board

General Prohibitions:

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- **No compensation or gift** - from any source except the state, for performing or deferring the performance of an official duty
- **No gift or favor** - if it could be reasonably expected to influence or reward your vote, judgment, action, or inaction
- **No conflict with official duties** - activities or interests, financial or otherwise
- **No special privileges** for self or any other person - can't use official position to secure special benefits

Specific Activities Prohibited

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- Receipt of gifts, honoraria, outside compensation
- Disclosure of confidential information
- Use of state resources for private gain or benefit, including political campaigns
- Employment conflicts of former state officers and employees
- Financial interest in or assisting persons in transactions involving the state

Additional Assistance

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- Contact Executive Ethics Board
 - Phone: 360.664.0871
- Visit Executive Ethics Board website
 - Advisory opinions & FAQs
 - Training materials & resources
 - General information – Ethics Quiz
- Compliance is YOUR responsibility

Administrative Procedures Act (APA)

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RCW 34.05

State Agency Rules

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- All current, permanently effective rules of each agency [includes boards] shall be published in the Washington Administrative Code (WAC)
- Code Reviser is responsible for compiling, indexing, and publishing WACs
- Courts must take judicial notice of published rules
 - May give deference to agency's interpretation of statute as established in published rules (WACs)

What you need to know:

35

- Because rules often affect the public, they must be adopted in compliance with the APA
- In developing rules, board members should keep the following guidelines in mind:
 - Board must have statutory authority to adopt the rules, and may adopt only those rules supported by statute
 - Board may not adopt a rule which conflicts with statute (RCWs) or the state Constitution.
 - Board must comply with the APA rulemaking procedures

Rulemaking Procedures Overview

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- Board must provide:
 - Public notice
 - ✦ File forms with Code Reviser: **CR-101** (intent), **CR-102** (proposed rule), and **CR-103** (final adopted rule) consistent with minimum time periods
 - Opportunity for written public comments and a public hearing on proposed rule prior to adopting final rule
- Staff ensures Board compliance with APA procedures and deadlines

For More Information

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- State Board of Education [website](#)
- Governor's Boards and Commissions [website](#)
 - Boards and Commissions Handbook
 - Online New Appointee Training
- Office of the Attorney General [website](#)
 - Open Government Resource Manual
 - Open Government Training
- Executive Ethics Board [website](#)

The End

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THE WASHINGTON STATE BOARD OF EDUCATION

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Records Management At OSPI/SBE Emails Are Public Records

General Guidelines

We keep email messages based on **content**. Think of email as a **way to send information**, not a type of record. Using the basic rule of thumb and references to the retention schedules you will be able to determine what, where and when to keep emails.

What do I keep?

If you send or respond to an email and its attachment — it is your responsibility to make sure that you follow the public record retention schedules.

Generally, we must keep these kinds of email messages and attachments as public records:

- Messages that facilitate or document actions affecting the conduct of business
- Policies, significant decisions, commitments, contracts, and resolutions
- Agency-provided advice or solicitations of public input or comment
- Final reports or recommendations
- Agendas and minutes of meetings

What do I delete?

Generally, you can delete these kinds of email messages:

- Announcements of social events, such as retirement parties or holiday celebrations
- Personal messages and announcements not related to official business
- Information-only copies or extracts of documents distributed for convenience of reference
- Spam or junk mail

Before you dispose/delete email and/or attachments

Stop – ask these 2 questions first:

- Is the retention period over?
- If the retention period is over – is the record archival material?

Tips

- Email retention is based on content. Review your records and identify what you may be required to keep. Refer to the records retention schedules to determine retention.
- Organize email by setting up folders using the records series and year – For example:
 - ☐ Correspondence, Program GS 09022
 - ☐ 2015
- Create meaningful subject lines. One subject/topic per email.
- Keep emails short and to the point.
- Avoid strings (it is recommended you keep every email in a string).
- Apply retention when message is sent or received.

Emails Are Public Records

Quick Reference – Email types and how long we keep them. Please contact Tami Jensen at tami.jensen@k12.wa.us if you need additional listings.

Email messages about...	Document Types/ Comments	Minimum Retention Period
Correspondence, Executive/Official (includes legislative correspondence)	Communications to or from SBE employees or board members concerning policy issues, concerns, actions or issues.	4 years, Archival
Correspondence, Program	Communications to or from SBE employees or board members that are made or received in connection with the transaction of public business, and that are not covered by a more specific records series.	2 years
Minutes and Files of General Meetings	Minutes, agendas and meeting files from Executive Committee, member subcommittees, task force committees and other agency meetings which meet to coordinate activities, work out problems, serve as sounding boards, or as vehicles for communication.	2 years
Minutes and Files of Policy-Setting Meetings	Minutes, agendas, and meeting files of any SBE public meetings that formulate policy, rules or regulations for the agency or a number of agencies.	6 years, Archival
Publications	Publications created by SBE and intended for distribution to state government, the public, or the legislature. Publications include, but are not limited to: <ul style="list-style-type: none"> • Annual reports and other reports, manuals, brochures, bulletins, memos, standards, guidelines; • Newsletters, magazines, journals, periodicals; • Maps, plans, charts; • Audio/video recordings and films/presentations. 	Permanent (When your term expires on the Board, please provide the records to SBE staff. They will be sent to the Washington State Archives.)
Transitory Records	Public records that only document information of temporary, short-term value, and provided that the records are: <ul style="list-style-type: none"> • Not needed as evidence of a business transaction; and, • Not covered by a more specific records series. Includes, but is not limited to: <ul style="list-style-type: none"> • Miscellaneous notices or memoranda which do not relate to the functional responsibility of the agency (notices of community affairs, employee meetings, holidays, etc.); • Preliminary drafts of letters, memoranda, reports, work sheets, spreadsheets, presentations, and informal notes, etc., which do not represent significant basic steps in the preparation of record document(s); • Routing slips used to direct the distribution of documents; • Shorthand notes, stenotype tapes, and mechanical records, after they have been transcribed into typewritten or printed form on paper or microfilm; • Telephone messages (including voicemail, digital voice messages, etc.); • Letters of transmittal which do not add any information to the transmitted materials. 	Retain until no longer needed for agency business <i>then</i> Destroy.



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Email Retention FAQs for Board Members

Basic rule of thumb: For most emails, there is a four year retention policy. (See chart in Emails Are Public Records document for rules about each minimum retention period, determined by content of the email.)

Gmail keeps your emails forever. Unless you “delete” them, which moves them to “trash,” which is automatically cleared (and emails completely unrecoverable) after 30 days. Generally, you should only delete emails after four years (see retention policy for exact instructions).

If you use the Gmail calendar, there is a way to have multiple calendars (work, personal, SBE) show up on your one calendar view. Please see #6 below for instructions.

1. What is recommended regarding using email accounts for SBE business? Is it advised to use a third party email system?
 - A. Recommended by Attorney General’s Office: Use the provided state email system to conduct SBE business. If you use the state system, there is an Outlook feature that will help you assign a retention period for all your emails.
 - B. If you prefer to use a third party email system, it is recommended that you have a separate email from your personal email with “SBE” in the email address. For example: johnsmithsbe@gmail.com.
 - C. Or, if you prefer to use your personal email address for SBE email, it is recommended that you ensure every email you send or receive regarding SBE business is placed in a separate SBE folder. Then you are not having to search through your entire email to respond to records requests.

*Please note: If SBE Board members do not conduct an adequate search to respond to a Public Records request, there could be serious penalties for SBE. Penalties could be up to \$100 a day per document in addition to attorney fees and costs. All of these would come out of the SBE budget.

2. Does the SBE offer the option of using the state email system to Board members?
Yes, this option is available to Board members. Board members would need to comply with OSPI’s annual IT trainings and policy requirements.
3. How long do I need to retain emails sent and received for SBE purposes?
You need to manage and retain email messages based on the content of the email. The records retention requirements are based on email content. You should retain all emails sent and received for SBE Board business according to the appropriate retention schedule. (See references below).
Emails that contain transitory information, such as scheduling a phone call/meeting or social announcements do not need to be retained.

*Please note: For additional guidelines about retention schedules, see the attached document Emails Are Public Records, including the “What do I delete” section and the retention schedule excerpt.

4. How long do third-party email providers such as Gmail retain sent and received emails? According to Gmail’s website, they retain emails forever. BUT, if you delete an email, then it goes to your trash folder and Gmail automatically clears this after 30 days.

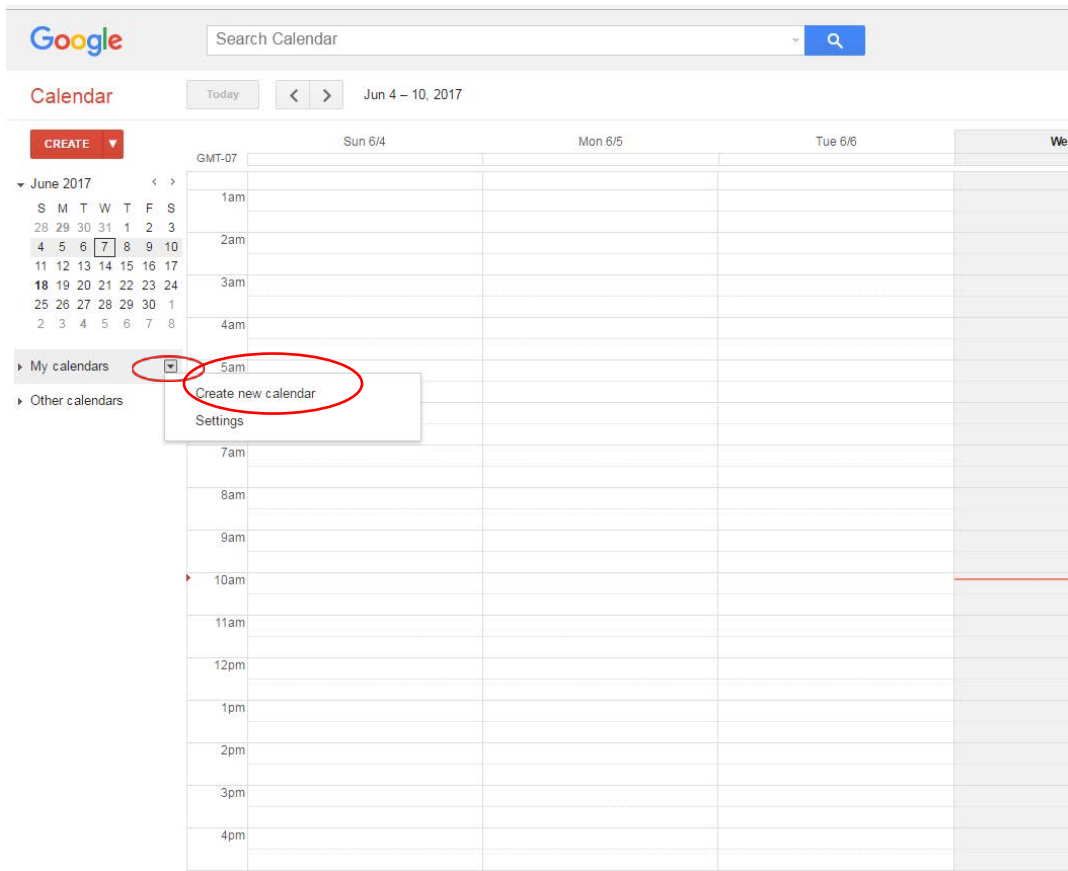
*Please note that SBE is not recommending one particular email provider. The information regarding Gmail is provided here as an example but if you are using a different provider, you will need to check its policies.

5. Should I ever delete Gmail emails sent or received for SBE purposes? It depends on the content of the email.

6. If I am using Gmail and its calendar function for SBE purposes, what is the best way to do so?

It is recommended to create a separate calendar in Gmail that shows up in your main calendar view (multiple calendars can show up on your one calendar. E.g. Personal, State Board of Education, work, etc.)

You can create a new calendar in Gmail by clicking on the drop down arrow (smaller red circle below) and then click on “Create new calendar” (bigger red circle below). This would allow you to keep personal events such as doctor’s appointments or family events on your personal calendar, and all State Board of Education business on your SBE calendar.



7. Where can I learn more about the Public Records Act and Email Retention?

You can take the Public Records Email Retention training online or have a training presentation at a Board meeting. Public Records training is recommended within 90 days of becoming a Board member. A refresher course is recommended to be taken after four years as a Board member. (You can retake the training sooner if you like.)

Additional information is available on the Attorney General's Office [Open Government website](#). Here are links to the AGO's Open Government [training](#) (scroll down the page) and [resource manual](#).

8. Where can I learn more about records retention requirements?
The Secretary of State's Office provides information and training on records management and retention. See, the [State Archives website](#).



THE WASHINGTON STATE BOARD OF EDUCATION

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January 3, 2018

TO: New Board Members

FROM: Tami Jensen, Executive Assistant

SUBJECT: **Public Disclosure Reporting**

All board members, including student members, are required to complete a Public Disclosure Report on a quarterly basis. I will notify you of the deadline each quarter and provide the form. You may submit the form to me and the Executive Director is authorized to sign and file it with OSPI on your behalf. Please keep a log of your lobbying activities each time you meet with a legislator face-to-face or testify at a hearing/workgroup if you were representing yourself as a State Board of Education member. You do not need to report lobbying activity you've done as a private citizen on personal matters unrelated to the Board's work.

1. "Lobbying" means only those in-person meetings with state legislators and/or legislative staff to influence state legislation, or in-person contacts with other agency staff to influence their rules which includes testifying at hearings. *Attendance at the hearing or communication by telephone or in writing does not constitute lobbying.*

Here are the details you should keep track in your log:

- Full name of legislator, official or committee (you met with or testified for)
- Whether you were in support, opposed or neutral
- The HB, SB or WAC number
- Description of your lobbying activities (including the subject and meeting type)
- Date, amount of time testifying or meeting, and any travel expenses you paid (even if reimbursed)

Please let me know if you have any questions.

STATE OF WASHINGTON
Office of the Superintendent of Public Instruction
AGENCY INFORMATION FOR PUBLIC DISCLOSURE QUARTERLY REPORTS

PERIOD COVERED (check one)

- January/February/March
 April/May/June
 July/August/September
 October/November/December

REPORT STATUS (check one)

- Reportable Activity
 No Reportable Activity

Name:	Title:	Division:	LOBBYING EXPENDITURES		
			DATE	NUMBER OF HOURS	TRAVEL & PER DIEM
DESCRIPTION OF LOBBYING ACTIVITY (Include the subject)					
				0.00	\$0.00

CERTIFICATION (TO BE SIGNED BY APPROPRIATE Assistant Superintendent.)

I certify that this is a true and accurate report to the best of my knowledge.

Name: _____ Title: _____ Date: _____

Signature: _____

NOTES:

“Lobbying” means only those in-person meetings with state legislators and/or legislative staff to influence state legislation, or in-person contacts with other agency staff to influence their rules which includes testifying at hearings. *Attendance at the hearing or communication by telephone or in writing does not constitute lobbying.*

The description of lobbying activity should include the subject and bill number (e.g., teacher training, HB 3313) and person(s) or group(s) contacted.

Any expenditure exceeding \$15 of personal or non-public funds for or on behalf of one or more legislators, state elected officials, or state public officers or employees in connection with in-person lobbying should be listed on a separate page. Examples of reportable expenditures include entertainment, meals, and campaign contributions. The name of the individual spending the funds, the date of expenditure, the source and amount of funds, and the name of the individual receiving the funds should be identified.

"Lobby and Lobbying" are defined as *"attempting to influence the passage or defeat of any legislation by the legislature of the state of Washington, or the adoption or rejection of any rule, standard, rate or other legislative enactment of any state agency under the state Administrative Procedure Act, chapter 34.05 RCW."*

For public agencies, lobbying **does not include** any of the following activities:

- Requests for appropriations by state agencies to the Office of Financial Management (OFM) or requests by OFM to the legislature for appropriations other than its own agency budget. (Once a budget request leaves OFM and is before the legislature, attempts to influence any portion of it do constitute reportable lobbying.)
- Recommendations or reports to the legislature in response to a legislative request, whether oral or written, expressly requesting or directing a specific study, recommendation or report on a particular subject;
- Official reports including recommendations submitted annually or biennially by a state agency as required by law;
- Requests, recommendations or other communications between or within state agencies (however, attempts to influence the Governor with respect to signing or vetoing legislation are considered reportable lobbying; other communications or negotiations with the Governor's Office would not be reportable);
- Requests, recommendations or other communications between or within local agencies;
- Telephone conversations or preparation of written correspondence (**thus, only in-person contacts, including testifying at hearings about pending legislation, are considered lobbying**);
- Preparation or adoption of policy positions within an agency or group of agencies (once a position is adopted, further action to advocate it may constitute lobbying, however);
- Attempts to influence federal or local legislation.

Also see "Non-Reportable Lobbying" and "Reportable Lobbying" discussed below.

"Legislation" means *"bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature and includes any other matter that may be subject of action by either house or any committee of the legislature and all bills and resolutions that, having passed both houses, are pending approval by the governor."*

Based on this definition, lobbying includes any agency's efforts to block the introduction of unfavorable legislation, as well as those efforts intended to influence the governor's action on legislation that's passed both houses.

Legislative Lobbying

In-person contacts by agency lobbyists or liaisons with legislators to influence action or inaction on legislation is understood fairly universally to be reportable lobbying.

However, some agencies may not be aware that **reportable lobbying also includes efforts to inform, sway, convince or otherwise influence the action or inaction of legislative staff members.** Staff evaluations and recommendations play a significant role in the legislative process. **In-person contacts with legislative staff constitute lobbying.**



THE WASHINGTON STATE BOARD OF EDUCATION

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The Office of Superintendent of Public Instruction (OSPI) is the fiscal agent for the State Board of Education (SBE). The SBE agency operates under OSPI rules and policies regarding travel.

Travel to Board Meetings

All members must reside/work more than 50 miles away from the board meeting location to qualify for lodging. SBE establishes direct bill relationships for lodging, airfare and car rentals for SBE board meetings, therefore; the Executive Assistant must make those travel arrangements. SBE will not reimburse for reservations made by members. Although members have a choice in their mode of transportation to/from a board meeting, OSPI's fiscal policy is to reimburse travel at the option most cost effective to the state. Reimbursement claims will be adjusted by staff to reflect this policy. Please consult with the Executive Assistant before travel if you'd like advisement on which travel mode is most cost effective.

Board Travel Expenses Eligible for Reimbursement (receipts required unless otherwise noted)

- Meals not provided at meetings are reimbursed at [state per diem rates](#) based on the county of the meeting. No receipts required.

To qualify for meals the traveler must be in travel status during the following time intervals:

Breakfast	Lunch	Dinner
6:30 to 8:00 a.m.	11:30 to 1:00 p.m.	5:00 to 6:30 p.m

- Mileage (receipts not required)
- Self-parking
- Tolls
- Taxi fares (when a rental car isn't available or a taxi is most cost effective)
- Gas for rental cars (please see note below)
- Airport luggage fees
- Shuttles
- Coach train tickets (if cost is less than airfare)
- Ferry fares

Enterprise Rental Cars

Enterprise Rent-A-Car is the contracted vendor for reserving rental cars and are paid on direct-bill. Members are responsible for filling up rentals cars before returning them. Enterprise Rent-A-Car may charge SBE \$7-8 per gallon to fill the car up if it's not returned with a full tank. If a member fails to fill up the rental car, it may result in the gasoline charges deducted from their reimbursement claim.

Airport Parking

Per the OSPI travel policy, the maximum a board member can receive for airport parking reimbursement is \$21 per day. Reimbursement without receipt for any expenses which do not provide a receipt we can authorize up to \$40 reimbursement.

Note for Western Region Board Members: You are eligible to receive a 30 percent discount on standard parking rates at Wally's Parking Garage in Seattle. Please provide the cashier your SBE business card upon checkout to receive the corporate discount.

Items not Eligible for Reimbursement

- Valet parking services (unless the hotel only offers valet and has no regular self-parking)
- Entertainment expenses such as radio, television or other items of a similar nature
- Any upgrades you've requested for lodging, trains or rental cars (this includes GPS)
- Personal telephone calls and out of pocket charges, such as if you locked your keys in the car
- Tips or gratuity
- Alcohol expense
- Meals paid for another individual, including other members and student board members

Coupling Board Meetings With Other Events:

If coupling vacation time, business trips or other events with a SBE board meeting, the SBE will only reimburse costs related to the board meeting. Reimbursement will be granted at the amount it would cost as if the member was traveling to/from their primary residence. Please contact the Executive Assistant if your travel to a board meeting will be in conjunction with other plans.

Traveling with Family, Friends and Pets:

If a spouse and/or family members will be traveling with you to a board meeting, the SBE will only pay costs at single occupancy. Reimbursement will be granted at the amount it would cost as if the member was traveling alone to/from their primary residence. Spouses, family members, pets and guests are restricted from the following:

- Riding in any rental transportation that is paid using state funds per the Department of Enterprise Services Transportation Policy 12.30.20a. This includes Enterprise vehicles, charter buses, airport shuttles, etc.
- Eating meals that are provided at a meeting or social and are direct-billed to SBE.

Exceptions to Travel Policy:

If emergencies or circumstances arise where staff cannot be reached during non-business hours and making/changing your travel plans are necessary, please contact the Executive Assistant the next business day so action can be taken to request an exception.

Members that reside and/or work less than 50 miles from the meeting location could qualify for lodging if any of the following conditions are present:

1. An overnight stay in a commercial lodging facility to avoid having a traveler drive back and forth for back-to-back late night/early morning [official state business](#).
2. When health and safety of the traveler is a concern.
3. When it is less expensive overall for the traveler to stay overnight vs. mileage back-and-forth.

Please contact the Executive Assistant if you feel these conditions apply to your situation.

In addition, a board member's eligibility for lodging may be determined based solely on their primary residential address and not their work address if the following are present:

- The board member uses annual leave benefits from their employer or leave without pay while in travel status to attend a SBE board meeting.
- The board member does not perform any work duties for their employer during the entire period of travel status to attend a SBE board meeting.

For questions, please contact

Tami Jensen, Executive Assistant

360-725-6027

tami.jensen@k12.wa.us



THE WASHINGTON STATE BOARD OF EDUCATION

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FAQ – Travel Policy

A. Can I choose how I travel to board meetings?

Members will be asked to take the mode of transportation determined as the least expensive to the state. The Executive Assistant will assist in determining the mode based on a comparison of driving a personally-owned vehicle (POV) vs flying. If driving is considered the most economical mode and the member doesn't have access to a vehicle, an Enterprise rental car will be the alternative. *See applicable exceptions in paragraph C.*

B. What if I don't want to take the mode of transportation determined as most economical?

Members may take a different mode of transportation, but will only be reimbursed at the cost of the most economical transportation option.

Example:

- If taking a POV when flying is more economical, the member will only be reimbursed the amount it would have cost to purchase a state contract plane ticket.
- If taking a flight when driving is more economical, the member will only be reimbursed the amount it would have cost to drive (current rate of 0.53 cents per mile). The member would not receive reimbursement for any additional travel expenses associated with flying, such as baggage fees, airport shuttle, airport parking, rental car, mileage to/from the airport, etc.

C. Are there any circumstances that would allow me to fly on state contract even if taking a POV would be more economical?

Yes. Please contact the Executive Assistant if any of these below apply to you:

- If the distance of driving home after a meeting will prevent a student board member from getting home at a reasonable hour and the student has school the following day. The adult chaperone traveling with the student would receive the same exception since he/she is accompanying the student.
- If health and safety is a concern when operating a vehicle for long distances/late at night or inclement weather is anticipated.
- If driving instead of flying would result in a loss of wages because the member would miss additional days of work.
- If the member doesn't have a valid driver's license or isn't eligible to rent a vehicle.

D. Are there any circumstances that would allow me to receive reimbursement for driving my car even if flying would be more economical?

Yes. Please contact the Executive Assistant if this reason below applies to you:

- The member's health or safety is a concern when flying.

E. What do I do if I want to attend a meeting other than Board meetings?

Members may request or be asked to attend stakeholder meetings, legislative hearings and conferences. After approval is granted, all travel details must be submitted to the Executive

Updated: November 2017

By: Tami Jensen, Executive Assistant

Written: Tami Jensen

Last Revised: November 29, 2017

Assistant at least seven days in advance for fiscal approval. Failure to submit travel plans in advance may result in delay or denial of reimbursement.

SBE direct bills with certain vendors and these arrangements must be done with the Executive Assistant. The following expenses will not be reimbursed if purchased by the member:

- Conference and/or workshop registrations
- Airline travel
- Rental cars

Note: If a member is eligible for complimentary registration to a conference or workshop, the member may register themselves. Please send a copy of the confirmation to the Executive Assistant.



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BOARD MEMBER TRAVEL EXPENSE REIMBURSEMENT

To expedite your travel reimbursement, please complete the information below, attach all receipts, and sign. **Please note: Do not put multiple meetings on one form.**

Name:

Address:

Purpose of Trip:

Meeting Dates:

Meeting Location:

Date/time You Left Home:

Date/time You Returned:

Number of Miles Driven per Day:

Parking Costs Incurred:

Other Travel Costs:

I hereby certify under penalty of perjury is a true and correct claim for necessary expenses incurred by me and that no payment has been received by me on account thereof.

Signature

Date

You are required to use the state's mandatory contracts for Authorized Travel Agents, Airlines, and Rental Cars. To ensure you receive your reimbursement in a timely manner it is suggested that you complete this form and **mail an original copy (with signature in ink)** to the SBE office within **thirty (30) days of travel** to: **Tami Jensen, State Board of Education, P.O. Box 47206, Olympia, WA 98504.**

If you have questions, please contact Tami Jensen at 360-725-4475.

See reverse side of form for a condensed travel reimbursement policy.

3000-11069-001-071
MEA 12844

State Board of Education Board Member Travel Policy

- » Travel must be approved in advance by SBE Executive Director or Designee.
- » Airline arrangements must be made by SBE staff at all times, unless approval is received from SBE staff. If this rule is not followed, you will not be reimbursed by the state for your flight.
- » Hotel arrangements should be made by SBE staff—with the exception of individual meetings, approved by the Executive Director or Designee.
- » Individual liaison meetings are billed to you and the SBE staff will require a receipt of payment, which must be at per diem or lower.
- » Attendance at meetings such as WSSDA, liaison, and others approved by the Executive Director or Designee must be submitted on the Meeting Request Form and sent to Tami Jensen ONE WEEK prior to the meeting.
- » Requests for travel reimbursement must be accompanied by the SBE Travel Expense Reimbursement form and must include the following:
 1. Exact dates and times of travel (a.m. and p.m. specified).
 2. Exact location of the meeting.
 3. No additional reimbursement for food and/or lodging costs will be paid if:
 - Traveler elects to travel well in advance of time necessary for arrival, for the travel convenience.
 - Traveler elects to stay overnight for a one-day meeting (unless approved by the Executive Director or Designee).
 - Traveler elects to remain at the destination after the work assignment is completed for the traveler's convenience (unless approved by the Executive Director or Designee).
 - Meals are furnished at the destination during the specified meal time period (even if Member chooses not to eat or leaves early). Please indicate on the form if meals were provided at the meeting.
 - Breakfast (which includes *hot food*) is provided as part of the room reservation or a hot breakfast is served at the meeting location.
 4. To qualify for meal per diem reimbursement, a Member must be in travel status for the following periods:
 - Breakfast: 6:30 a.m. to 8:00 a.m.
 - Lunch: 11:30 a.m. to 1:00 p.m.
 - Dinner: 5:00 p.m. to 6:30 p.m.
- » Members will be reimbursed for hotel stays when they are required to stay overnight and are greater than 50 miles from home.
- » For meetings where rooming lists are created, SBE is directly billed for lodging expenses only. If a member has incidental expenses charged to their room, they must pay separately for those expenses.
- » If coupling vacation time with a business meeting, the SBE reimburses only costs related to the business meeting. This includes travel from summer homes or locations other than your primary residence.
- » When two or more travelers are traveling together in one vehicle, only vehicle driver is reimbursed mileage. The rate is set by OFM so ask SBE staff for current rate.

Note: If you request to have a rental car, you are required by Enterprise to return the vehicle with a full tank of gas. Failure to comply with this requirement results in SBE receiving a penalty fee, which will be deducted from your reimbursement form. To avoid this deduction, please fill the rental car to capacity before returning the vehicle and keep your receipt. SBE will reimburse for your out-of-pocket expense for gas.
- » Receipts for reimbursement are required for the following:
 1. Parking
 2. Tolls
 3. Taxi Fares
 4. Gas for rental vehicles
 5. Airport luggage fees
 6. Shuttles
 7. Hotels (if member has paid personally for SBE travel other than for board meetings)

8. Train Tickets only if lesser cost than airfare. This can be reserved individually since there is no contract vendor associated with train travel.

Note: you are only reimbursed the meal per diem for the location of the meeting. Hotel receipts are not needed, unless you made the reservations and need reimbursement. We do NOT need meals receipts or totals for meals. They are paid at the per diem rate only – even if your meal cost more than the per diem.

» Items that **cannot** be reimbursed include:

1. Valet services
2. Entertainment expenses such as radio, television rental and other items of a similar nature
3. Taxi fares for any non-business or entertainment at meeting location
4. Personal telephone calls
5. Tips or gratuity
6. Out of pocket charges for service calls, such as if you lock keys in the car, etc.
7. Alcohol expense

If there are any unusual circumstances or further clarification needed, please contact Tami Jensen: 360-725-4475.



THE WASHINGTON STATE BOARD OF EDUCATION

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TITLE: Guidelines for Appropriate Conduct with Student Board Members and Responsibilities of Mentors and Chaperones for Student Board Members

APPLIES TO: All State Board of Education Employees and Board Members

EFFECTIVE DATE: March 3, 2016

WRITTEN: Denise Ross, Executive Assistant
Linda Sullivan-Colglazier, Legal Counsel

PURPOSE

Establish State Board of Education (SBE) Guidelines for Appropriate Conduct with Student Board Members.

Set out the roles and responsibilities of staff and board members who serve as mentors and/or chaperones for student board members, including background check requirements.

POLICY

All board members and staff are expected to follow the Guidelines for Appropriate Conduct with Student Board Members set out in this policy.

The SBE will request that some SBE board members and staff volunteer to be designated as mentors and/or chaperones to provide assistance to the student board members. Designated mentors and chaperones will perform the duties as set out in this policy.

DEFINITIONS

Student Board Member – High School student selected by the Association of Washington Student Leaders to serve one two-year term on the State Board of Education.

Background Check – Washington State Patrol WATCH Program Background Check for Conviction Criminal History Record Information (CHRI).

Mentor – An adult board member, one from the western region and one from the eastern region of the state, available to a student board member for mentoring and guidance as requested by the student during the student’s term of service.

Chaperone – Adult staff or board member who is responsible for the well-being and safety of the student board member while traveling or conducting state business at board meetings and board-sponsored events.

Responsible Party – Person over the age of 21 listed with the hotel as the contact person should a problem or emergency arise during the student’s stay.

Staff Member – Person employed to provide administrative support and/or research to the State Board of Education.

Board Member – Person appointed or elected to serve on the State Board of Education.

CRITERIA FOR BACKGROUND CHECK APPROVAL

Prior to being designated as a mentor or chaperone, a staff or board member must consent to a background check and be approved by the SBE Chair or Executive Director. A person will not be approved as a mentor or chaperone if the background check shows any of the disqualifying criteria listed below. While serving as a chaperone or mentor, all individuals are responsible for reporting any new convictions or arrests within (1) business day to agency staff or the Board Chair. The SBE Chair or Executive Director may choose to exercise their discretion at any time to not approve or to revoke approval of a person as a mentor or chaperone.

Disqualifying Criteria

Convictions or arrests pending final disposition for any of the crimes listed in [WAC 170-06-0120](#) will disqualify an individual from serving as a mentor or chaperone. Conviction for any crimes listed in column (a) in the table in [WAC 170-06-0120](#) will permanently disqualify an individual from serving as a mentor or chaperone. Conviction for any crimes listed in column (b) in the table in [WAC 170-06-0120](#) will disqualify an individual from serving as a mentor or chaperone for five (5) years from the date of conviction. Arrests pending final disposition for any of the crimes listed in [WAC 170-06-0120](#) will temporarily disqualify an individual from serving as a mentor or chaperone until final disposition.

Any conviction under [RCW 46.61.502](#), Gross Misdemeanor, Driving Under the Influence within five (5) years would disqualify a person from transporting a student board member.

Any conviction under [RCW 46.61.502](#) (6), Driving Under the Influence Class C Felony, would permanently disqualify a person from transporting a student board member.

DUTIES OF MENTORS

- Be available to student members to provide information regarding how the Board operates, substantive issues, current policy work of the Board and provide guidance.
- May be designated as the responsible party for the student at the hotel if both the mentor and student are staying overnight, which includes signing the student's registration card upon check-in.
- Be familiar with the parental permissions restrictions of the student.
- Must complete and sign a background check authorization form every four (4) years.

DUTIES OF CHAPERONES

- Be responsible for student's health and well-being during board meetings and board sponsored events.

- Designated as the responsible party for the student at the hotel, which includes signing the student's registration card upon check-in, if the student's mentor is unavailable.
- May be the emergency contact for the student while in travel status.
- Be responsible for accompanying the student during travel, including airplane or ground transportation.
- Be responsible for ensuring the student is accounted for during travel to and from meeting and event locations, including the hotel.
- Be familiar with the parental permissions restrictions of the student.
- Must complete and sign a background check authorization form every four (4) years.

Many of the duties of the mentor and chaperone may overlap. An individual may be designated as both a mentor and a chaperone.

GUIDELINES FOR APPROPRIATE CONDUCT WITH STUDENT BOARD MEMBERS

It is the responsibility of all staff and board members to maintain appropriate professional boundaries with student board members. Staff and board members are expected to use good judgement when interacting with students and be good role models in conduct, speech and dress.

- No touching or embracing with a student that is not acceptable or is uncomfortable to the student.
- Agency staff and board members are prohibited from engaging in any sexual contact and intrusive touching with the students.
- Agency staff and board members are prohibited from engaging in any inappropriate, sexually-oriented conversations with students.
- Agency staff and board members must not use inappropriate language or behavior in working with the students, which includes inappropriate email communication.
- Agency staff and board members should avoid giving or receiving inappropriate gifts or make gift-giving a frequent act with the students.
- Agency staff and board members should not speak to the students in a way that is harsh, threatening, intimidating, shaming, derogatory, demeaning or humiliating and are expected to refrain from swearing in the presence of the students.
- One-on-one meetings with students should be held in public areas that are visible and accessible.
- Agency staff and board members are prohibited from using illegal drugs or prescription drugs that impair judgement when in the presence of a student. Agency staff and board members are prohibited from excessive use of alcohol when in the presence of a student. Excessive use is considered to be when a person is visibly intoxicated. Agency staff and board members are also prohibited from offering or providing illegal drugs, prescription drugs or alcohol to the students.
- Agency staff and board members are prohibited from lodging overnight in the same room with a student.

- Agency staff and board members must follow the permissions set by the student's guardian(s) as indicated in the student's Parental Permission Form for traveling with the student in a vehicle.
- While students are serving on the Board, agency staff and board members should not have inappropriate interaction with the student members on their personal social media accounts.
- Agency staff and board members must follow the permissions set by the student's parent(s) in the Minor Student Travel Permission form. This includes permissions for who can be the driver of the vehicle in which the student is riding as passenger when traveling to and from board meetings or board sponsored events.



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This policy applies to all Washington State Board of Education board members and staff.

DEFINITION

Social Media is an umbrella term encompassing various activities that integrate technology, social interaction and content creation. There are numerous forms of social media, such as blogs, wikis, photo and video sharing, podcasts, social networking, ideation, bookmarking, discussion boards, gamification, and virtual worlds. Examples of social media include, but are not limited to Wordpress, Facebook, LinkedIn, Twitter, Blogger, YouTube, Flickr, Wikipedia, and website comment sections.

1. The Purpose of the Policy

Social media tools are a powerful method of communication and are used by millions of individuals and groups to share information and connect with others. The State Board of Education will use social media tools and channels when appropriate to enhance communication and engagement with the public, partners, stakeholders, employers, and others to support its mission, key goals, and core processes.

This policy describes how the agency will use social media and gives SBE board members and staff direction and guidelines for proper use of social media in connection with their SBE role while at work and outside the workplace.

2. Management of SBE Social Media Accounts

The SBE communications manager, at the direction of the executive director or designee(s), is responsible for establishing and supervising all social media accounts for the agency. This includes establishing, monitoring and administering policies for appropriate conduct, content, security, and records retention on all social media accounts for the agency. These accounts are considered agency tools. Individual staff may not establish a social media account using an SBE email without approval from the executive director.

The posting and maintenance of content on SBE social media accounts is limited to the communications manager at the direction of the executive director or designee(s). Only the communications manager is to log on and/or contribute content to SBE social media accounts. Social media account management shall take place during paid work hours using state equipment.

3. Staff Access to Social Media

SBE staff may view (but not log on to) social media for professional use. Professional use is defined as furthering specific job responsibilities or promoting professional development. Reasonable use in this manner for professional use during work hours using state equipment is permitted. If a staff requires logon access to a social media site to accomplish a specific task related to agency business, prior approval of the executive director must be obtained.



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SBE staff may view the agency's social media accounts for the purpose of staying informed of SBE external communications. Reasonable use in this manner during work hours using state equipment is permitted. No staff may use state resources, including but not limited to work time, computers, and software programs such as Internet and e-mail for the purposes of viewing, logging on or posting to non-work related social media. There is no de minimis personal use of social media allowed.

4. Board Member and Staff Obligations Regarding Personal Use of Social Media

SBE takes no position on individuals' personal use of social media outside the workplace (that is, using personal time and resources). It is the agency's obligation, however, to inform all staff and board members of their responsibilities regarding communications involving the agency, its employees and its stakeholders on personal social media sites:

a. Board Members and Staff Cannot Represent SBE on Personal Social Media Sites

No board member or staff may, or represent that they do, speak on behalf of the Board on a personal social media site except as authorized by the communications manager. Staff or board members who mention their affiliation with SBE on a personal media site should identify any views they express as theirs alone and not necessarily representative of the views of the agency or the Board. Board members should follow [Board Norms](#) (for example, supporting board decisions when providing information to the public) when using personal social media accounts in a potentially public social media setting. Board members and staff should be aware that when posting comments, some sites will pull information from your profile and post it as an identifier.

b. Disclosure of Confidential Agency Information Is Prohibited

SBE board members and staff may not post confidential or private information about the agency, board members, staff, or SBE stakeholders on any social media site. Board members and staff should avoid sharing any media which may include confidential or private information (for example, photos with reports on desks or computer screens in the background).

c. Conduct of Agency Business on Personal Social Media Sites Is Limited

Staff must not conduct or discuss SBE business on personal social media sites. Board members may conduct outreach on social media, but should avoid discussing board business with other board members on social media.

d. Use of SBE Name, Logo and Media is Strictly Limited

Staff may list SBE as his or her employer on a personal social media site, but use of the SBE logo is prohibited. Use of other agency media (for example, photos, images, or video) is allowed with attribution to the State Board of Education. Use of the agency's name and/or



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logo to: promote personal causes or political beliefs; solicit or conduct outside employment; or engage in similar unofficial usage, on a social media site is also prohibited.

5. Personal Legal Responsibility

SBE board members and staff should be aware that an individual is legally responsible for anything he or she posts or writes on a personal social media site.

6. Best Practices Are Recommended

Common sense and sound judgment are usually the best tools in avoiding problems. The following best practices are highly recommended for any SBE board members or staff who use social media for personal use:

Be respectful. Individuals should be thoughtful in personal posts and respectful of how other people in your work and personal life may be affected or viewed by those who read your posts. When disagreeing with others' opinions, keep it appropriate and polite.

Honor others' privacy. If you plan on posting photos you have taken of work-related events and activities, be courteous by checking first with co-workers who are in the picture. Not everyone wants their photo displayed on the Internet.

Strive for accuracy. Make sure you have your facts straight before posting. Correct errors quickly. If you make a mistake, admit it. Be upfront and quickly provide the correct information. If appropriate, modify an earlier post to make it clear that you have corrected an error.

Be aware of your SBE association. If you identify yourself as SBE board member or staff, or have a public facing position for which your SBE association is known to the general public, ensure your profile and related content (even if it is of a personal and not an official nature) is consistent with how you wish to present yourself as an SBE professional, appropriate with the public trust associated with your position.

Have no expectation of privacy. It's social media, after all. Remember that posts in the social media world are or can easily be made available to the public at-large. Keep in mind that what you publish will be widely accessible for some time and, in some cases, indefinitely.

State Board of Education

On-Boarding – Human Resources Connection

Carole Lynch, HR Specialist

(360) 725-6270

Carole.Lynch@k12.wa.us

OSPI provides Human Resources support to the Board Members in the following areas:

- Liaison with OSPI Financial Services (stipend, travel and per diem)

Board members, including student board members, are put into the state Human Resource Management System (HRMS) so they may receive their stipend and reimbursement. Board members must complete the W-4 and I-9 form.

- Annual Executive Director Evaluation process

HR coordinates with the Board Chair on the annual evaluation process. The process takes place in the summer, performance discussions occur at the July board meeting.

- Coordination with the Board on personnel issues as needed and hiring of the Board's Executive Director position.

OSPI provides comprehensive Human Resources support to the SBE Executive Director and staff in the following areas:

- Recruitment and hiring: Facilitates the recruitment process including posting of recruitment announcements, collecting applications, assisting with interviewing or reference checking and hiring decisions.
- Onboarding of new employees: Assistance with new employee paperwork, explanation of benefits and training.
- Classification and compensation: Determining the appropriate job classes, titles and salaries for Board staff.
- Organizational Management: Alignment of positions within the Board staff.
- Performance Development and Training for staff: Assist with finding training opportunities, scheduling and processing requests for training.
- Performance Management and evaluation: Assist with employee performance concerns and evaluation of performance.
- Policies and Procedures: State Board staff primarily follow OSPI policies and procedures, unless a policy or procedure is set up specifically for the State Board.



THE WASHINGTON STATE BOARD OF EDUCATION

A high-quality education system that prepares all students for college, career, and life.

SBE PARTNERSHIP ORGANIZATIONS

Organization	Primary Liaison
Education Opportunity Gap Oversight and Accountability	Janis Avery
Washington Charter School Commission	Peter Maier
Expanded Learning Opportunities Council	MJ Bolt
ESD 101 (Spokane)	MJ Bolt
ESD 105 (Yakima)	Jeff Estes
ESD 112 (Vancouver)	Patty Wood
ESD 113 (Olympia)	Alan Burke
ESD 114 (Bremerton)	Alan Burke
ESD 123 (Tri Cities)	Ryan Brault
NCESD 171 (Wenatchee)	MJ Bolt
NWESD 189 (Anacortes)	Kevin Lavery
Puget Sound ESD 121 (Renton)	Peter Maier
Learning First Alliance	Connie Fletcher
PESB: Professional Educator Standards Board	Ricardo Sanchez
WASA: Washington Association of School Administrators	Ricardo Sanchez
WASC: Washington Association of Student Councils	Joe Hofman, Lindsey Salinas
AWSP: Association of Washington School Principals	Judy Jennings
WSAC: Washington Student Achievement Council	Patty Wood
WEA: Washington Education Association	Holly Koon
WFIS: Washington Federation of Independent Schools	Judy Jennings
WSSDA: Washington State School Directors' Association	Kevin Lavery
NASBE Board of Directors	Connie Fletcher
NASBE Governmental Affairs Committee	Patty Wood
WTECB: Workforce Training and Education Coordinating Board	N/A



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SBE ADDITIONAL RESOURCES

Please bookmark this page on your computer so you always have an electronic copy of all of the Board resource guide materials: <http://www.sbe.wa.gov/proceduresmanual.php>

The page includes:

Board Overview:

[Board Mission and Vision](#)

[Equity Statement of Intent](#)

[Overview of the State Board of Education](#)

[2015-2018 Strategic Plan](#)

[Board Norms](#)

[Board Meeting Preview Videos](#)

Statutes and Rules:

[Bylaws of the State Board of Education](#)

Common School Provisions - [RCW 28A](#)

State Board of Education - [WAC 180](#)

Election of Board Members - [WAC 392.109](#)

Member Compensation - [RCW 43.03.250](#)(2) and (3), [RCW 28A.305.011](#)(5)

Board Membership:

[Board Membership Overview](#)

[Board Roster](#)

[Board Members Terms of Office](#)

[Governor's Boards/Commissions Handbook](#)

[Being an Effective Board Member](#)

New Member Forms:

[New Member Information Form](#)

[Personnel Questionnaire](#)

[Auto Deposit - Electronic Funds Transfer Form](#)

[Employment Eligibility Verification Form](#)

[W-4](#)

Travel Information/Forms:

[Travel Policy for Board Meetings](#)

[Travel Policy FAQs](#)

[Future Meeting Dates](#)

[Travel Reimbursement Form](#)

[Per Diem Map](#)

Ethics:

[Ethics in Government - A reminder of what is expected of YOU as a Board or Commission member](#)

Other:

[SBE Partnership Organizations](#)

[Budget Process](#)

[Social Media Policy](#)

If you have questions regarding this memo, please contact Alissa Muller at alissa.muller@k12.wa.us.