



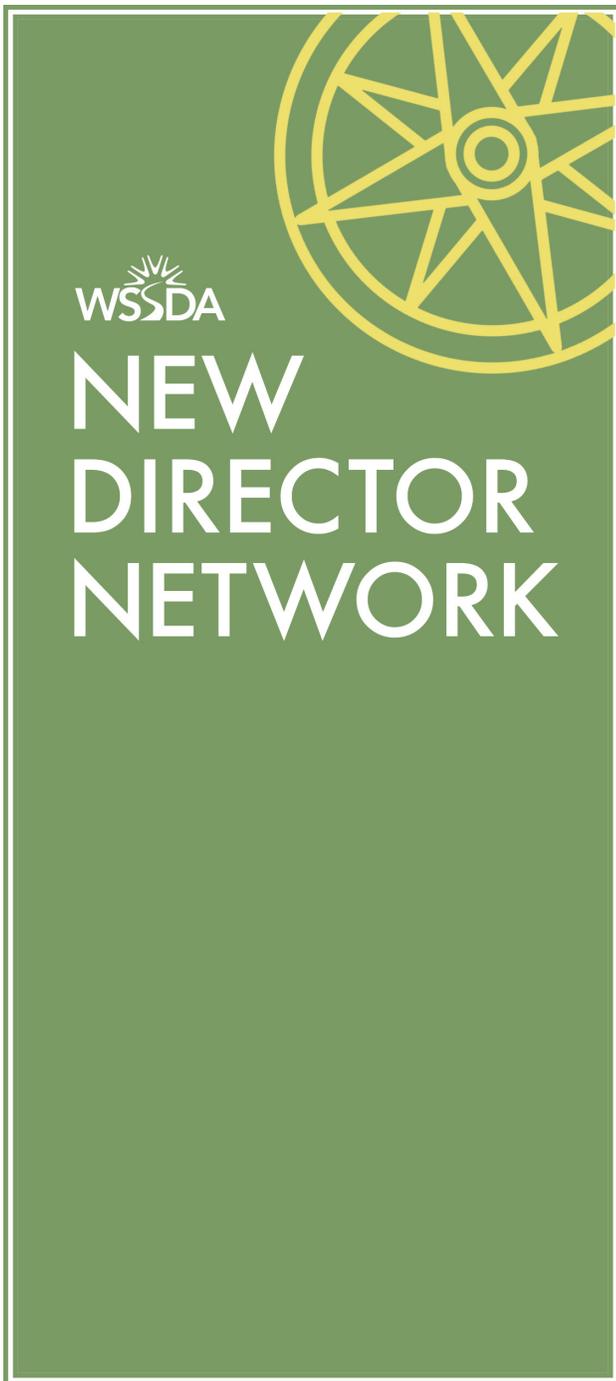
WSSDA

**NEW
DIRECTOR
NETWORK**

**Webinar #2
February 20, 2024**

Keeping It Legal

**Legal Responsibilities &
considerations for new
school directors**



Your WSSDA Team

Leadership Development

Providing resources, guidance, training, research and support to WA school directors



Tricia Lubach

Director of Leadership Development



Christine Najarro

Leadership Development Coordinator

WSSDA

Here to support you in
three ways:





WSSDA

NEW DIRECTOR NETWORK



Today's topics

- The board's legal responsibilities
- Board policy
- Types of meetings
- Open Public Meetings Act (OPMA)
- Conflicts of Interest
- Resources available to you

>> Please type questions in Q&A box

WSSDA

NEW DIRECTOR NETWORK

Tips for a great webinar



- **Please mute yourself**
- **Cameras on or off – your choice**
- **Type questions in Q&A box for later**
- **Webinar is being recorded**

WSSDA's Policy & Legal Team

Supports you and your district with the most current policies and resources to support effective and legally sound school district governance.



Abigail Westbrook

Director of Policy & Legal



Kelsey Winters

Policy & Legal Specialist



Brittany Montano

Branch Coordinator

Overview of School Board Responsibilities

Set Mission, Vision, Goals



Financial Oversight



Community Engagement



Policy



Hire & Evaluate Superintendent



Monitor District Performance



The Board's Responsibilities:

SET POLICY

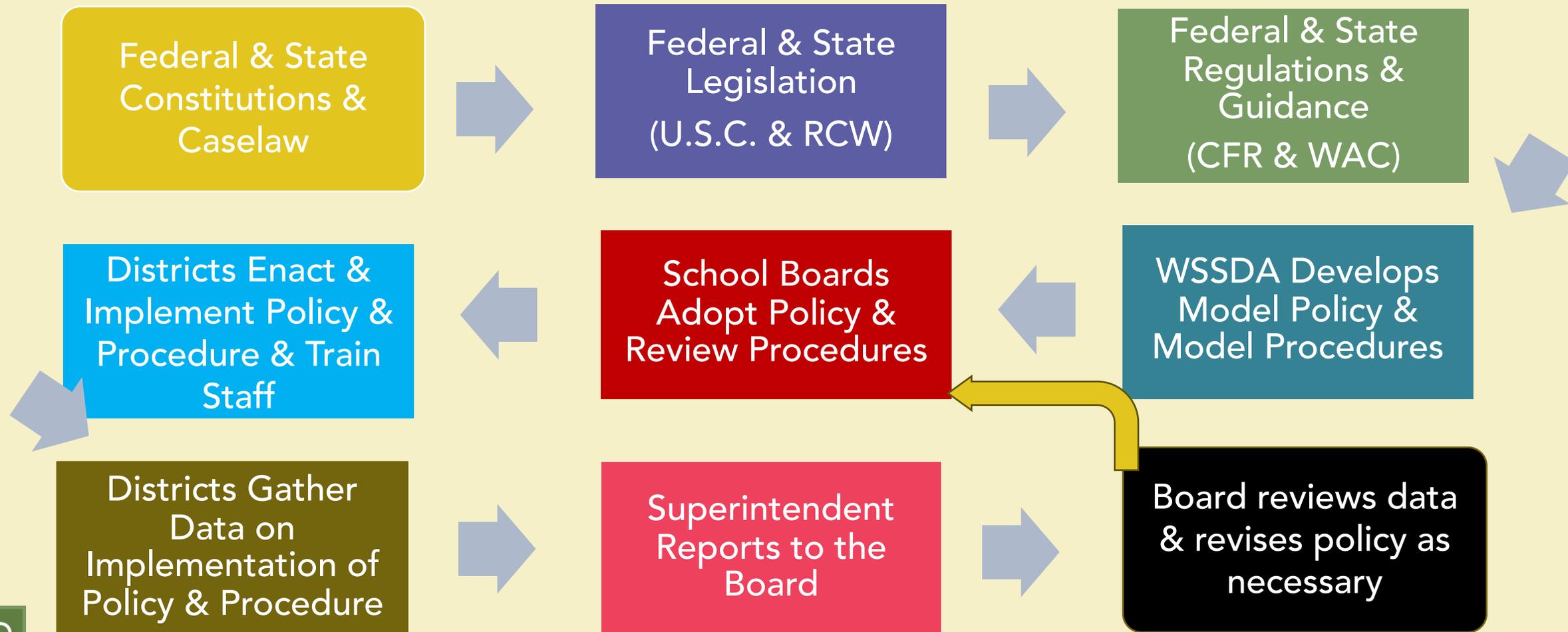
Policy: “A policy is a deliberate system of principles to guide decisions and achieve outcomes”

- Policy is the **WHAT**
Developed, updated, and revised by the board
- Procedures define the **HOW**
Developed, updated, and implemented by staff, with direction from the board



The Board's Responsibilities: SET POLICY

How the Law Become Policy



The Board's Responsibilities: SET POLICY

Policy Structure Road Map

0000

Planning

- Vision, Mission, Values

1000

Board of Directors

- Operating Protocol

2000

Instruction

- Adoption of Instructional Materials

3000

Students

- Homeless Students, Attendance

4000

Community Relations

- Classroom visitors

5000

Personnel

- Family, Medical, and Maternity Leave

6000

Management Support

- Budget, Safety

The Board's Responsibilities: SET POLICY

How Curriculum Adoption Is Guided By Policy

By law, a school board will:

- “Establish district curriculum standards consistent with law and rules of the superintendent of public instruction”
- “State the school district’s goals relative to instructional materials”
- “Establish an instructional materials committee”
- “*Recommendation of instructional materials shall be by the district’s instructional materials committee in accordance with district policy. Approval or disapproval shall be by the local school district’s board of directors.*”

From RCW 28A.150.230 and RCW 28A.320.230

Meetings

Legal power and authority exist in the board as a whole, not with any individual director. The board acts only via properly convened meetings



Open Public Meetings Act (OPMA)

As a summary: all school board business must be conducted in public – with ample notification to the public, with very few exceptions.



Types of meetings defined in the law

Open Public Meetings Act (OPMA) applies to ALL school board meetings

- Regular business meeting
- Special meetings like:
 - Work session or study session
 - Board retreat
- Emergency meeting
- Executive sessions*
- Exempt meetings*

*not open to the public

About Executive Sessions

- Law allows 11 reasons for executive session, only 8 apply to school boards. For example:
 - Real estate matters (site selection, price) or publicly bid contract negotiations
 - Qualifications or performance of public employee
 - Qualifications of a candidate for appointment
 - Discussions with legal counsel of enforcement actions, litigation, or potential litigation

Confidentiality is required by law

Final action must occur in an open meeting

Open Public Meetings Act (OPMA), cont.



- A “meeting” – where OPMA applies - can also be:
 - An **email** where discussion occurs and/or decisions are being made by more than 2 board members
 - A **social media post** where discussion occurs and/or decisions are being made by more than 2 board members
 - A discussion among a **quorum** of board members (3 of 5 or 4 of 7) anywhere, anytime

Open Government Training

Open Government Training is required of all school directors in the first 90 days of service and every 4 years

Offered at Annual Conference

Also available on WA Attorney General website:

<https://www.atg.wa.gov/opengovernmenttraining.aspx>

Another tool: Parliamentary Procedure

- Most business meetings use some form of Robert's Rules of Order to structure debate
- Study or work sessions are usually more casual



Be aware: members of the public might find these procedures intimidating.



Typical Business Meeting Agenda

- Opening of meeting
- Agenda changes/approval
- Consent agenda
- Public comment
- Old business
- New business
- Policy review and adoption
- Reports – board, superintendent, others
- Adjournment

Handling Public Comment at Board Meetings

- Set expectations in policy & procedure
- Implement consistently & neutrally
- Inform the public
- [WSSDA Model Script](#) is a resource



Conflicts of Interest

Board members must avoid conflicts of interest where they might be “beneficially interested, directly or indirectly, in any contract that might be made by, through or under the supervision” of the board.

RCW 42.23.030



“Take this. I just bought a hundred shares.”

Ethics for Board Members

Make sure your actions as a school director are guided by a sound, ethical code

- Make decisions based on facts, input from broad community input, and independent judgment
- Take no private action that will compromise the district
- Avoid conflicts of interest, or even appearances of such
- Be objective; keep an open mind

Individual School Director Standards provide helpful insights



Model Policy Library

WSSDA offers subscription-based access to its model policy library to help Washington school districts stay current with ongoing legal developments.

24/7 Access

Subscribers can access all of WSSDA's model policies via our online portal 24/7*. Each policy contains hyperlinks to cross-referenced policies, legal references, and management or informational resources.

Easy to Search

Find what you're looking for by searching via keyword, title, or category.

What if your policy manual is out of date?

- Board policy is foundational to the school district's operations
- Many board policies are required by law
- The policy manual is a tool for staff, students, families, and community members

Policy Manual Review Services

1. WSSDA's policy manual review service is a cost-effective way to reduce legal vulnerabilities caused by out-of-date policies
2. Keeping your board's policies current is challenging because changes in the law and recommended practices occur frequently

Where can I learn more? wssda.org



SERVING WASHINGTON'S 1,477 ELECTED SCHOOL BOARD MEMBERS



ABOUT ▾

TRAINING & EVENTS ▾

LEADERSHIP DEVELOPMENT ▾

STRATEGIC ADVOCACY ▾

STUDENT REPS ▾

POLICY & LEGAL ▾

NEWSROOM ▾

LOGIN ▾

Model Policy

Policy & Legal News

Policy Manual Review

Services

Council of School

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Legal Resources

Open Public Meetings



What is WSSDA?

Washington State School Directors' Association > [Learn More](#)



Foundations of State Funding

Foundations of Cultural Proficiency

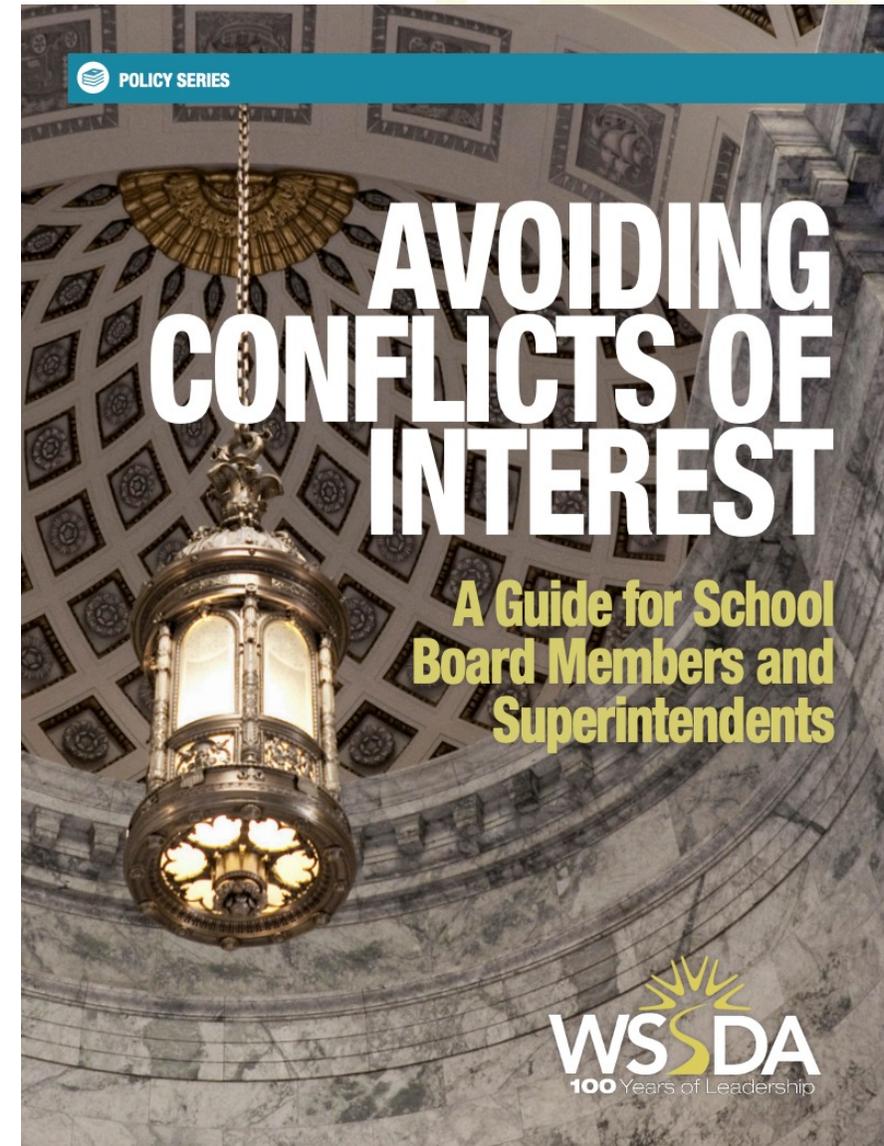
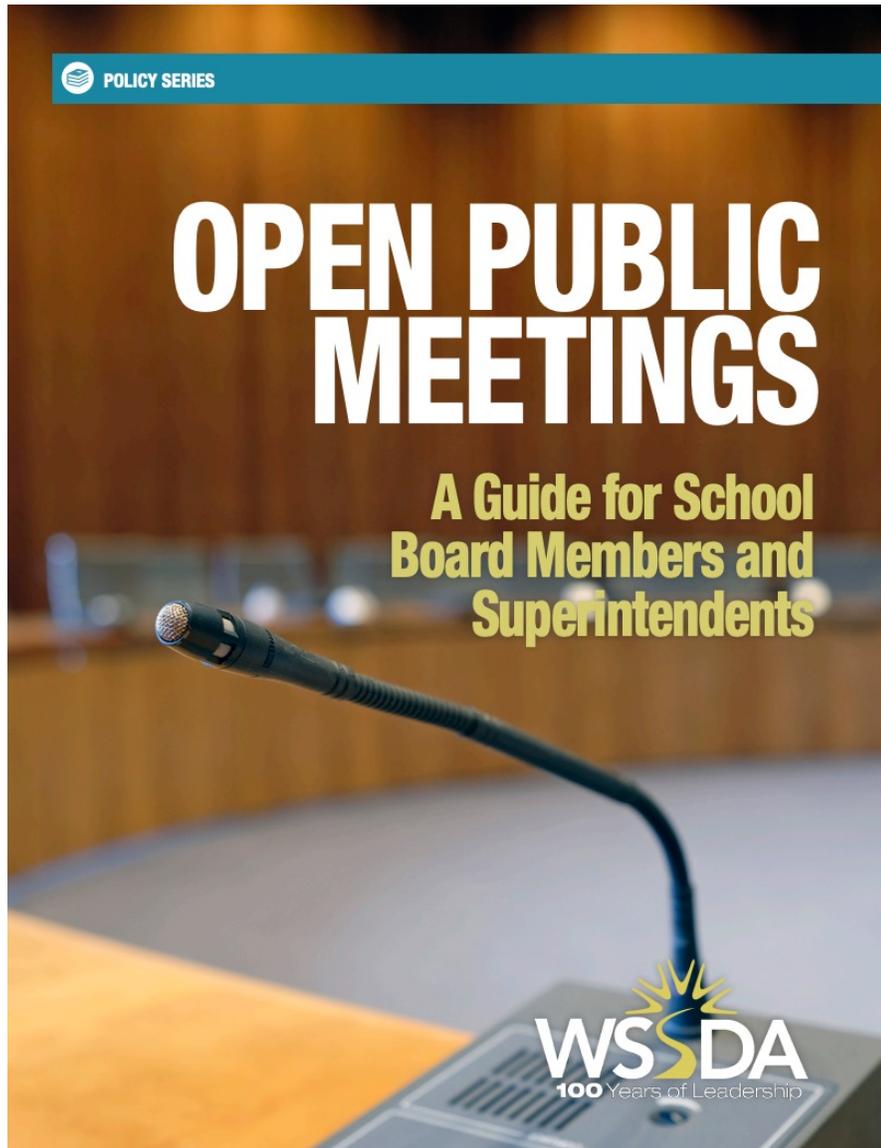
Advancing Inclusion Through Belonging

2023 Boards of th

Self-Assessment

WSSDA Equity Statement

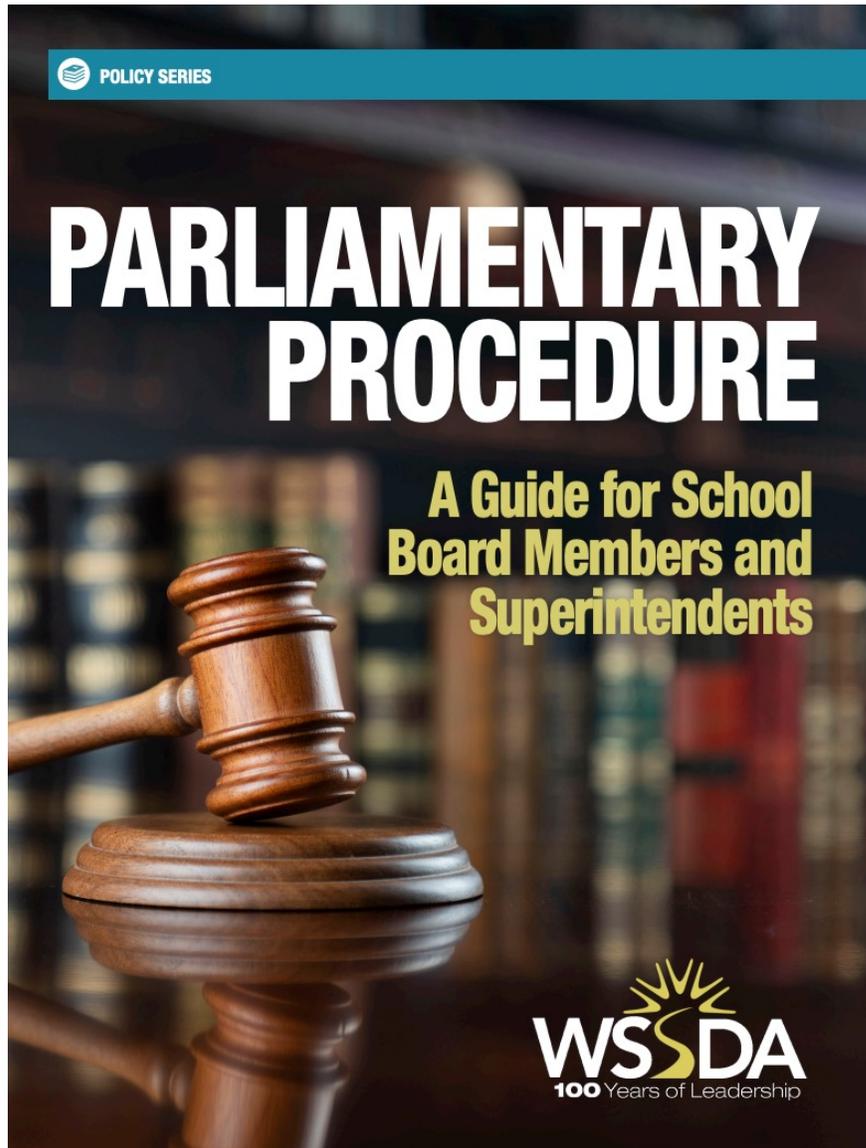
Resources to support your work



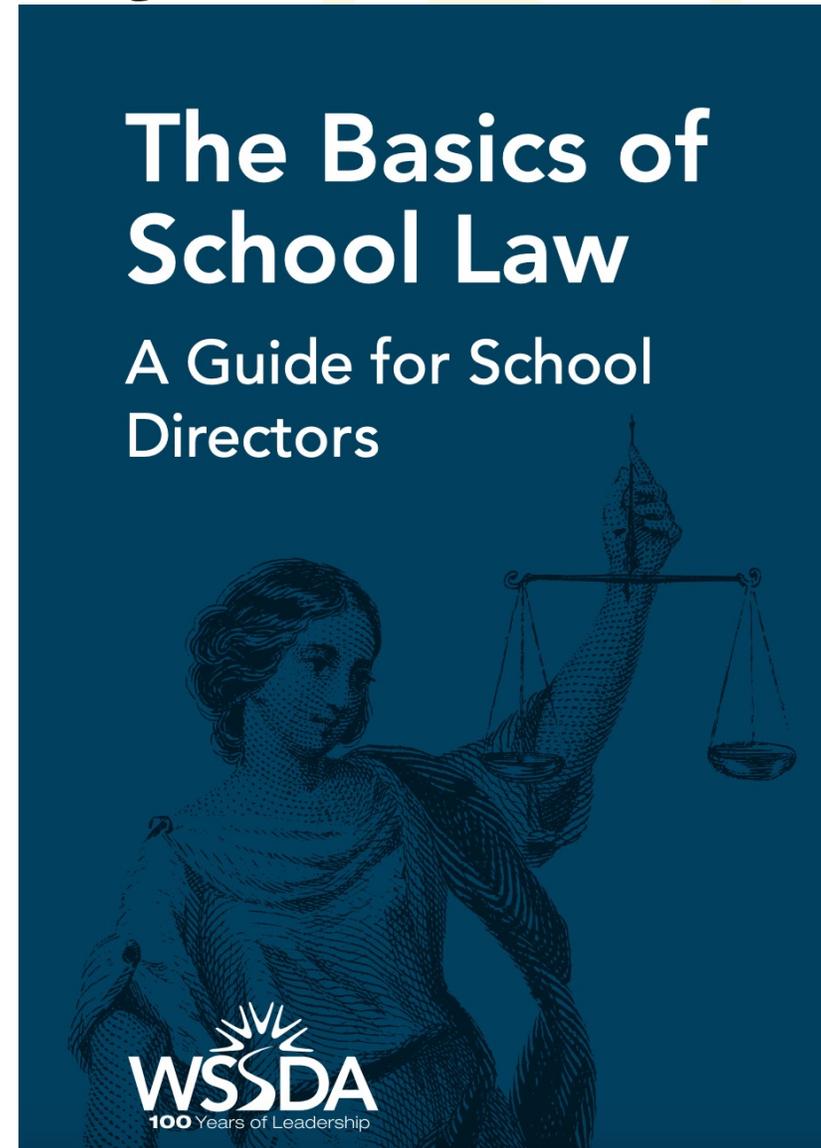
[Open-Public-Meetings-2022-web.pdf \(wssda.org\)](https://wssda.org/Open-Public-Meetings-2022-web.pdf)

[Avoiding-Conflicts-of-Interest-2022.pdf \(wssda.org\)](https://wssda.org/Avoiding-Conflicts-of-Interest-2022.pdf)

Resources to support your work



[Parliamentary-Procedures-2022.pdf \(wssda.org\)](https://wssda.org/Parliamentary-Procedures-2022.pdf)



[Basics-School-Law-2022.pdf \(wssda.org\)](https://wssda.org/Basics-School-Law-2022.pdf)

Policy & Legal News

Policy & Legal News

Board Member Social Media Case — A Key Test of the First Amendment

PLUS:

The Benefits and Importance
of Well-Developed, Up-to-date
Board Policy Manuals

Jurassic Parliament: Lost the
Vote? Don't Sabotage the
Council's Action

...AND MORE

HELPING SCHOOL DISTRICTS TRANSLATE LAW INTO ACTION

Policy & Legal News

Hungry Kids Need School Meals & Free School Meals: A Student's Voice

PLUS:
Expanding Washington's Leadership on Dual Credit
Preventing and Responding to Harassment, Intimidation, and Bullying
Oversight of Entities Providing Special Education Services
Tips from Jurassic Parliament

WSSDA
JULY 2023
WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION

...AND MORE

HELPING SCHOOL DISTRICTS TRANSLATE LAW INTO ACTION

Policy & Legal News

STAFF EXPRESSION AND THE FIRST AMENDMENT

ALSO IN THIS ISSUE:
ADVERTISING AND FREEDOM OF SPEECH

WSSDA
APRIL 2023
WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION

HELPING SCHOOL DISTRICTS TRANSLATE LAW INTO ACTION

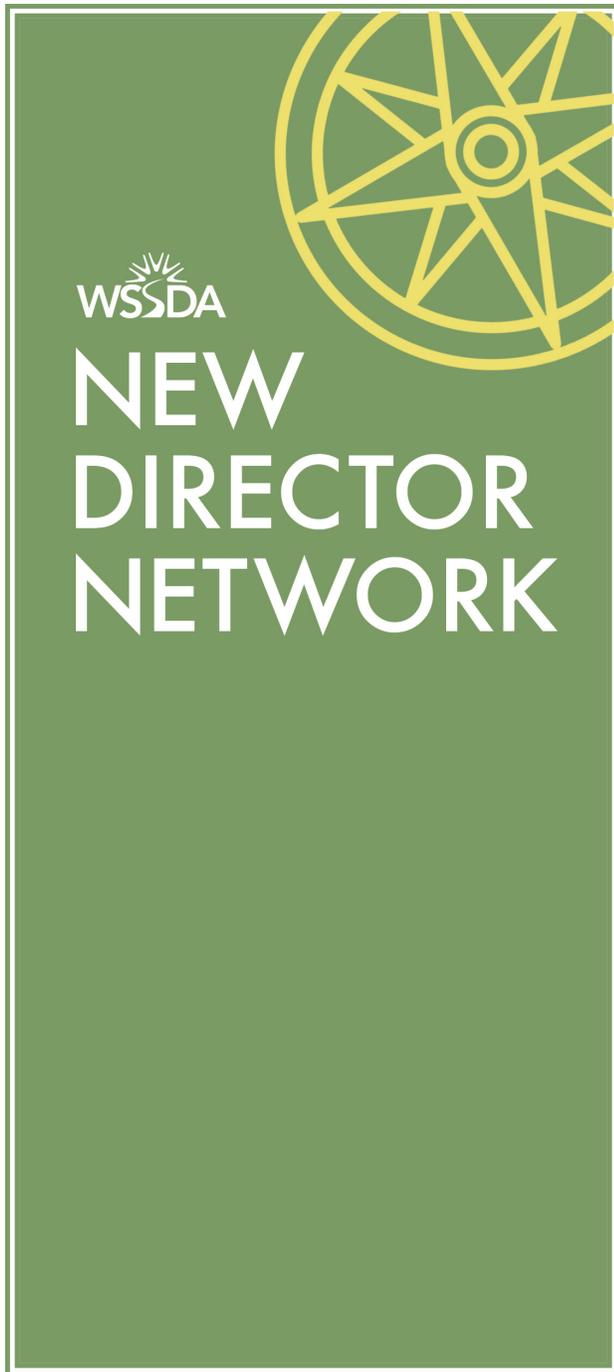
Policy & Legal News

Districts Can Offer a New Graduation Requirement Option that Lets Students Follow Their Interests and Goals

PLUS:
Protecting the Whistleblower
Credit for Work Experience
Jurassic Parliament: Can we Amend the Motion?

...AND MORE

28
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DECEMBER 2023
WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION

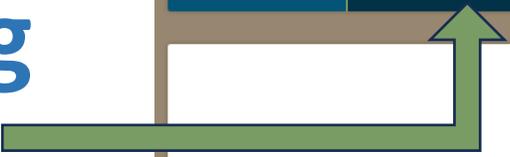


Questions?

Legal Responsibilities & considerations for new school directors

>> Please type questions in Q&A box

Other learning opportunities at wssda.org



WSSDA BOARD BOOT CAMP

Being newly elected or appointed to the school board is both exciting and daunting. School directors have many responsibilities, and the first couple of years of board service can bring a steep learning curve. Board Boot Camp is a great place to start.

In-person

Board Boot Camp is offered at the WSSDA Annual Conference every November and regionally throughout the year.

You'll hear from trainers with school board experience as they cover the basics of board service and answer questions. You'll also connect with new board members from around the state while exploring scenarios you're likely to encounter as a school director. The superintendent panel "What you

Virtual

Learn at your own pace with WSSDA's virtual Board Boot Camp. Here are all the modules:

- Part 1: Welcome to Virtual Board Boot Camp
- Part 2: How WSSDA Supports School Directors
- Part 3: The Basics of Governing a School District

Other learning opportunities at wssda.org

WSSDA
100 Years of Leadership
SERVING WASHINGTON'S 1,477 ELECTED SCHOOL BOARD MEMBERS

ABOUT ▾ TRAINING & EVENTS ▾ LEADERSHIP DEVELOPMENT ▾ STRATEGIC ADVOCACY ▾ STUDENT REPS ▾ POLICY & LEGAL ▾ NEWSROOM ▾ LOGIN ▾

TRAINING AND EVENTS

Click on event names to see all of their details, like location, Zoom links, etc.

Calendars

- Events
- Leadership Development
- Strategic Advocacy
- Elections Timeline
- Legislative Committee
- WSSDA Board Meetings

Table Month Tile

◀ ▶ JANUARY 2024 Subscribe

Sun	Mon	Tue	Wed	Thu	Fri	Sat
31	1	2	3	4 12p InSession Live	5	6

Other learning opportunities at wssda.org



REQUIRED TRAINING

There are three types of training required by the Washington Legislature for school directors, but the Office of Native Education training is required for only 39 school boards. Read below to learn more. For questions about training, please contact WSSDA Leadership Development Coordinator Christine Najarro at c.najarro@wssda.org.



Educational Equity

In July 2021, Senate Bill 5044 became law, requiring cultural competency, diversity, equity, and inclusion training for Washington state's K-12 public school educators, district leaders, and school directors.



Open Government

Every school director must complete training on the Open Public Meetings Act (OPMA), Public Records Act (PRA) and records retention within 90 days of taking the oath of office following appointment or election.



Tribal Consultation

These trainings are produced and delivered by OSPI's [Office of Native Education](#). By September 1, 2024, school directors, superintendents, and any other staff at school [districts that are required to perform tribal consultation under Title VI of the](#)

Other learning opportunities at wssda.org/events/



◀ ▶ FEBRUARY 2024 🖨️ 📄 Subscribe

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28	29	30	31	1 5:30p Vision-Aligned Budgeting	2	3
4	5	6 5:30p Committing to Educational Equity	7	8	9	10
11	12	13	14	15 5:30p Foundations of State Funding	16	17
18	19	20 12p New Director Network 5:30p Deciphering District Budgets	21 5:30p Foundations of Cultural Proficiency	22	23	24 9a Board Boot Camp - Prosser, WA
25	26	27	28	29 5:30p Advancing Inclusion Through Belonging	1	2

◀ ▶ MARCH 2024 🖨️ 📄 Subscribe

Sun	Mon	Tue	Wed	Thu	Fri	Sat
25	26	27	28	29 5:30p Advancing Inclusion Through Belonging	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16 9a Board Boot Camp - Spokane, WA 2p Advancing Inclusion Through Belonging - Spokane, WA
17	18	19 12p New Director Network	20	21	22	23
24	25	26	27	28 5:30p Foundations of Cultural Proficiency - In Person	29	30
31	1	2	3	4	5	6

The logo for the Washington State School Directors Association (WSSDA), featuring the acronym 'WSSDA' in a white, sans-serif font with a stylized sunburst icon above the 'S's.A large, stylized yellow compass rose graphic is positioned in the upper right corner of the green sidebar.

NEW DIRECTOR NETWORK

Join us for the next webinar Tuesday, March 19th

Being an Education Advocate:

- Advocating for your students and district
- Championing public education
- Creating relationship with legislators & other decisionmakers

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NEW DIRECTOR NETWORK

Future webinar topics:

- Engaging with your community
- The value of student voice
- Deciphering student achievement data
- Understanding the curriculum adoption process

> Third Tuesday of the month at noon-1:00 pm