

# **GOVERNANCE POLICIES OF THE MILWAUKEE BOARD OF SCHOOL DIRECTORS**

## **BG 3.05**

### **ROLE OF THE BOARD CLERK/CHIEF OFFICER, OFFICE OF BOARD GOVERNANCE**

#### **(1) POWERS AND DUTIES**

(a) The Board Clerk/Chief Officer, Office of Board Governance, shall manage those functions assigned to him/her by the Board, and his/her salary shall be fixed by the Board.

(b) The Board Clerk/Chief Officer, Office of Board Governance, shall be responsible, under the direction of the Board, for all Board governance functions involving the day-to-day operation of the Board's office, statutory and Board-required duties of the board clerk, educational audits, and financial and operational audits.

(c) The Board Clerk/Chief Officer, Office of Board Governance, shall:

1. have authority to issue rulings and directives for the management and conduct of his/her responsibilities, compatible with Board-adopted or Board-approved policies and for which he/she shall be directly responsible to the Board;
2. shall perform the duties fixed by law;
3. shall furnish each board member and the Superintendent of Schools with minutes of meetings of the Board and its committees and with proceedings of the Board's meetings;
4. shall oversee the Board's information services;
5. shall manage the Board's governmental relations; and
6. shall perform such other duties as may be assigned to him/her by the Board.

(ci) In addition, the Board Clerk/Chief Officer, Office of Board Governance, shall have general care and custody of all Board records.

#### **(2) BOARD STAFF**

(a) The Board Clerk/Chief Officer, Office of Board Governance, shall have authority to appoint, subject to approval by the Board, all Board staff assigned to his/her supervision and management by the Board and such other personnel as authorized by the Board. All such personnel shall work under the general direction and supervision of the Board Clerk/Chief Officer, Office of Board Governance.

(b) In addition to designated and regularly assigned duties, each employee shall perform such related duties as may be assigned to him/her and which are compatible with his/her ability, training, acquired skills, and experience.

(c) The Board shall determine the compensation, duties, and qualifications of the Board's staff. All Board staff shall serve at the will of the Board and shall be excluded from the classified service under sections 63.18-63.53 of the Wisconsin Statutes, from tenure rights under section 119.42 of the Wisconsin Statutes, and from membership in any bargaining unit.

#### **(3) DELEGATION OF AUTHORITY**

(a) All the authority of the Board that is delegated to the staff of the Office of Board Governance is delegated through the Board Clerk/Chief Officer, Office of Board Governance, so that all authority and accountability of staff, as far as the Board is concerned, is considered to be the authority and accountability of Board Clerk/Chief Officer, Office of Board Governance.

(b) The Board shall direct the Board Clerk/Chief Officer, Office of Board Governance, to achieve certain results through the establishment of goals and standards. Through the establishment of executive-

limitations policies, the Board shall limit the latitude with which the Board Clerk/Chief Officer, Office of Board Governance, may exercise the practices, methods, conduct, and other means used to achieve the goals and standards .

(c) As long as the Board Clerk/Chief Officer, Office of Board Governance, uses any reasonable interpretation of the Board's goals and standards and executive-limitations policies, the Board Clerk/Chief Officer, Office of Board Governance, is authorized to establish all further policies, make all decisions, take all actions, establish all practices, and develop all activities relative to the Office of Board Governance.

(d) The Board reserves authority unto itself to change its goals and standards and executive-limitations policies, thereby shifting the boundary between the domains of the Board and of the Board Clerk/Chief Officer, Office of Board Governance. By so doing, the Board changes the latitude of choice given to the Board Clerk/Chief Officer, Office of Board Governance. But so long as any particular delegation is in place, the Board and its members shall respect and support the choices of the Board Clerk/Chief Officer, Office of Board Governance. This does not, however, prevent the Board from obtaining information in the delegated areas.

(e) Only decisions of the Board acting as a body are binding upon the Board Clerk/Chief Officer, Office of Board Governance.

1. Decisions or instructions of individual board members, officers, or committees are not binding on the Board Clerk/Chief Officer, Office of Board Governance, except in instances when the Board has specifically authorized such exercise of authority.
2. In the case of board members' or committees' requesting information or assistance without the Board's authorizations, the Board Clerk/Chief Officer, Office of Board Governance, may refuse such requests that require, in the judgment of the Board Clerk/Chief Officer, Office of Board Governance, a material amount of staff time or funds or are disruptive.

#### **(4) MONITORING ORGANIZATIONAL PERFORMANCE**

(a) Monitoring executive performance is synonymous with monitoring organizational performance against the Board's goals and standards and on executive-limitations policies. Any formal or informal evaluation of the performance of the Board Clerk/Chief Officer, Office of Board Governance, and the organization may be derived only from these monitoring data.

(b) The purpose of monitoring is simply to determine the degree to which the Board's policies are being fulfilled. Monitoring will be as automatic as possible, using a minimum of the Board's time, so that meetings can be used to create the future rather than to review the past.

(c) A given policy may be monitored in one or more of three ways:

1. **Internal Report:** Documentation of compliance information to the Board from the Board Clerk/Chief Officer, Office of Board Governance;
2. **External Report:** Documentation of compliance information by a disinterested, external auditor, inspector, or judge who is selected by and reports directly to the Board. Such reports must assess performance only against policies of the Board, not those of the external party, unless the Board has previously indicated that party's opinion is to be the standard;
3. **Direct Board Inspection:** Documentation of compliance information by a board member, a committee, or the Board as a whole. This is the Board's inspection of documents, activities, or circumstances directed by the Board which allows a test of policy compliance.

(d) At the choice of the Board, any policy may be monitored by any method at any time. For regular monitoring, however, each policy reflecting goals and standards and executive limitations policy will be classified by the Board according to frequency and method. Monitoring of Board operations,

however, should be done continually by the Board Clerk/Chief Officer, Office of Board Governance, and periodically by the Board. Consequently, monitoring and evaluation are going on all the time, not just once or twice a year. There should be no surprises to the Board or to the Board Clerk/Chief Officer, Office of Board Governance.

#### **(5) GENERAL EXECUTIVE CONSTRAINT**

(a) The Board Clerk/Chief Officer, Office of Board Governance, shall not cause or allow in the organization any practice, activity, decision, or circumstance which is imprudent, discriminatory, unethical, or in violation of federal, state, or local laws, regulations, or ordinances.

(b) The Board Clerk/Chief Officer, Office of Board Governance, shall not permit any deviation from the Board-adopted employee code of ethics and employee rules of conduct.

#### **(6) STAFF TREATMENT**

Dealings with staff and volunteers shall be humane, fair, and dignified. Accordingly, the Board Clerk/Chief Officer, Office of Board Governance, shall:

- (a) operate with personnel procedures which clarify personnel rules for exempt staff, provide for effective handling of grievances, and provide for at least annual feedback on performance;
- (b) uphold contractual agreements, or other Board policies, district regulations, or legal requirements pertaining to employee hours, wages, working conditions, and equal employment opportunities;
- (c) not prevent staff from grieving to the Board when:
  - 1. internal grievance procedures have been exhausted;
  - 2. the employee alleges either that a policy of the Board has been violated to his/her detriment or that a policy of the Board does not adequately protect his/her human rights;
- (d) acquaint staff with their rights under this policy.

#### **(7) COMMUNICATION AND COUNSEL TO THE BOARD**

With respect to providing information and counsel to the Board, the Board Clerk/Chief Officer, Office of Board Governance, shall not permit the Board to be uninformed. Accordingly, the Board Clerk/Chief Officer, Office of Board Governance, shall:

- (a) submit monitoring data required by the Board in a timely, accurate, and understandable fashion using appropriate process-improvement tools and addressing those provisions of the Board's policies being monitored;
- (b) keep the Board abreast of relevant trends, anticipated adverse media coverage, significant external and internal changes, and community attitudes and staff reactions;
- (c) provide a mechanism for official communication with the Board, its officers, or its committee;
- (d) deal with the Board as a whole, except when:
  - 1. fulfilling individual requests for information;
  - 2. responding to officers or committees duly charged by the Board;
- (e) acquaint staff with their rights under this policy;
- (f) report in a timely manner an actual or anticipated noncompliance with any policy of the Board;
- (g) clearly identify information given to the Board as either information for decision making, or pertinent information, or monitoring information.

**(8) STAFF COMPETENCY**

To operate, the Board Clerk/Chief Officer, Office of Board Governance must have competent employees, appropriate documentation, and at least annual evaluations which are to include clarity of expectations, feedback, and a plan for continual improvement.

- History: Reaffirmed 4-25-96; Revised 10-29-15, 11-18-21
- Previous Coding: Board Governance Policy 3.06, Director of the Office of Board Governance: Delegation of Authority  
Board Governance Policy 3.07, Director of the Office of Board Governance: Monitoring Organizational Performance
- Legal Ref: Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII  
Executive Order 11246, 1965, as amended by Executive Order 11375  
Equal Employment Opportunity Act of 1972, Title VII  
Education Amendments of 1972, Title IX (P.L. 92-318)  
45 CFR, Parts 81, 86 (Federal Register June 5, 1975, August 11, 1975)  
Laws of Wisconsin Relating to Public Schools, 118.195, 118.2  
W.S.63.235, 63.43, 63.44, 63.53, 103.13, 118.12, 119.32, 119.42, 119.44, 119.66, 120.18, 946.12, 946.13
- Cross Ref: Board Rules App A Procedures for Appeals of Employee Disciplinary Hearings  
Bd. Gov. Policy BG 2.06 Board Meetings  
BG 3.01 Board Appointed Officials  
Admin. Policy 1.04 Nondiscrimination  
2.03 Administrative Organization Plan  
6.01 General Personnel Policies  
6.02 Equal Opportunity Employment  
6.03 Sexual Harassment  
6.04 Employee Code of Ethics  
6.07 Employee Rules of Conduct  
6.14 Personnel Records  
6.16 Complaints and Grievances: Staff  
6.30 Suspension and Dismissal: Staff  
8.05 School Census

