



Ohio School Boards Association Capital Conference and Trade Show

November 13 – 16, 2011

Greater Columbus Convention Center
Columbus, Ohio

Challenges of being a board member and parent

Board development

Monday, November 14, 2011

3:45 p.m.

C 213–215

Julie Sohngen, board member, Kirtland Local (Lake)

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Board Presidents' Workshop

The leadership role of a Board President is both challenging and rewarding. Register to attend the 2012 Board Presidents' Workshop. This one-day workshop will cover board development, legal and management topics; all vital issues that affect your role as Board President and your board.

Visit www.ohioschoolboards.org to see workshop dates, locations, details and to register.

Please complete an online conference evaluation either during or after the event at

<http://links.ohioschoolboards.org/CC11Evaluation>

OSBA Mission

OSBA leads the way to educational excellence by serving Ohio's public school board members and the diverse districts they represent through superior service and creative solutions.

Ohio School Boards Association

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Challenges of Being a Board Member and Parent

Kirtland Local Schools

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November 14, 2011

challenges

why might it be a conflict of interest for you as a board member to advocate for your own children in school?

when can your interests as a parent prevail over your responsibilities as a board member?

what are the risks of ignoring the dual roles that board members play?

matter #1: 504 compliance

disloyal?

matter #2: campaign promises

representation?

matter #3: teacher discipline

decision?

what is a conflict of interest?

statutes

legal definition

duty of loyalty

duty of representation

proper decision-making criterion

what is disclosure?

what is recusal?

the rest of the story...

ways to manage the conflict

follow board policy

disclosure

recusal

third-party evaluation / legal advice

take-away #1: do's & do not's

when you're overseeing your child's education...

DO respect teacher's established communication
DO NOT just pop in for an impromptu meeting
DO keep a record of your communication
DO NOT involve administrators unless necessary
DO maintain confidentiality
DO NOT ask for or allow special treatment/be hyper-vigilant

when you're advocating for your child's education...

DO follow protocol for elevating an issue above the teacher
DO NOT refer to your position on the board
DO allow the teacher to explain and resolve
DO NOT allow other issues with the teacher to become part of the discussion
DO document verbal discussions and resolutions
DO NOT fail to consider disclosing to the board

when you're exercising the rights of your child...

- DO** involve the appropriate district personnel
- DO NOT** skip required district procedures
- DO** document specific concerns and expectations
 - DO NOT** allow favoritism
 - DO** include your spouse if possible
 - DO NOT** fail to disclose to the board
- DO** recuse yourself from board discussion or vote

when filing a complaint...

- DO** follow guidelines for formal complaints
- DO NOT** fail to disclose to the board
- DO** recuse yourself from board discussion or vote
- DO NOT** expect district counsel to represent you or your child
- DO** include your spouse, if applicable, with formal complaint

take-away #2: sample policy

rationale:
dual roles of board member and parent create actual or perceived conflicts of interest between parental responsibilities and board duties

intent:
manage responsibilities as a board member
vs.
interests as a parent

outcome:
a clear standard of conduct relating to the dual responsibilities

purpose:
foster greater public trust and accountability

potential conflicts of interest:
advocating for their child in school
exercising the rights of their child in school
filing a complaint, informal or formal, relating to
the treatment of their child in school

procedures: disclosure
disclose the matter to the president of the
board who shall then notify the other board
members

procedures: recusal
identify the potential conflict of interest
forego participation in any discussion of the matter
excuse himself/herself from any discussion of the issue that occurs in executive session
take no action to influence other board members
decline to vote on the matter, program or motion

procedures:
independent evaluation / legal advice

sunshine laws
confidentiality

managing the conflict of interest

loose coupling
buffering
logic of confidence
protect the institution from outside scrutiny

inherent limitations

questions?

thank you

Take-Away #1

Do's & Do Not's Checklist

1. Oversee child's education

(e.g. talking with teacher about child's education/gathering information)

- DO respect teacher's established communication
- DO NOT just pop in for an impromptu meeting
- DO keep a record of your communication
- DO NOT involve administrators unless necessary
- DO maintain confidentiality of your student
- DO NOT ask for or allow special treatment / Be hyper-vigilant

2. Advocate for your child's education

(e.g. asking a teacher about classroom practice/seeking an explanation and modification)

- DO follow district protocol for elevating an issue above the teacher, i.e. include immediate supervisor/principal in communication
- DO NOT refer to your position on the school board or allow it to be a factor in the discussion
- DO allow the teacher to present their explanation and potential resolution
- DO NOT allow other issues with the teacher, department, or school to become part of the discussion
- DO document verbal discussions to verify facts and potential resolutions
- DO NOT fail to consider disclosing the situation to the Board

3. Exercise rights of your child

(e.g. demanding specific educational services for or treatment of your child)

- DO involve the appropriate district personnel (504/IEP compliance officer)
- DO NOT expect to skip evaluations or other district procedures required to award services
- DO document specific concerns and expectations
- DO NOT allow favoritism (awarding of services that would not be provided to other students with same criteria)
- DO include your spouse, if applicable, in any meetings/communications regarding the issue
- DO NOT fail to disclose to the Board
- DO recuse yourself from Board discussion or vote

4. File complaint or grievance

(e.g. challenging the educational services for or treatment of your child)

- DO follow district, state, and federal guidelines for filing formal complaints
- DO NOT fail to disclose to the Board
- DO recuse yourself from Board discussion or vote
- DO NOT expect district counsel to represent you or your child
- DO include your spouse, if applicable, with formal complaint

Take-Away #2

Sample Policy

Effectively Managing the Dual Roles of Board Member as Parent

I. Introduction

Members of the Kirtland Local School District Board of Education are commonly parents of children attending school in the Kirtland Local School District. The dual roles of Board member and parent may present actual or perceived conflicts of interest between parental responsibilities and Board duties. The intent of this Policy is to prevent a Board member from being placed in a position where his/her responsibilities as a Board member may conflict, or appear to do so, with his/her interests as a parent of a Kirtland Schools' student. The Board of Education wishes to establish a clear standard of conduct relating to the dual responsibilities of a Board member as parent in an effort to foster greater public trust and accountability. The Board of Education expects that its members use their best skill, care and judgment to adhere to this Policy.

II. Board Member as Parent

Parents of students typically engage in one or more of the following actions:

- A. Advocating for their child in school;
- B. Exercising the rights of their child in school;
- C. Filing a complaint, informal or formal, relating to the treatment of their child in school; and/or
- D. Such other actions that may conflict, or appear to conflict, with the fiduciary duties and responsibilities of a Board member in the Kirtland Local School District.

Prior to engaging in any of these actions, a member of the Board of Education shall comply with the procedures relating to disclosure, recusal and third-party evaluation/legal advice set forth in Sections III, IV and V of this Policy.

III. Disclosure

Prior to engaging in any of the actions described in Section II, the Board member shall immediately disclose the matter to the President of the Board Education who shall then notify the other members of the Board of Education of the disclosure. If the disclosing Board member is the President of the Board of Education, s/he shall notify the Vice-President of the Board of Education who shall then notify the other Board members of the disclosure.

IV. Recusal

If an issue to be decided, discussed and/or otherwise considered by the Board involves a child of a Board member, it is the responsibility of the affected Board member to:

- A. Identify the potential conflict of interest;
- B. Forego participation in the discussion of the matter, program or motion being considered;
- C. Excuse himself/herself from any discussion of the issue that occurs in executive session;
- D. Take no action to influence other Board members; and
- E. Decline to vote on the matter, program or motion.

V. Independent Evaluation/Legal Advice

The Board of Education may solicit an independent evaluation and/or legal advice relating to whether a board member's intended actions regarding his/her child present an actual or perceived conflict of interest and any appropriate steps necessary to mitigate an actual or perceived conflict of interest.

VI. Sunshine Laws

Matters arising under this Policy shall be discussed in executive session provided they qualify for discussion in executive session under applicable law. All other discussions and consideration of matters arising under this Policy shall be discussed in an open meeting properly convened under applicable law.

VII. Confidentiality of Student Information

Discussions relating to student matters shall be maintained as confidential to the maximum extent permitted by applicable law.