

MEMORANDUM

To: Burlington Board of School Commissioners
From: Tom Flanagan, Superintendent of Schools
CC: Russ Elek, Communication and Public Relations Specialist
Date: October 4, 2022
Subject: **2.8 Monitoring Report: Communication and Support to the Board**

Statement: We present the **2.8 Monitoring Report: Communication and Support to the Board** as reviewed and updated to reflect FY22.

Recommended Motion: *I move to approve the recommendation that the Superintendent complies with Policy Title 2.8.*

Monitoring Report - Policy Title: 2.8 Communication and Support to the Board

Submitted by: Tom Flanagan, Superintendent

Date Submitted: October 4, 2022

Status: Compliant

Policy Statement

The Superintendent shall not cause or allow the Board to be uninformed or unsupported in its work. Further, without limiting the scope of the foregoing by this enumeration, the Superintendent shall not:

1. Neglect to submit monitoring data required by the board (see policy 3.4 on monitoring Superintendent performance) in a timely, accurate, and understandable fashion, directly addressing the provisions of Board policies being monitored.
2. Allow the board to be unaware of any actual or anticipated noncompliance with any Ends or Executive limitations policy, regardless of the Board's monitoring schedule.
3. Neglect to submit unbiased decision information required periodically by the Board or let the Board be unaware of relevant trends.
4. Allow the Board to be unaware of any significant incidental information it requires, including anticipated media coverage, threatened or pending lawsuits, and material internal and external changes.
5. Allow the board to be unaware if, in the Superintendent's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board behavior that is detrimental to the work relationship between the Board and the Superintendent.
6. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and incidental.
7. Allow the board to be deprived of a workable mechanism for official board, officer, or committee communications.
8. Deal with the board in a way that favors or privileges certain board members over others except when responding to officers or committees duly charged by the Board.
9. Allow the board to do its work without the necessary items on its consent agenda. Necessary items are those decisions delegated to the Superintendent yet required by law, regulation or contract to be board-approved, along with applicable monitoring information.

Limitation 1: Neglect to submit monitoring data required by the board (see policy 3.4 on monitoring Superintendent performance) in a timely, accurate, and understandable fashion, directly addressing the provisions of Board policies being monitored.

Interpretation: The Superintendent will submit all Monitoring Reports as established by the previous year monitoring calendar on time with reasonable allowance for emergencies and unforeseen circumstances. Further, all data, information, and Board materials will be presented in a manner acceptable to the entire Board to support the Superintendent's interpretation.

Evidence: Throughout the 2021-22 school year the Superintendent worked with the board leadership to adhere to a calendar of Monitoring Reports. The District also submitted monthly financial reports. All reports included authentic staff-generated data.

Limitation 2: Allow the board to be unaware of any actual or anticipated noncompliance with any Ends or Executive limitations policy, regardless of the Board's monitoring schedule.

Interpretation: The Superintendent's Monitoring Reports must truthfully and accurately alert the Board to any condition of current non-compliance or condition of noncompliance considered likely in the future, and the Superintendent must alert the board of noncompliance outside of the Monitoring schedule.

Evidence: Occurrences of non-compliance are noted in the regular Superintendent's Board Monitoring Reports. The Superintendent did report incidents of Board policy partial-compliance in multiple reports during the 2021-2022 school year. Additionally, the Superintendent noted noncompliance with restraint and seclusion training this past year due to COVID 19 and our inability to provide close contact training. In response, the District developed a plan to ensure multiple staff were trained in restraint and seclusion at each school.

Limitation 3: Neglect to submit unbiased decision information required periodically by the Board or let the Board be unaware of relevant trends.

Interpretation: The Superintendent shall periodically provide information, data, and evidence of trends necessary for the Board to make informed decisions.

Evidence: Board agendas, meeting materials, and minutes accurately identify when the Superintendent provided the Board with relevant and helpful information. Examples since July 2021 include:

- Included Superintendent recommendations regarding board actions in memos to the board.
- Developed and shared comprehensive budget planning information for FY23 in committee, full board, and with the public. These can be found on the [budget webpage](#).
- Utilized enrollment trends to make staffing decisions.
- Informed the board of staffing requirements in hiring recommendations and updates.
- Communicated challenges regarding multilingual communication and included this in the budgeting process.
- Provided an update on our goals and strategies to eliminate the opportunity gaps through the [Equity and Inclusion Data Report](#).
- Included Board Members in the process of co-creating a strategic plan.
- Provided key updates and recommendations on the progress and need to cancel the ReEnvisioning Project; provided timely information and recommendations to the board on BHS/BTC 2025.

Limitation 4: Allow the Board to be unaware of any significant incidental information it requires, including anticipated media coverage, threatened or pending lawsuits, and material internal and external changes.

Interpretation: I interpret "incidental information" to that which is agreed upon by the Board and Superintendent. Providing the Board with current incidental information within Superintendent's control ensures that incidents of surprise are infrequent. It also includes any information the Board clarifies in advance that the entire Board needs.

Evidence: The Superintendent used regular Board meetings, committee meetings, weekly board leadership meetings, weekly board chair check-ins, and weekly updates to apprise the Board of matters of importance. Using board updates, board meetings, and executive sessions ensures that the Board is informed as it relates to litigation, personnel matters of a sensitive nature, personnel changes, matters likely to result in media coverage, student safety and welfare, and District updates and events. In addition, weekly meetings between the Superintendent and Board Chair, as well as the Superintendent and board leadership, ensures District leadership works together to develop Board meeting agendas. Meeting the requirements of this limitation, the Superintendent is supported by the Executive Assistant and members of the District leadership team. That said, we realize the Town Meeting Day release of the BHS/BTC 2025 projected cost estimates and notice of a hiring recommendation caught the board by

surprise this year. We have adjusted our communication to the board timeline practice as a result of these two issues.

Limitation 5: Allow the board to be unaware if, in the Superintendent's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board behavior that is detrimental to the work relationship between the Board and the Superintendent.

Interpretation: The Superintendent has the responsibility to bring matters to the Board's attention that, in their opinion, indicates Board behavior that is out of compliance with Board policies. If an individual matter or the infraction is of the entire Board, it shall be brought to the attention of the Board as a whole.

Evidence: The Superintendent established and communicated clear guidance to the Board and District Leadership regarding communication between staff and board members to ensure Board compliance with policy governance. This information was included in weekly updates and also has occurred in one-on-one conversations. Additionally, SY21-22, the Superintendent began working with the board to review mandatory policies.

Limitation 6: Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and incidental.

Interpretation: The Superintendent shall submit all written and verbal reports and information in a manner that is short, concise, and to the point, distinguishing between reports to be used to oversee operation [monitoring], to make decisions, or solely for informational purposes.

Evidence: Reports and other presentations made by the Superintendent were completed within the agreed-upon time to allow the board to review information prior to meetings. The Superintendent utilized memos to provide concise information and a clear recommendation so the board can make informed decisions. Additionally, the Superintendent has begun identifying topics for board meetings as action or discussion so it is clear when the board is required to take action. The Superintendent also worked with the board and District leaders to fine tune the process of communicating board documents.

Limitation 7: Allow the board to be deprived of a workable mechanism for official board, officer, or committee communications.

Interpretation: The Superintendent shall provide access to available tools to communicate effectively among Board members and with the Superintendent. The Superintendent will also provide systems that will facilitate a reliable flow of information between the Board and Superintendent and between Board Committees and the Superintendents designees.

Evidence: The Board uses BSD Google accounts, including email and Google Drive tools, to the extent allowed by law, to facilitate communication. BSD uses BoardDocs to post Board Meetings, meeting agendas, and meeting minutes; a link to this page is also available via the board section of the BSD website. The Superintendent has appointed District personnel as District leads for each board committee. This committee liaises between the Superintendent and Committee chairs to develop agendas and prepare materials for meetings. Additionally, we have a shared agenda setting document to keep us organized and on track in our work together.

Limitation 8: Deal with the board in a way that favors or privileges certain board members over others except when responding to officers or committees duly charged by the Board.

Interpretation: The Superintendent will communicate all significant information with the whole board and will not favor specific board members by providing additional information to individuals outside of their leadership roles on the board.

Evidence: The Superintendent provides all significant information to the whole board through meetings and weekly updates. The Superintendent meets with the Board Chair weekly so she can conduct her duties as chair, and the Superintendent also meets with board leadership weekly to develop agenda items for board meetings. The Superintendent also attends many committee meetings, however no actions are taken at these meetings other than deciding what items should be brought to the full board. Outside of this, and responding to occasional direct questions via email, all board communication is made to the whole board.

Limitation 9: Allow the board to do its work without the necessary items on its consent agenda. Necessary items are those decisions delegated to the Superintendent yet required by law, regulation or contract to be board-approved, along with applicable monitoring information.

Interpretation: The Superintendent shall advise and include consent agenda items that fulfill the Board's legal, contractual and regulatory responsibilities. This also means that, if the Superintendent complies with all of the Board Executive Limitations, they are authorized to proceed or take action without prior approval from the Board.

Evidence: Licensed personnel actions, contracts, financial reports, and other actions requiring Board approval are routinely placed on the Consent Agenda for Board action.