



## LEGAL SERVICES MEMORANDUM

**Date:** June 21, 2010  
**To:** School Board Members  
**From:** Daniel Mallin, Legal Counsel  
**cc:** Daniel A. Nerad  
**Subject:** Draft ethics policies (9000B and 1540)

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Board members:

Barb Lehman provided me with minutes from the ad hoc committee of the Board dealing with the draft ethics policies and asked, on behalf of the committee, that I provide any comments that I might have.

My review is hampered by the fact that I wasn't in attendance at the meetings of the ad hoc committee, so in the event that I misunderstand the intent of a change, please forgive me.

Here are my suggestions/issues to consider:

1. **Process.** My recommendation is that no action be taken on the policies at the meeting on 6/21, but rather that there be a discussion among all Board members of the rationale for the various changes and a opportunity to provide input to potential modifications prior to adoption. Following the discussion among the full Board, and depending on the degree of consensus and/or need for revisions coming out of the meeting on 6/21, I would request to meet with one of the members of the ad hoc committee, or with the entire ad hoc committee at a subsequent posted meeting to finalize the proposed policy changes for presentation at the July or August meeting of the Board.
2. **Policy 9000B**
  - a. **Elimination of Paragraphs 5 through 12.** The most significant change that I see reflected in the minutes of the ad hoc committee is the proposed elimination of a number of paragraphs from the existing policy (paragraphs 5 through 12). It is important to note that many (though not all) of the provisions proposed for elimination are essentially direct excerpts from the various statutes identified as "references" at the end of the existing policy.
    - i. For those paragraphs that are direct excerpts from statute, it is certainly a choice of the Board as to whether it is useful, or not, to repeat statutory standards in policy.
    - ii. If the Board wishes, I could identify in advance of the July School Board meeting those specific provisions in paragraphs 5-12 that are direct excerpts from statutes, and those that are not so that it is clear which provisions are being eliminated as a policy choice, as opposed to simply eliminating provisions already directly covered by statute.

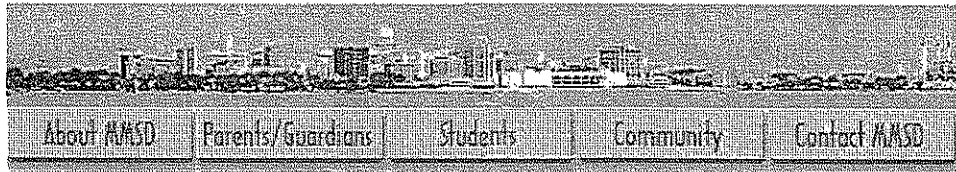
- b. **DRAFT Paragraph 1.** These changes appear to be intended to point the Board members to some (but not all) of those statutes, particularly the local government code of ethics, that are presently covered in paragraphs 5-12 of the existing policy.
- c. **DRAFT Paragraph 2.** Although the draft repeats existing language, I think it is fair to question whether there is a distinction between avoiding *actual* conflicts of interest and avoiding the *appearance* of a conflict of interest. The *appearance* of a conflict of interest is a bit in the eye of the beholder. As a suggestions to consider:
 

**“A school Board member shall avoid conflicts of interests, and should consider taking action where practicable to avoid conduct that is likely to give rise to the appearance of a conflict of interest.”**
- d. **DRAFT Paragraph 3.** The draft eliminates the specific example of closed session disclosures from the existing language. My assumption is that the change is not intended to exclude confidential/privileged information from closed session, but rather the intent is probably that there is no need to give one specific example.
- e. **DRAFT Paragraph 4.** Given the proposed elimination of paragraphs 5 through 12, I am not sure why this one provision (which is essentially one of the provisions from the local government code of ethics) is retained, unless it is felt to have special significance.
- f. **Existing Paragraph 10.** To the extent it might be retained, there is an omission in the existing language: “...in which the School Board has a private pecuniary interest...” should read: ““...in which the School Board Member has a private pecuniary interest...”

### 3. Policy 1540

- a. **Section I: DRAFT Paragraph C.** I think it is somewhat unusual to attach/incorporate a document (the Superintendent’s Communication Plan) that has less force than formal Policy into Policy. Further, it is unclear to me at this time how this proposed language and the cross-reference to the “Communications Plan” is intended to relate to existing policy 1515, “Information Concerning the School District.” (attached).
  - i. Is the Communications Plan (or a portion thereof) intended to become part of Board policy by the cross reference?
  - ii. I suggest that the Board resolve its intent in regard to the interplay between this proposed policy and existing Policy 1515; and, if possible, simply expand the proposed language to include the key language from the Communications Plan (rather than referring to it as “attached”).
- b. **Section II: DRAFT Initial Paragraph (with sub-paragraphs A and B).** These paragraphs are a modification from existing language. Although the overall intent appears to remain similar to existing policy, I recommend the existing language because I think it does a better job of expressly recognizing the competing interests between the “belief statements” and a Board Member’s likely right, as an individual citizen (and perhaps as a candidate for office while simultaneously serving on the Board) to accept PAC contributions and or to make a statement regarding a candidate. Perhaps the language could make clear that no Board Member may purport to, or attempt to imply, that they are speaking for the School Board when making a statement in regard to a candidate for office. That is, they should be express that they are speaking in the individual capacity.

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**MMSD Policies and Procedures: 1540**

**POLICY**                      **ETHICS**                      **1540**  
Board of Education

**School Board Ethics**

The following is the manner in which the Madison Metropolitan School District Board of Education is expected to conduct itself.

**WASB PUBLIC RESPONSIBILITIES FOR SCHOOL BOARD MEMBERS**

As a representative of all the citizens in my District, I am responsible for serving the best interests of the community and its students, utilizing all available resources toward that end. My oath of office requires me to uphold the laws and Constitutions of the United States and State of Wisconsin; but, in addition to that, I shall keep in mind that:

1. I can act only when in official Board session; except, as an officer, I may take actions necessary to fulfill my duties.
2. I should attend all meetings and be prepared at those meetings to act on issues before the Board. I should be prepared to contribute to the discussion, while keeping an open mind during the deliberations. Once the decision is made, I should be willing to support and promote its implementation.
3. I must avoid all conflicts of interest, both pecuniary and nonpecuniary.
4. I must remember that responsibilities for overall management and control of the property and affairs, including the development of policies, belong to the School Board while the responsibilities for the day-to-day operation of the school belong to the administration. Together, the School Board and the administration must work to continually identify the needs, goals, and priorities of the District.
5. I must be responsive to the public, maintaining open communication lines with my fellow citizens in the community, informing them on the educational needs of the District, as well as on actions of the Board and accomplishments of the District's educational program.
6. I am a local legislator, but I must work under state and federal laws. I should communicate with state and federal legislators concerning the problems and needs involved in providing a quality education.
7. I must consider the School Board's role as the District's employer, making sure the District has able and well-qualified employees who will serve in the best interest of the students. (This includes providing for staff development and evaluation.)

**AS A MEMBER OF MY LOCAL BOARD OF EDUCATION, I WILL STRIVE TO IMPROVE PUBLIC EDUCATION, AND TO THAT END, I WILL:**

1. Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
2. Recognize that I should endeavor to make policy decisions only after full discussion at publicly held Board meetings;
3. Render all decisions based on the available facts and my independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
4. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all

Action

- 1511-Nepotism
- 1512-Liability
- 1513-Proposals
- 1515-District Information
- 1535-School Buildings
- 1540-Ethics
- 1550-Compensation
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- Charter Schools (10000-10999)
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- Wellness Policy
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- elements of the community;
5. Work with other Board members to establish effective Board Policies and to delegate authority for the administration of the schools to the Superintendent;
  6. Communicate to other Board members and the Superintendent expressions of public reaction to Board Policies and school programs;
  7. Inform myself about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by my state and national school boards associations;
  8. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
  9. Avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain;
  10. Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law; and
  11. Remember always that my first and greatest concern must be the educational welfare of the students attending the public schools.

11/5/79

[From the National School Boards Association Code of Ethics for School Board Members, as furnished by the Wisconsin Association of School Boards Madison office.]

**MADISON SCHOOL BOARD ETHICS**

1. The Board hereby acknowledges the legal rights of individuals elected to the school board (1) to accept campaign contributions in accordance with the law; and (2) to publicly express their opinions regarding the merits and fitness of an individual campaigning to serve as a school board member.
2. However, the Board believes in promoting for itself a high ethical standard without infringing on the legal rights of individual Board members. Consistent with that belief, the Board feels that individual Board members should avoid real or perceived conflicts of interests in regard to the two beliefs statements enumerated below which are related to an individual Board member's acceptance of campaign contributions from Political Action Committees and endorsement/denouncement of candidates campaigning to be a member of the school board.
  - a. Board members should avoid taking campaign contributions from political action committees or any other groups that are likely to benefit from action that might be taken by a Board member; and
  - b. Board members should avoid publicly endorsing or denouncing the candidacy of a person who is campaigning to be elected to the school board.

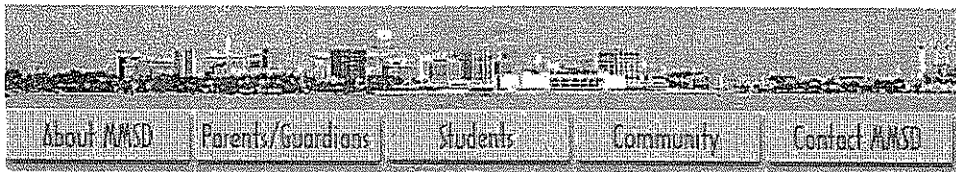
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**MMSD Policies and Procedures: 9000A**

POLICY                      CODE OF CONDUCT                      **9000A**  
Ethics

**Gifts, Expense Reimbursement**

1. No employee may accept or solicit for personal use a gift worth more than token value from a pupil or parent of a pupil who is not a relative. The Superintendent may grant exceptions in extenuating circumstances such as cases of bereavement, illness, or death.
2. No employee may accept or solicit a gift from any source if such acceptance either could reasonably be expected to influence the employee's exercise of judgment in the performance of her/his duties or could reasonably be considered as a reward for any official action.
3. No employee shall accept or solicit any gift from a District vendor for the employee's personal use unless such gift is either offered to the general public or is not given to the employee because of her/his employment with the District.
4. No employee with District purchasing authority shall accept anything of value from any party other than the district in conjunction with attendance at a demonstration or promotion of goods or services offered for sale to the District.
5. No employee may use her/his employment with the District to obtain for personal use anything of substantial value from any party other than the District.

**Use of District Resources**

1. Except as provided in Policy 8221 - Copyright, or available to the general public, no employee shall use District property, resources, facilities, equipment, supplies, services, or time-in-pay status for personal use, personal financial gain, or to promote any political candidate, party, or cause.

**Conflict of Interest**

1. No employee may engage in other employment or independent contracting which is incompatible with the proper discharge of her or his District duties, or would tend to influence her/his judgment or action in the performance of her/his duties.
2. No employee whose non-District employment or independent contracting is compensated by a District vendor shall participate in or attempt to influence the District's purchasing process in matters involving such vendor.
3. No employee shall participate in or attempt to influence any District decision-making process in which s/he has a substantial personal or financial interest.
4. No employee may use her/his employment with the District in a way that produces or assists in the production of a substantial benefit for the employee.

PROCEDURE                      CODE OF CONDUCT                      **9000A**  
Ethics

1. When serving in a public office interferes with District employment, a leave shall be requested by the employee.

- Wellness Policy
- Student Code of Conduct
- Animals on School Premises Policy Summary
- Progress Report
- Reports
- Archives of Meeting Notices



2. An employee who enters into an employment or independent contractor agreement with a District vendor shall file a disclosure form with the Assistant Superintendent for Business Services, or her/his designee, within 30 days after entering into that agreement, and annually thereafter while such agreement remains in effect.
3. An employee who receives any gift or other thing of value which the employee is prohibited from accepting under this policy shall either return it to the donor or turn it over to the Assistant Superintendent for Business or his/her designee.
4. Board members, the Superintendent, the Assistant Superintendent for Business Services, and all employees with District purchasing authority shall (1) file a Statement of Economic Interests with the Legal Counsel of the Board prior to April 30th of each year and (2) file a disclosure form with the Assistant Superintendent for Business Services or her/his designee within 30 days after entering into an employment or independent contractor agreement contemplating annual compensation of \$1,000.00 or more.

### **Sanctions**

Employees violating this policy or procedure are subject to discipline, up to and including dismissal. Board members who fail to file the required Statement of Economic Interest shall not be paid until such filing is effected.

### **Definitions**

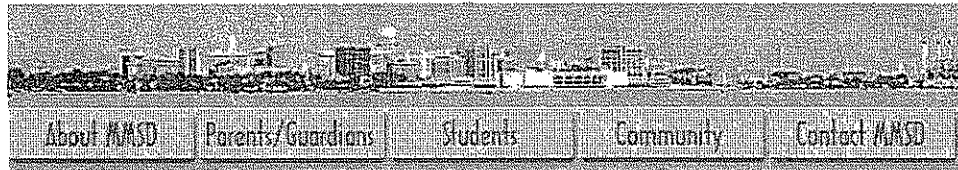
1. "Employee" is defined as the School Board, citizen members (except students of School Board committees), and all persons who receive wages from the District who are under any contract for hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in the material details of how the work is to be performed.
2. "Personal use" includes use by an immediate family member and/or use by an organization with which the employee is associated. The definition of "personal use" does not include campaign contributions.
3. "Exercise of judgment" includes, but is not limited to, votes, official action, and inaction.
4. "Substantial personal interest" or "substantial benefit" to the employee includes, but is not limited to, such interest or benefit that an immediate family member has, as well as an interest in an organization with which the employee is associated.
5. "Gift" includes a loan, service, favor, gratuity, premiums, discount, or anything else of value.

12/6/04

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**MMSD Policies and Procedures: 9000B**

POLICY CODE OF CONDUCT 9000B  
Ethics

**Board of Education Code of Conduct**

1. School Board members shall honor and comply with all federal, state and local laws and regulations, including the Code of Ethics for local governmental officials.
2. School Board members shall avoid conflicts of interest or the appearance of conflicts of interest.
3. Unless authorized by the Board, no School Board member shall disclose confidential or privileged information, including confidential or privileged information that was presented or discussed in a closed session of the Board or Board Committee.
4. No School Board member may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for any organization with which he or she is associated.
5. A School Board member shall only expend School District funds when such expenditure has a public purpose.
6. No School Board member may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the School Board member's vote, official actions or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the School Board member. This paragraph does not prohibit a School Board member from engaging in outside employment.
7. No School Board member holding an elective office may, directly or by means of an agent, give, or offer or promise to give, or withhold, or offer to promise to withhold, his or her vote or influence, or promise to take or refrain from taking official action with respect to any proposed or pending matter in consideration of, or upon condition that, any other person make or refrain from making a political contribution, or provide or refrain from providing any service or other thing of value, to or for the benefit of a candidate, a political party, any other person who is subject to a registration requirement under s. 11.05, or any person making a communication that contains a reference to a clearly identified local public official holding an elective office or to a candidate for local public office.
8. No School Board member may:
  - a. Take any official action substantially affecting a matter in which the official, a member of his or her immediate family, or an organization with which the official is associated has a substantial financial interest; or
  - b. Use his or her office or position in a way that produces or assists in the production of a substantial benefit, direct or indirect, for the official, one or more members of the official's immediate family either separately or together, or an organization with which the official is associated.

This Paragraph 8 above does not prohibit a School Board member from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses.
9. In the School Board member's private capacity, the School Board member shall not

- Wellness Policy
- Student Code of Conduct
- Animals on School Premises Policy Summary
- Progress Report
- Reports
- Archives of Meeting Notices



negotiate or bid for or enter into a contract in which the School Board member has a private pecuniary interest, direct or indirect, if at the same time, the School Board member is authorized or required by law to participate as a School Board member in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on the part of the School Board member;

10. In the School Board member's capacity as School Board member, the School Board member shall not participate in the making of a contract in which the School Board has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on the part of the School Board member.
11. A School Board member shall not:
  - a. Intentionally fail to refuse to perform a known mandatory, nondiscretionary, ministerial duty of the School Board member's office within the time or in the manner required by law;
  - b. In the School Board member's capacity as a School Board member, by act of commission or omission, exercise a discretionary power in a manner inconsistent with the duties of the School Board member's office or the rights of others and with intent to obtain a dishonest advantage for the School Board members or another;
  - c. In the School Board member's capacity as a School Board member, make an entry in an account or record book or return, certificate, report, or statement which in a material respect the School Board member intentionally falsifies;
  - d. Under color of the School Board member's office, intentionally solicit or accept for the performance of any service or duty anything of value which the School Board member knows is greater or less than is fixed by law; or
  - e. In the School Board member's capacity as a School Board member, act in a manner that the School Board member knows is in excess of his/her lawful authority or which the School Board member knows that he/she is forbidden by law to do in the School Board member's official capacity.
12. No School Board member shall directly or indirectly accept or offer to accept any property or personal advantage, which the School Board member is not authorized to receive, pursuant to an understanding that the School Board member will act in a certain manner in relation to any matter which by law is pending or might come before the School Board member in the School Board member's capacity as a School Board member or that the School Board member will do or omit to do any act in violation of the School Board member's lawful duty.

s. 19.59; 946.10; 946.12; 946.13  
12/6/04

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**Madison Metropolitan School District  
Madison, Wisconsin**

**Daniel A. Nerad, Superintendent**

**BOARD OF EDUCATION  
Minutes for SPECIAL MEETING AD HOC  
Open Session  
March 9, 2010**

**Doyle Administration Building  
545 West Dayton Street  
Room 103  
Madison, Wisconsin**

The Special Ad Hoc meeting of the Board of Education was called to order by Chair Maya Cole at 12:09 p.m.

MEMBERS PRESENT: Maya Cole, Ed Hughes, Beth Moss  
MEMBERS ABSENT: None  
STUDENT REPRESENTATIVE PRESENT: None  
STAFF PRESENT: Recording Secretary Barbara Lehman

**1. *Revisions to Board of Education Ethics Policies (1540 and/or 9000)***

(Written materials provided: MMSD Board Policies 1540 and 9000 "School Board Ethics" and "Code of Conduct" (respectively); sample policies from Montgomery County, the National School Boards Association, and Wisconsin school districts Baraboo, Cedarburg, Jefferson, West Allis-West Milwaukee, Oak Creek-Franklin, Green Bay, and Tri-County. Copies are attached to the original of these minutes.)

The following revisions are recommended to be made to MMSD Policy 9000B "Board of Education Code of Conduct":

- "1. School Board members shall honor and comply with all national, state, and local laws and regulations, including:
  - Understanding the following open meeting laws as set forth in Chapter 19.81 to 19.98 in Wisconsin statutes,
  - Adhering to meeting agendas for open and closed sessions,
  - Complying with Code of Ethics for local government officials as set forth in Chapter 19.41 to 19.59 in Wisconsin statutes.
2. School Board members shall avoid conflicts of interest or the appearance of conflicts of interest.
3. Unless authorized by the Board, no School Board member shall disclose confidential or privileged information.
4. No School Board member may use his or her public position or office to obtain financial gain or anything of substantial value for the private benefit of himself or herself or his or her immediate family, or for any organization with which he or she is associated."

The following revisions are recommended to be made to MMSD Policy 1540 "School Board Ethics":

- "1. Individual Board members should avoid real or perceived conflicts of interests in regard to the two belief statements enumerated below which are related to an individual Board member's acceptance of campaign contributions from Political Action Committees and endorsement/denouncement of candidates campaigning to be a member of the school board.
  - a. Board members should avoid taking campaign contributions from political action committees or any other groups that are likely to benefit from action that might be taken by a Board members; and
  - b. Board members should avoid publicly endorsing or denouncing the candidacy of a person who is campaigning to be elected to the school board."

The following revisions are recommended to be made to the "Standards of Behavior of the Board of Education" as submitted by MMSD board member Ed Hughes:

"The Board functions most effectively when individual Board members adhere to acceptable professional behavior. To promote acceptable conduct of the Board, board members should:

1. Recognize that the Board of Education shall act in the best interests of the students, staff and the entire district.
2. Attend all official meetings of the Board. If a member of the Board is unable to attend a meeting, the Board member will notify the Board president or Superintendent prior to the meeting.
3. Review relevant information prior to meetings and be appropriately prepared to consider agenda items. Exercise judgment in requesting information from the Superintendent and staff, weighing in mind the potential benefit of the requested information against the likely burden imposed on staff to assemble it.
4. Act on behalf of the Board only in quorum with other board members and refrain from speaking or acting for the Board as an individual unless otherwise directed by a majority of the Board.'
5. Base voting decisions on the Board member's independent judgment of the best interests of the district and its students, while giving open-minded and fair consideration to the views of other Board members, and thereafter support the majority decision of the Board.
6. Respect the division of responsibilities between the Board as a policy making and monitoring body and the Superintendent and administration as those responsible for implementing the Board's policies and for the district's day-to-day operations.
7. Model the type of respectful, informed, and open-minded discussion and consideration of issues that board members would like to see reflected throughout all levels of the district and its schools.
8. Conduct themselves at all times in ways likely to engender public confidence in the prudence of the board's management of the district and the quality of the education available to the district's students.
9. The board shall be responsible for the Board's performance and will monitor and regularly discuss the Board's involvement in continuous improvement and adherence to the Board's Code of Ethics."

Possible items to include in a board packet for new members:

- √ Latest interpretation of open meetings laws from Attorney General
- √ Code of Conduct
- √ Board communication plan
- √ NSBA *Leadership Insider*, September 2004

**FOLLOW UP:** Present policy statements separate from board packet items to the board for presentation.

## 2. ***Adjournment***

**It was moved by Maya Cole and seconded by Ed Hughes to adjourn the meeting at 1:20 p.m. Motion unanimously carried.**

Madison Metropolitan School District  
Madison, Wisconsin

Daniel A. Nerad, Superintendent

**BOARD OF EDUCATION**  
**Minutes for SPECIAL MEETING AD HOC**  
**Open Session**  
**June 7, 2010**

**Doyle Administration Building**  
**545 West Dayton Street**  
**Room 103**  
**Madison, Wisconsin**

The Special Ad Hoc meeting of the Board of Education was called to order by Chair Maya Cole at 12:03 p.m.

MEMBERS PRESENT: Maya Cole, Ed Hughes, Beth Moss

MEMBERS ABSENT: None

STUDENT REPRESENTATIVE  
PRESENT: None

STAFF PRESENT: Recording Secretary Barbara Lehman

**1. *Approval of Minutes***

**It was moved by Maya Cole and seconded by Beth Moss to approve the minutes from the March 9, 2010 Ad Hoc meeting as distributed. Motion unanimously carried.**

**2. *Revisions to Board of Education Ethics Policies (1540 and/or 9000)***

All suggested modifications were drawn from various sources, including the National School Boards Association and other school districts.

The recommended revisions to MMSD Policy 9000B as reflected in the March 9, 2010, minutes were accepted as written.

Further revisions were made to MMSD Policy 1540 "School Board Ethics":

**SECTION I--ETHICS:**

The Board functions most effectively when individual board members adhere to acceptable professional behavior. To promote acceptable conduct of the Board, board members should:

- A. Recognize that the Board of Education shall act in the best interests of the community and its students.
- B. Attend all official meetings of the Board. If a member of the Board is unable to attend a meeting, the board member will notify the board president or superintendent prior to the meeting.
- C. Review relevant information prior to meetings and be appropriately prepared to positively contribute to the discussion regarding the agenda. Exercise judgment in requesting information from the superintendent and staff, weighing in mind the potential benefit of the requested information against the likely burden imposed on staff to assemble it following the guidelines set forth in the Superintendent's Communications Plan (attached).
- D. Act on behalf of the Board only in quorum with other board members and refrain from speaking or acting for the Board unless otherwise directed by a majority of the Board.
- E. Base voting decisions on the board member's independent judgment of the best interests of the district and its students, while giving open-minded and fair consideration to the views of other board members, and thereafter support the majority decision of the Board.

- F. Recognize that authority rests with the Board of Education and neither board members nor individuals will make any personal promises nor take any private action that may compromise the Board.
- G. Respect the division of responsibilities between the Board as a policy making and monitoring body and the superintendent and administration as those responsible for implementing the Board's policies and for the district's day-to-day operations.
- H. Model the type of respectful, informed, and open-minded discussion and consideration of issues that board members would like to see reflected throughout all levels of the district and its schools.
- I. Conduct themselves at all times in ways likely to engender public confidence in the prudence of the Board's management of the district and the quality of the education available to the district's students.

**SECTION II—CONFLICTS OF INTEREST:**

Individual board members should avoid real or perceived conflicts of interests in regard to the two belief statements enumerated below which are related to an individual board member's acceptance of campaign contributions from Political Action Committees and endorsement/denouncement of candidates campaigning to be a member of the school board.

- A. Board members should avoid taking campaign contributions from political action committees or any other groups that are likely to benefit from action that might be taken by board members; and
- B. Board members should avoid publicly endorsing or denouncing the candidacy of a person who is campaigning to be elected to the school board."

The Board shall be responsible for the Board's performance and will monitor and regularly discuss the Board's involvement in continuous improvement and adherence to the Board's Code of Ethics."

Possible items to include in a board packet for new members:

- √ Attorney General's Guide to Open Meetings
- √ Code of Conduct
- √ Board of Education/Superintendent Communication Plan
- √ NSBA *Leadership Insider*, September 2004

Next Steps: Send revisions to ad hoc committee, review by legal counsel, adopt at the board retreat.

**FOLLOW UP:** Confirm that e-mail is covered under Wis. Stat. §§19.81-19.98. Present policy statements separate from Board packet items to the Board for presentation at the Board retreat on June 21, 2010.

**3. Adjournment**

**It was moved by Maya Cole and seconded by Ed Hughes to adjourn the meeting at 12:37 p.m. Motion unanimously carried.**

# Superintendent / Board of Education Communication Plan

Madison Metropolitan School District  
April 15, 2010 - Revised

## AREAS OF NEED

1. Present information to the Board that is timely, accurate, understandable and sufficient.
2. Provide the Board with information needed for the Board to make decisions and carry out its responsibilities.
3. Respond to Board member requests in an accurate, thorough and timely manner.

## OBJECTIVE

Develop and implement a sustainable system for improving and demonstrating effective communication with the Board of Education.

Provide the Board with information that is deliberative in its context and content such that the Board can carry out its essential responsibilities.

## ACTION PLANS

1. Providing information to the Board of Education in a useful, easy-to-understand, accurate and complete format to make decisions and carry out its responsibilities.

### **Recommendation:**

Implement a standard format for reports to the Board of Education (see Appendix A).

Information presented to the Board must take into consideration what issues are critical to Board knowledge. Reports should present alternative recommendations with rationale, as needed.

2. Ensuring the Board of Education is updated on announcements and projects before information is known/released by the community and media.

### **Recommendations:**

- √ An annual retreat is scheduled with the Board of Education that defines Board priorities or goals for the year.
- √ A legislative strategy and communication plan will be set bi-annually by both the Board of Education and the administration to effectively advocate on behalf of the district.
- √ E-mails will be sent to the Board of Education providing information about upcoming media stories.

✓ E-mails and the Weekly Update will be used to inform the Board of Education about issues and projects within and involving the District.

3. Ensuring all Board of Education members receive the same information in response to questions.

***Recommendation:***

Board members making requests via e-mail or in written form should blind-copy all Board members, allowing the full Board to understand what is being requested. Responses to informational requests made by individual Board members will be provided to all Board members and the Executive Assistant to the Board.

4. Providing information to the Board of Education in a timely manner (Weekly Update versus other means of communication).

***Recommendation:***

The Weekly Update will be continued as the tool to provide all Board members information about issues and projects occurring within the District. E-mail updates will also be used to provide more time-sensitive information (for example, police reports, lock-downs, or other crisis situations) to the Board of Education.

When possible, Board members making informational requests should prioritize the requests, allowing the administration to better understand the urgency of various requests (1 = information needed for a committee/board meeting or information needed within the week if not for a committee/board meeting; 2 = information needed within 7-10 days; 3 = information needed 10-14 days).

In addition, the Board of Education will determine the type of information received for specific circumstances and decisions by establishing categories for informational requests.

Information requests by Board members may be categorized as follows:

- ✓ **Anticipated Reports** on program development or district progress monitoring (Strategic Plan updates, quarterly financial reports, Equity report);
- ✓ **Central to Decision-Making** (information that is context oriented, background information, budget trends, history of topic);
- ✓ **Community/District Input** (surveys, city and other governmental decisions, advocacy group correspondence);
- ✓ **Confidential Information** (contract, legal or personnel);
- ✓ **Progress Reports** on predetermined goals (Math Task Force, Technology Plan update, TAG updates).

5. Determining ways Board of Education members can receive quick answers to questions.

***Recommendation:***

Board members having the need for quick answers for information not requiring research, data collection, or a more lengthy written response should directly e-mail the requests to the involved administrator with a copy of the e-mail request sent to the Superintendent and the Executive Assistant to the Board.

# BOE Presentation Format

Revised 3/11/10

This document is intended to provide support to individuals who are preparing presentations for the Board of Education. It will create greater consistency in the information provided and ensure that the BOE has both a succinct and brief summary of the issue as well as detailed, in depth information.

## I. Introduction

- A. **Title or topic/reason for report or presentation** - Provide the title and/or a one-sentence description of the topic being addressed and/or what is being proposed. Explain why the report or presentation is being made. If possible, reference specific board meeting date and actual language used in the request.
- B. **Presenter or contact person for the presentation** - List the name of the person(s) who is(are) making the presentation and the administrator responsible. Also list other staff involved in the project.
- C. **Background information** - Summarize information about the history of the topic in the MMSD and any background information needed by the BOE to understand the current context and purpose of the presentation.
- D. **Describe the action requested of the BOE** - For example, is the purpose of the presentation to obtain formal approval of a recommendation, to obtain input that will help to shape an approach or recommendation, or to provide information? A time frame should be included here.

## II. Summary of Current Information

- A. **Provide a brief synthesis of the topic** - Write a brief summary of each key component of the presentation. In the Math Task Force example attached, there is a synthesis of progress organized around each recommendation from the report. In the Reading Recovery example, there is a bulleted list synthesizing several implementation models. In the H1N1 report, each aspect of the district's response plan is highlighted. Use bulleted lists to break up longer passages of narrative text.
- B. **Clearly label any recommendations** - When recommendations are advanced, clearly link them to the information provided. Also link an alternative recommendation(s) when identified.
- C. **Link each element summarized to supporting detail** - If in depth material is attached, consider making a reference to it within the summary document. In the H1N1 example, explicit reference is made to documents attached.

## III. Implications

- A. **Budget** - State how the initiative is/will be funded and any impact on future budget planning. Provide the total cost of the project by funding source.
- B. **Strategic Plan** - Make a link to district priorities as described in MMSD's Strategic Plan.
- C. **Equity Plan** - Make a link to MMSD/Equity Plan.
- D. **Implications for other aspects of the organization** - Describe the impact of the initiative on staff or other departments or divisions. Does the initiative dovetail with other work? If so, what are the links?

## IV. Supporting documentation

6. Developing timely follow-through on information commitments made to the Board of Education in response to board member requests made during formal meetings of the Board.

***Recommendations:***

- √ Immediately following Board meetings, a summary will be made of follow-up requests from Board members.
- √ These requests will be discussed by the Superintendent and lead administrators at a debriefing meeting.
- √ The list of follow-up requests will be sent to the Board and the Executive Assistant to the Board with assignments and timelines to complete the request.
- √ Requests for information will be completed by the designated administrator and sent to the Superintendent and to the Board's Executive Assistant.
- √ Following review, the response(s) will be sent to the full Board.