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Applying Principles of Good Governance in a Schools Board Context

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Abstract

This chapter provides insights into the governance of schools. Roles and responsibilities of school boards and school board members are considered, as is the composition of school boards. The elements contributing to effective boards are discussed, in particular the key roles of chairman and school principal which in turn influence board dynamics. Some practical suggestions follow on how to improve school board processes, including agendas, minutes of meetings, board papers, information flows and school board committees. The chapter concludes by referencing the value of school boards evaluating their own effectiveness.

Keywords: Governance, school boards, school board members, roles and responsibilities, board effectiveness
1. INTRODUCTION
Schools governance has been transformed in recent years in response to calls for equity, excellence, accountability and choice (Allen and Plank 2005). The purpose of this chapter is to provide some insights into the governance of schools, focusing on papers on schools boards appearing in the education field, with some references to governance from the business / management literature. Interweaved throughout the chapter are practical suggestions for improving the effectiveness and performance of schools boards.

Organisational arrangements for governing schools range from highly centralised and regulated state school systems to models of single school governance with lay involvement (Minton 2001). Local governance is a way of increasing the effectiveness and efficiency of school management while retaining state control. Central to this thinking is the notion that local agents are freed from state bureaucracy which is assumed to reduce efficiency and prevent managers from being responsive to the needs of local stakeholders. The tendency in recent years has been to devolving authority (along the lines illustrated in Figure 1) for classroom instruction away from state education administrations and towards principals, teachers and parents, with the objective of generating greater operational effectiveness, greater efficiencies leading to improved outcomes (Mintrom 2001). The assumption is that greater autonomy leads to improved educational outcomes (Bush and Gamage, 2001). Such devolution of authority leads
to more decentralised decision making, with parents having greater involvement and parental choice, and teachers being more empowered (Bauch and Goldring 1998). The process of decentralisation transfers responsibilities to school governors rather than to principals. This has been characterised as representing a move away from producer interests towards consumers, driven by market-led assumptions that the parents know what is best for their children (Bush and Gamage 2001). Decentralisation allows decisions to be made by those closest to the pupils – principals, teachers, parents, community representatives, citizens and even to some extent the pupils themselves.

A self-managed school is defined as one where there has been significant and constant decentralisation to the school level to make decisions concerning the allocation of resources (Caldwell and Spinks, 1988). International research generally shows support for self-governed schools systems (Bush and Gamage 2001). This chapter assumes that responsibility for schools has been devolved to school boards. School board governance practices ideally should be developed by reference to educational purposes and values rather than disconnected from them.

This form of decentralisation allows for greater shared responsibility, creating opportunities for greater responsiveness at local level, but with the risk that relevant individuals will not take appropriate responsibility for the school (Allen and Mintrom 2010). Examples abound of problematic school boards. The model of decentralised governance involves distributed responsibility amongst various groups, and collective responsibility at school board level (Allen and Mintrom, 2010). Figure 1 summarises the range of stakeholders over which responsibility may be distributed. However, distributed responsibility brings with it risks, including limitations on the level of control individuals have in exercising their responsibilities. Decentralisation can blur lines of accountability such that it may not be clear who is in control when governance is shared among different individuals and groups (Allen and Mintrom, 2010). Those in control can end up being held responsible for the consequences of their actions when, in a school’s governance context, the people assuming responsibility may do not have complete control and may not be completely autonomous.
2. ROLES AND RESPONSIBILITIES OF SCHOOL BOARDS AND SCHOOL BOARD MEMBERS

Self-managed schools are governed by boards of trustees/governors/management comprising the principal, staff representatives, parent representatives (one of whom usually acts as chairperson) and representatives of third parties. For the purpose of this chapter, the term board member will be used to refer to trustees/governors/members of school boards. Arguably, the fundamental role of school boards is to improve the educational achievements of pupils (Land 2002). School board members can exercise considerable influence in the framing and implementation of educational policies. In this model of lay governance, school boards may have considerable discretion to control the management and governance of the school as they see fit. These responsibilities may include the hiring and performance appraisal of the school principal who is in effect the chief executive officer (CEO). Clark (2000) observes that principals do not always see themselves as CEOs, identifying themselves primarily as professional leaders rather than as managers. Key questions for which there may not be clear answers are: Who are the responsible school board members? To whom are school board members accountable? For what are school board members responsible? (Allen and Mintrom, 2010).
2.1 Key roles of the school board

The topics addressed by school boards are extensive and include curriculum issues, performance measures, school governance structures, school property (acquisitions, maintenance and repairs), finance, human resources, industrial relations, legal. For complete clarity, roles and responsibilities should be agreed and documented in a school board terms of reference document. Campbell and Greene (1994) summarise the key roles of school boards as:

- Establishment of long term vision for the school
- Adoption of an organisational structure including employment of the principal, adoption of an annual budget, adoption of governance policies
- Establishment of systems and processes to ensure accountability to stakeholders including financial accountability, accountability for course and pupil outcomes and for staff.
- Advocacy on behalf of the school and its pupils.

The role of school boards can be categorised between strategy, monitoring (Land 2001) and support and wise counsel. In this respect, six roles are identified as follows:

**Policy setting and strategic planning**
(i) To establish at a high level educational purposes and values
(ii) To develop policy

**Monitoring (procedural, compliance based)**
School boards have oversight responsibilities as follows:
(iii) To evaluate the performance of the principal
(iv) To monitor the quality of teaching and learning
(v) To monitor pupil achievement,

**Support**
(vi) To support the principal and provide mentoring, particularly by the chairperson

In a business context, boards can suffer from a lack of understanding of the distinction between management and governance. Given the range of issues facing schools, Bush and Gamage (2001) acknowledge the greater difficulties in this demarcation in the governance roles versus the day-to-day roles of senior school professional staff. Clark (2000) teases out the issues
between policy and management of schools, observing that the relationship between school boards and principals is a “flawed” relationship.

2.2 Roles of school board members
Some of the prior literature expresses responsibilities by reference to pupils rather than the more holistic school-as-a-whole perspective (e.g., Allen and Mintrom 2010). However, ideally, board members owe their duties to the school as a whole, and not to any individual stakeholder group. This more holistic perspective encourages a longer term sustainable approach that is in the interests of both current pupils and those that will enrol in the future. Broadly speaking, two duties underpin the proper execution of school board roles by school board members: (i) fiduciary duties and (ii) duties of due care, skill and diligence. Firstly, it is important to recognise that school board members act in a fiduciary capacity, as trustees to act in the best interests of the school. This means that school board members should not act (or be perceived to act) in their own personal interests in a manner that is personally beneficial. Thus, parental representatives on school boards have to be careful not to take any steps which could create the perception that they are acting to promote their own, or their children’s, welfare rather than the welfare of the school as a whole. Allen and Mintrom (2010: 443) touch on this when they state “...parents seeking to...promote the best interest of their own children might inadvertently generate harmful effects for other children”. The second duty underpinning the proper execution of school board roles is the exercise of due care, skill and diligence on the part of each individual school board member. The exercise of due care, skill and diligence does not require continuous attention by non-executive school board members. Attendance at monthly or quarterly school board meetings should be sufficient. School board members do not (and should not) be constantly in attendance at the school, as this risks interfering with the day-to-day management which is not the responsibility of non-executive board members.

It is important that school board members understand that they owe their duties to the school no matter how they are appointed to the school board, and no matter what group they represent. School board members should also understand that, although school boards are collectively responsible for the decisions they take, individual school board members are responsible for their individual actions notwithstanding the collective responsibility of the school board. Thus, on occasion, there may be a tension between collective responsibility and individual accountability. In order to ensure there is a common understanding of these responsibilities and accountabilities, the school board should have written terms of reference.
However, the stakeholder model applicable to school governance may suggest that responsibilities of school boards are owed beyond the school itself and include broader public interest objectives. On occasion, there may be conflicts between responsibilities under a wider stakeholder model of governance versus a more focussed individual school orientated perspective. Allen and Mintrom (2010: 444) refer to the importance of recognising “the need for balance between the greater good and the good of the individual have long informed arrangements for school governance”. Mintrom (2009: 335) provides an example illustrating how interest group politics can generate harmful outcomes for schools and their pupils, whereby the school board (comprising elected local representatives) was more interested in the role of the board in providing local employment than in its role in educating pupils. Tensions may also arise in the balance of power between lay parental board members and professional board members and this depends on interpersonal relationships, mediated by effective chairpersons and principals (Bush and Gamage 2001).

Mountford (2004) acknowledges the unrewarded nature of school board membership against the responsibilities executed by board members and examines the various motivations of those holding such positions. She extends this discussion by considering the exercise of power at school board level, and she considers the implications of her findings for school board member-principal relationships with a view to improving these relationships. Lay school board members are unlikely to have first hand experience of the tasks and activities over which they are governing. In addition, they may not fully understand their governance roles. For these reasons, schools should have proper induction processes for school board members, to help them understand their roles and the complexities of school management.

2.3 Composition of school boards
The shift to self governance for schools depends critically on appropriate people to take on the roles of chairperson and school board members and on their ability to execute their responsibilities effectively. The composition of school boards varies across jurisdictions. Boards generally comprise members appointed by state bodies (e.g. local authorities) and possibly by religious bodies, representatives of the teaching staff and members elected by parent bodies. Research has shown that parents are critical contributors to pupil achievement. Parental involvement has been positively linked to teacher rating of pupil competence, pupil grades and achievement scores (Henderson and Mapp, 2002; Simon 2004). Parental part-time
voluntary lay involvement in school boards are similar to non-executive directors on a corporate board. However, not all part-time lay volunteers can be classified as independent, in that some are representative – of parents, of religious groups, of the local community. These conflicts of interest between duties owed to the school versus perceived duties owed to appointers or electors may result in dysfunctional behaviour. Bush and Gamage (2001) acknowledge that school governance roles are held voluntarily, are not rewarded and there may be difficulties in recruiting and retaining sufficient appropriately qualified people to take on the roles. Du Bois, Caers, Jegers, De Cooman, De Gieter and Pepermans (2009) examine whether the composition of Flemish not-for-profit school boards influences the objectives/priorities of the school. Seven categories of objectives/priorities are examined including output (number of pupils graduated, performance of pupils in the university and job markets), pupil satisfaction, job satisfaction of teachers and principals, number of pupils, ideological values, prestige of the school and accessibility. Their research is based on a questionnaire to 170 school board chairpersons. They find that objectives/priorities differ across school boards depending on school board size and composition. They urge policy makers to consider the effect of mandated/prescriptive school board structures and composition on school strategies.

3. EFFECTIVE BOARDS, BOARD DYNAMICS AND BEHAVIOURAL ISSUES

The importance of how a school board governs, and not just the decisions it makes, is acknowledged by Campbell and Greene (1994). The way boards govern influences their ability to obtain consensus from stakeholders and to contribute to a positive climate in their schools. Campbell and Greene (1994) advocate the importance of boardmanship in the governance of schools. School boards vary on a continuum between inactive school boards where boards fulfil minimum roles delegating most responsibilities to professional staff to proactive school boards where board members want to be involved in all policy matters and even in operational management (Bush and Gamage 2001). Decentralisation of authority is unlikely to succeed unless capacity for governance exists at a local level (Bush and Gamage 2001). Such capacity requires proactive chairpersons and principals working to increase the effectiveness of school boards.
3.1 Quality of role performance, relationships, task efficiency and effectiveness

Robinson and Ward (2005) evaluated good schools board governance in semi structured interviews with 32 New Zealand primary school trustees using four board scenarios. They found that three key issues emerge in perceptions of the performance of schools boards:

(i) Good governance is a highly formalised activity where conformity to locally and nationally specified rules and roles is important – good governance involves compliance with standard procedures;

(ii) Good governance involves executing specific tasks in accordance with accepted understandings of internal standards of practice. Good practice is grounded in procedural rules to govern the activities of the school.

(iii) Good governance involves high quality interpersonal relations and effective communication, including appreciating the work of staff, avoiding conflict and avoiding unpleasant surprises. This is particularly important considering the possible conflicts of interests between principals, staff, parents and lay board members. Robinson and Ward (2005) recognise that there is a trade off between high levels of interpersonal cordiality and the role of the board concerning accountability, the role of the board (especially the lay board members) to engage in constructive challenge and the role of the board in capacity building.

Arguably school board achievement can only be judged by measures of academic achievement (Land 2002). McGonagill (1987) points to three barriers to school board effectiveness: role confusion (confused board / staff roles), board fragmentation (board internally divided) and board/staff competition (board members and staff competing for control of policy making and implementation). He advocates four critical steps in building effective boards: Developing trust and keeping lines of communication open, specifying the information needs of the school board, clarifying roles, and finally, creating mutual accountability.

3.2 Role of chairperson

The role of the chairperson of the school board is critical in promoting effective governance practice (Bush and Gamage, 2001). A number of useful guides exist on what it takes to be a good chairperson (Change Partnership, 2004; MERC Partners, 2005; Kakabadse, Kakabadse and Barratt 2006; Forum of Chairpersons of State Sponsored Bodies 2009). These are mainly
from a business context but the principles of chairing a board are consistent whether it be a listed company board or a schools board.

3.3 Relationship between chairperson and principal
Bush and Gamage (2001) observe that the success of school boards depends on good working relationships, critically that between the chairperson and principal. MERC Partnership (2005) describe this relationship as crucial. Key elements to this relationship working are accessibility to facilitate formal and informal exchanges of information, mutual respect, honesty and transparency. The job of principal can be a lonely one, and the chairperson can support the principal and be a mentor and a confident.

3.4 Board interactions
A good attendance by board members contributes to better social chemistry around the board table. According to Sonnenfeld (2002), regular meeting attendance is the hallmark of a conscientious board member. School board members should only take on the appointment if they have the time to carry out the role (Finkelstein and Mooney 2003). Non-attendance inhibits board members’ ability to contribute to debate, to be involved in decision making, thus impairing board dynamics. It is also essential that board members come prepared to meetings, and have read their papers in advance. Among the processes advocated by Finkelstein and Mooney (2003) for effective boards are: engagement in constructive conflict, avoidance of destructive conflict, and working together as a team. In turn, these are a function of how board members work together as a group.

3.5 Qualifications and training
Arising from the largely voluntary nature of school board membership, board members may lack relevant knowledge, experience and skills to serve effectively on school boards. Robinson, Ward and Timperley (2003) find a mismatch between the requirements of the governance tasks required of school board members and their knowledge and skills. They question whether school board members (especially the lay members) hold appropriate professional backgrounds and tertiary qualifications to allow them to carry out their roles competently. They suggest that training be offered to board members to enhance their execution of their roles and responsibilities.
3.6 Communication
In evaluating the communication skills of board members, Finkelstein and Mooney (2003) find an ability to explain oneself, to speak out frankly and to listen to be important. In this respect, important personality traits of effective board members include integrity, the courage to speak up, and being forceful and outspoken. These findings come from the corporate world, and may need some moderation in a voluntary school boards context.

4. BOARD PROCESSES
Governance is a formal process and formality is essential to its effectiveness. Protocols around school board operations should be clear. For any board to perform effectively, clear written terms of reference are essential. At a minimum, the terms of reference should specify the functions reserved to the school board (i.e., not delegated to the principal and teaching staff). Other details around the operation of the school board including board committees, appointments and resignations to/from the school board, attendance at meetings, etc should be included in the written terms of reference. Table 1 summarises a set of standard headings for a typical school board terms of reference. Examples of board terms of reference documents are readily available on the internet. A selection of these can be used as basis for drafting terms of reference for individual school boards, appropriately customised for the particular board. School board committees (see Section 4.1.6) should also have terms of reference setting out clearly their roles and responsibilities.
Table 1: Contents of typical school board terms of reference

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<td>Lay members of the board</td>
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<td>Staff representatives on the board</td>
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<td>Principal</td>
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<td>Secretary</td>
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<td>Board committees</td>
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<td>Audit and finance committee</td>
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<td>Appointment of board members</td>
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<td>Nominations by a third party</td>
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<td>Elections of representative board members</td>
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<td>Removal</td>
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<td>Cessation of office</td>
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<td>Attendance at meetings</td>
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<tr>
<td>Independent professional advice</td>
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<tr>
<td>Business of the board</td>
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<tr>
<td>Delegation of responsibilities to the Principal</td>
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<tr>
<td>Reserved functions of the board</td>
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<tr>
<td>Board communications</td>
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<tr>
<td>Board agenda and papers</td>
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<td>Review / evaluation of board performance</td>
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4.1 Hygiene factors

The presence of board decision-making process variables will influence the dynamic on school boards. These “hygiene factors” include board agendas, minutes, written papers for meetings, good information flows and school board committees. Grissom (2010), in examining some of these key components of school “boards’ abilities to function well”, found that boards with professional decision practices experience less conflict. This section of the chapter provides some practical guidance on best school board practice. Sources used, and useful practical guides, include Deloitte (2004) and the Institute of Chartered Accountants of Scotland (2010). While these are corporate board focussed, much will apply to school boards as the principles of running effective meetings are the same.

4.1.1 Board agendas

Formal board agendas ensure that meetings are planned in advance, and that a schedule exists to discipline meetings, ensuring that they remain focussed and do not go on for too long. Responsibility for the agenda rests with the chairperson, assisted by the school board secretary. A good chairperson will ensure that other school board members have opportunities to contribute to shaping the agendas for meetings. The agenda should also be discussed in advance.
with the principal. Meetings are likely to run more smoothly if the chairperson, principal and other key parties meet in advance to plan the meeting. The agenda should identify the person responsible for each agenda item. The agenda should also clearly indicate those items for which a board paper is being circulated, and those items for verbal update.

4.1.2 Minutes
Minute taking is an art form. Minutes range from highly summarised short documents, solely recording the decisions taken at meetings, to lengthy accounts of “who said what”. The ideal is somewhere between these two extremes. Good minutes will be action-orientated, containing an action column with the initials of those persons charged with the responsibility to take action to follow up points that arose at the meeting. Ideally, minutes should be written up and circulated shortly after the meeting while it is fresh in the mind. In order to prevent time wasting during board meetings, the minutes should be circulated to school board members for comment in advance such that the final version of the minutes can be adopted quickly at the start of the meeting. The principles of good minute taking apply to all boards. However, Nowakowski and First (1989) have conducted an interesting study which reflect these principles in school board context. Pointing out that writing board minutes requires discretion and good judgement, Zinski (2006) has some useful tips including: Avoid blow-by-blow accounts, reflect flexibility and judgement in writing minutes, choose between long form and short form style minutes and be consistent in the style chosen, in relation to board resolutions, be accurate and get the wording right.

4.1.3 Matters arising
A matters arising schedule should be maintained by the school board secretary, setting out live issues to be addressed in the future. The schedule should indicate which issues are on target/completed, in progress, or overdue. A visual colour coding system might be applied, green indicating issues completed, amber for issues in progress, and red for overdue issues.

4.1.4 Written papers for meetings
A formal board pack should be circulated to school board members well in advance of meetings. In addition to the agenda, minutes and matters arising schedule, the board pack should contain a report from the principal, a finance report, and any other papers dealing with issues on the agenda. Other than in exceptional circumstances, papers should not be tabled at meetings as school board members will not have adequate time to read, digest and consider
such papers. Board papers should be accompanied by a statement setting out clearly the purpose of the paper (e.g., for decision (identifying precisely the decision requested), for discussion, for noting).

4.1.5 Good information flows
A school board requires high quality information in order to function effectively. Boards face real dangers if information is withheld or if news flows are filtered such that only positive news is allowed through to the board. If there is a failure of information flows the governance system breaks down. Information is a weapon. How many board members have experienced being flooded and overwhelmed with information, which turned out to be irrelevant, with the key data being withheld? Some common information manipulation techniques include the following:

- Inadequate, incomplete information – information too costly, time-consuming to obtain
- Information flows to the board tightly scripted
- Concealment of information
- Omitting or trivialising bad news
- Using excessive subtlety to communicate key information such that it is lost on the reader
- Swamping the board with a voluminous amount of information
- Tabling information at board meetings, allowing insufficient time to read the material
- Scheduling trivial matters early in meetings, ensuring critical issues are rushed at the end of meetings

Some of the above insights come from the corporate world, and may need some tempering in a schools board context.

4.1.6 School board committees
An effective means of preventing school board meetings becoming overloaded is to establish committees to assist boards in executing their duties. Such committees are board (not management) committees, and should not interfere with the day-to-day running of the school. A common board committee is a Finance and Audit Committee, whose function is to oversee the financial management of the school on behalf of the board. This means that less school board time is taken up with financial and audit matters, which have already been scrutinised by the Finance and Audit Committee. Members of the Finance and Audit Committee are likely to be the more financially literate school board members. Minutes of the Finance and Audit
Committee and any other board committees should be circulated at board meetings, to ensure that all school board members are fully familiar with the work of the committees.

4.2 Evaluating school board performance
There is evidence from the literature of variable school board performance. It can be helpful to the smooth functioning of boards to evaluate board performance from time to time. Ideally this is facilitated by external independent parties. However, given the financial constraints applying to most schools, a more pragmatic approach might be a self evaluation process led by the chairperson. A senior school board member might lead the evaluation of the chairperson’s performance. Danzberger, Carol, Cunningham, Kirst, McCloud and Usdan (1987) discuss efforts in the US to provide a framework (‘what they call ‘indicators of effectiveness’) for evaluation of school boards and school board members performance to improve their effectiveness.

5. CONCLUDING COMMENTS
Governance is a multifaceted, multidimensional concept. The duties and responsibilities of those charged with governance are onerous and demanding. School board members act in a voluntary and unremunerated capacity. This chapter has attempted to provide some clarity on the roles and responsibilities of governance in a schools context. In addition, some practical advice on hygiene issues is offered. However, ultimately, the success of school boards depends on the interpersonal relationships around the school board table and on the social chemistry of the group. The influence of the chairperson and principal are critical in this respect. Ideally, there should be equitable sharing of power so that all involved are able to make worthwhile contributions to decision making (Clark, 2000). School boards need to be robust, effective social systems (Sonnenfeld 2002).
References


