

The background features a dark grey to black gradient with several technical diagrams. On the left, there are circular gauges with numerical scales ranging from 150 to 260. In the center and right, there are various circular and semi-circular lines, some solid and some dashed, with arrows indicating direction. The overall aesthetic is technical and precise.

CAN YOU MANAGE A DIFFICULT SCHOOL PROBLEM UNDER PRESSURE?

TRIAGE, PUBLIC RELATIONS, STAFF MANAGEMENT &
LEGAL PROBLEMS

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SFPS SUPERINTENDENT

PRESENTATION

- Work in small groups managing school scenarios
- Challenge your problem solving skills and assess how well you avoid the traps
- The “pressure” will come from having to present your approach on a short timeline

SUPERINTENDENT: WHAT ARE APPROPRIATE ROLES FOR THE SUPERINTENDENT?

- Superintendent Authority
 - Chief Executive Officer
 - Administer and supervise the school
 - Employ, fix salaries, assign, terminate and discharge
 - Statute places general administrative and all employment functions in the hands of the administration (HB 212)
 - *Employees are supposed to take their “marching orders” from the Superintendent, not the Board.

BOARD ROLES: WHAT ARE APPROPRIATE ROLES FOR BOARD MEMBERS?

- Board Authority:
 - Focuses on setting policy direction
 - Budgets
 - *Limited* role in employment matters
 - Acquire, lease and dispose of property
 - Except for salaries, contract for expenditure of money

QUIZ QUESTION 1: ASSIGNMENTS/CALLS FROM BOARD MEMBERS

- The board president asks Human Resources Director to put together a report for the board meeting.
 - Is the HR Director out of line to respond?
 - Should the HR Director just do it?
 - What problems does this create for the Superintendent? For the HR Director? For the board and district?
 - What would be the best practice for getting the desired information to the board member?

QUIZ QUESTION 1:

DISCUSSION

- The Board only has authority when acting as a body. In that regard, individual requests by a board member may be outside of one board member's authority.
- Such requests blur the lines of authority.
- Making such requests sets an expectation for future interactions.
- It leaves the superintendent in the dark.
- Intimidating? It may leave administrators pulled in different directions.
- Best practices: Board needs to be careful and superintendent needs to diplomatically outline the proper protocols to the board for such requests. Administrators need to follow the protocol provided by the Superintendent.
 - What protocols does the Board want to follow?
 - Access with notice?
 - All requests through the Superintendent?
 - Maintaining lists of all requests?
 - Requiring the Board to authorize all requests?

QUIZ QUESTION 2: SUPERINTENDENT PROBLEMS

- A board member receives a call alleging that the superintendent is embezzling district money. The complainant is a former employee and known to have an axe to grind against the superintendent. The board member, who is no fan of the superintendent, wants to start conducting interviews of employees so that he can report to the board on his findings.
 - As a board member on this board, what do you do? Best practices?
 - As a superintendent, what would you want?
 - Are there other important actions/considerations other than the personnel issue?

QUIZ QUESTION 2: DISCUSSION

- Board
 - Goals?
 - Written complaint strongly preferred; can you require it?
 - Board as investigator?
 - Is that its role?
 - Options? Outside sources versus internal review.
 - Authorizing Action
 - Immediate personal concerns and options: administrative leave?
- Superintendent: You want fair treatment and to have your name cleared. Do you fight board review?
- Other Factors
 - Press
 - Threats of suit
 - Reports to law enforcement and contact with the State Auditor and internal auditor

QUIZ QUESTION 3:

BOARD MEMBER SPECIAL ACCESS

- A board member wants to appear responsive to community needs and wants to begin regular site visits. The board member starts making unannounced site visits to the neighborhood school.
 - Should the board member be doing this?
 - Are there any problems that this creates?
 - For the board member?
 - For the school?
 - For the principal and superintendent?

QUIZ QUESTION 3: DISCUSSION

- A board member has no authority apart from that of the entire board. Therefore, there are no access rights that are different from the community.
- Disruption
 - Class time
 - Apparent authority; intimidating
- Perceived abuse of power
- Circumventing the superintendent
 - “evaluating” the school or employees
- Best practice: tell the superintendent; let such a visit be arranged
 - What about invitations from the site or students?
 - What about public events?

QUIZ QUESTION 4:

BOARD MEMBER INQUIRY

- A board member approaches a principal regarding a highly publicized hazing matter at the high school, wanting “updates” and to provide input.
 - Is there authority for an individual board member inquiry?
 - Can the full board ask for detailed information about the incident?
 - Can the board member direct you regarding the best disciplinary response for students?
 - How do you manage press/parent inquiries?

QUIZ QUESTION 4: DISCUSSION

- A single board member does not have authority for the request.
 - Is some update “light” okay?
- The full board, in all likelihood, has no valid reason to request information prior to a hearing.
 - Early access may undermine an appeal hearing
 - May lead to arguments that particular board members are biased and cannot hear the matter.
- Micromanagement? Encroaching on the administrator’s authority?
- Miscellaneous: Press (releases versus responses); parent inquiries; IPRA

QUIZ QUESTION 5: THE COMMUNITY COMPLAINT

A board member reports a parental complaint that a staff member is touching kids inappropriately and comes to you for information and resolution.

- What is the board member's role? Board?
- Should the administrator require a written complaint before acting?
- Should you involve law enforcement?
- Are there other reporting obligations that you may have here?
- How do you handle press and parental inquiries?

QUIZ QUESTION 5: DISCUSSION

- Board role. None after the report (other than fair inquiries that the matter has been addressed)

The worst administrative response to such an allegation is to do nothing (or be perceived as not acting promptly).

- Your response should involve immediate action to protect kids (possibly administrative leave) and investigation.

- There needs to be consideration as to whether there are reasonable grounds, but a district should err on the side of reporting.

- Chain of command reporting; abuse/neglect?; NMPED?

- IPRA inquiries generally not permissible; parent request for information, it depends.

QUIZ QUESTION 6: EMPLOYEE COMPLAINTS/PROCESSES

- An employee calls a board member to complain about:
 - A principal
 - Alleged improprieties at the school

What should be the proper response here for the board member and the superintendent?

-Should the board member engage this employee at length?

-Should the superintendent direct staff not to talk to board members?
Who controls this dynamic?

-What follow up should occur by the board member to the employee?

-Why does your adherence to process matter?

QUIZ QUESTION 6: EMPLOYEE COMPLAINTS/PROCESSES

- These types of issues fall squarely within the authority of the administration to manage within the chain of command and existing processes (CBA grievance; board policy on complaints).
- Board member cannot be involved in school or administration level HR management
 - School Code and process concerns;
 - litigation risk; whistleblower

QUIZ QUESTION 7: PERSONNEL

- An school principal does not like a hire made by the superintendent and wants the employee transferred. The principal calls a board member to complain.
- What are the concerns here?
 - Whose authority is it to transfer?
 - What are best practices by the board member?
 - What process should be used here?
 - Can the board member discuss the transfer option with the superintendent?

QUIZ QUESTION 8: CYBER BULLYING

- A big fight takes place at a party on the weekend and is recorded and disseminated on social media.
- On Monday, a student shows you the post, but when you talk to the student who got beat up, he says, “Please don’t do anything. You’ll just make it worse.”
- The video reached some board members.
- What is the proper response for a board member? For a school administrator?

QUIZ QUESTION 9: EMAIL

- A superintendent regularly uses email to update board members on her weekly actions and pending issues. She sends some email to personal addresses. Board members like these updates and often “reply all” to the board regarding their concerns. Concerns?
 - Use of email communications is generally considered public information.
 - Use of a home email versus a district account.
 - What should you be asking?
 - Any discussion of school business?
 - Is this a public record?

DOCUMENTING MISCONDUCT AND POOR PERFORMANCE OF STAFF

- Know the difference between misconduct and performance
 - Misconduct: Can you point to a rule, standard of conduct or lawful directive that has been violated?
 - Performance: Is the problem a failure to meet expected performance criteria in carrying out duties?
- Confusing the two may make it difficult to take corrective or disciplinary action
- Failing to document will tie your hands

QUESTIONS

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