

**SEPTEMBER  
2019**

# e-Dition

## News and Notes for ISBA Members

by Terry E. Spradlin, ISBA Executive Director ([tspradlin@isba-ind.org](mailto:tspradlin@isba-ind.org))

I hope the 2019-2020 school year is off to a great start for all school corporations, and your students, staff, and board! The end of summer marks the start of a busy season of multiple events planned to support our ISBA members. In addition, there are other timely news and notes that I want to share with you here.

### 2019 Annual ISBA-IAPSS Fall Conference

The 2019 Annual ISBA-IAPSS Fall Conference is almost upon us. Registration is still open for those not yet registered [HERE](#).

This premier conference, to be held on September 30-October 1, will spotlight programs, policies, and best practices regarding:

- Ushering in a New Era of Graduation Pathways and School Accountability
- Optimizing School Budgets and Financing
- Ensuring Safe, Secure, and Supportive Learning Environments for Hoosier Students
- Developing Educational Statesmanship
- Other Hot Topics

This is an excellent opportunity for professional development, continuing education, and board development. All attendees will either receive 25 CAP points (as a core meeting) for school board members or 9 PGP hours for administrators. Take advantage of this professional growth opportunity!

### School Accountability Panel

The Indiana General Assembly debated legislation during the 2019 budget session that would have established the use of postsecondary performance metrics in the high school A-F accountability model. While that particular bill (House Bill 1404) died, a provision was added to House Enrolled Act 1002 (Public Law 143) to establish a School Accountability Panel to continue the discussion regarding which metrics to recommend to the State Board of Education and the legislature for inclusion in the high school accountability system. This Panel is meeting biweekly through October to develop its recommendations. To learn more about the composition of the Panel or to monitor the work of this body go [HERE](#).

### Budget and Financial Oversight Resource Guide

In June 2018 ISBA issued the first edition of the Budgeting and Financial Oversight for School Board Members: Resource Guide that included a monthly checklist of items school board members should review at board meetings each month. As an illustration of the checklist, here were the action items recommended for September and October:

#### September

- Adopt budget to approve appropriations, tax rates, three-year capital projects plan and five-year bus replacement plan.

(November 1 is last possible date to adopt budget.)

- Adopt additional appropriations or appropriation reductions for current year.
- Publish Notice of Adoption.
- Review August financial statements.

#### October

- Review financial and budget variance letter for quarter ended September 30.
- Review bank accounts and investments as of September 30.
- Submit ADM count to IDOE.
- Submit textbook expenses to IDOE by October 31 for February reimbursement.

The second edition of this resource guide will be issued within days following the Annual Fall Conference and will feature many updates and new sections (largely prompted by laws enacted in the 2019 session of the General Assembly) to support your essential work in adopting a sound budget for your school corporation. You will be provided access to a PDF copy of the full report via an email blast during the first full week of October.

#### Upcoming Events

Registration is also live for the ISBA Fall Legal Workshops and the Fall Regional Meetings/Dinner. Please see page 3 of this newsletter for more details and go to the Events page to register [HERE](#).

# Meeting Preparation

By Dr. Michael T. Adamson, ISBA Director of Board Services  
([madamson@isba-ind.org](mailto:madamson@isba-ind.org))

Most of what is required to be a good board member revolves around his or her preparation for meetings. Surprisingly to some, it is not about available to speak with constituents or hear complaints, it is not about transparency, and it is not about understanding every statute encompassing public education. All of these things, and more, are important in their own right and should not be ignored; however, the board member who comes to each meeting prepared, both intellectually and mentally is well on the way to becoming a good board member.

The prepared member is that person who responsibly reviews the agenda packet as soon as

it is distributed, paying particular attention to the decisions the superintendent and/or members of the administrative team are promoting. If there are points of clarification or other questions about the agenda, the responsible member will contact the superintendent at the earliest convenient time to ask questions and receive answers. On agenda items reflecting items not particularly brought forward by the superintendent, board members will consider them only if there is an administrative recommendation that accompanies them.

Likewise, if a member does not agree with the administrative recommendation for a particular item, he or she should notify the superintendent as soon as possible after receiving the agenda

packet and before the meeting. This allows the member and superintendent an opportunity for discussion and if the board member's position eventually mirrors the administrative recommendation, fine; however, it is still okay even if it does not. Minimally, if the board member cannot support the recommendation, the superintendent is aware that there is not unanimous support for the recommendation. In a system where no surprises are encouraged, this is a critical practice.

Board members are elected or appointed to attend to the business of the district in alignment with their responsibilities as board members and according to statute. Being prepared for board meetings is crucial for board members to make informed decisions, to evoke community and staff confidence, and to effectively perform their duties as public officials.

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## Recent Interpretations of the Open Door Law

by Lisa F. Tanselle, ISBA General Counsel ([ltanselle@isba-ind.org](mailto:ltanselle@isba-ind.org))

The Public Access Counselor has issued two advisory opinions that involved school boards and allegations that the boards violated the Open Door Law. In one opinion, the Public Access Counselor believed that the school board violated the law by voting on an issue of "substance" without deliberation. In the second opinion, the Public Access Counselor concluded the school board did not violate the law when it amended its agenda the day of the meeting by adding a discussion item.

*Doyle v. Duneland School Corporation, Formal Complaint No. 19-FC-20*

On July 16, 2018, under an agenda item posted as *Policy Updates Vol. 29 No. 1*, the school board approved the first reading of proposed amendments to existing policies. Included in the updates was Policy 5111, which proposed to change the school corporation's current policy on accepting nonresident students. The proposed change would disallow nonresident students from enrolling in the school corporation. The following month, again under an agenda item entitled, *Policy Updates Vol. 29 No. 1*, the board voted to approve the proposed changes to the policies. There was no discussion of any specific policy, including the policy on disallowing nonresident students to enroll in the school corporation. When a patron learned that the changes to the transfer policy had been approved by the school board, the patron filed a complaint with the Public Access Counselor. He alleged that the school board violated the Open

Door Law by giving improper notice of the meeting and taking final action outside of a public meeting on Policy 5111. The Public Access Counselor noted a previous opinion of his, wherein he concluded that board members must deliberate on substantive items so that the Open Door Law is not rendered useless. In this case, since the transfer policy was one of substance and had generated significant public interest, the Counselor opined the board's passage of the policy change, without any discussion, was contrary to the purposes of the public meetings law. Thus, the Counselor concluded that the board's failure to deliberate on this item of substance violated the section of the law that prohibits taking final action by referencing an agenda number or item alone.

*Charity Scott v. Indianapolis Public Schools, Formal Complaint No. 19-FC-19*

A patron alleged that the school board violated the Open Door Law by adding an item of business to the agenda that had been posted 48 hours before the meeting. The board acknowledged that the board president added the item to the agenda at 1 p.m. the day of the meeting. The Public Access Counselor noted that the Open Door Law does not require a governing body to use an agenda, but if it does, the board must post the agenda at the entrance of the meeting location before the meeting. The Counselor further noted that there is nothing in the law that prohibits a governing body from amending an agenda. In the opinion of the Public

Access Counselor, while meeting agendas are worthwhile endeavors, their purpose is not to strictly bind a board to the items listed. Thus, the Counselor concluded the board did not violate the Open Door Law by amending its agenda.

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**REGISTER TODAY!**

### ISBA/IAPSS Fall Conference

Last chance to register for the Fall Conference! Don't miss out on this experience!

**[REGISTER HERE!!](#)**

#### UPCOMING EVENTS

ISBA REGIONAL MEETINGS—[REGISTER HERE](#)

ISBA FALL LEGAL WORKSHOPS—[REGISTER HERE](#)

#### REMEMBERING NANCY MCNABB



Nancy E. McNabb

January 30, 1943 – August 27, 2019

Mrs. McNabb served on the DeKalb Central school board for 24 years, including many years as its president, and became president of the Indiana School Boards Association from 1992-93. She was honored as the outstanding school board member in Indiana in 1996 and as the first Indiana Young Mother of the Year.

## Guidance and Resources on a Comprehensive Positive School Discipline Plan

by Julie M. Slavens, ISBA Staff Attorney ([jslavens@isba-ind.org](mailto:jslavens@isba-ind.org))

The 2018 Indiana General Assembly passed a law (HEA 1421) requiring the Indiana Department of Education (IDOE) to provide school corporations with a model plan and resources to help school corporations develop their evidence-based plan for improving student behavior and discipline in their school corporation. The Act amended IC 20-26-5-32. The model plan and resources were to be developed by the IDOE and provided to school corporations prior to the 2019-2020 school year. The statute requires the model plan to reduce out-of-school suspensions and disproportionality in discipline and expulsions, and limit referrals to law enforcement and arrests on school property to cases where it is necessary to protect the health and safety of students and/or employees.

IDOE released its model plan in late spring 2019. The plan includes a template for a policy and provides information on procedures school boards and administrators should consider in addressing their positive student discipline plans, which include policies, procedures, and practices of the school corporation. This plan serves as a comprehensive tool for school employees to use to provide a safe, respectful, and trauma-responsive environment for all students, so it includes not only policy, but also other rules, procedures, and practices of the school corporation pertaining to student behavior and discipline.

The IDOE encourages school corporations to appoint a positive discipline coordinator and establish a school climate and equitable discipline committee. The IDOE resource explains the role and duties the school positive discipline coordinator may have and provides information on the role and make-up of the committee. Involvement of all segments of the school community is encouraged such as parents, students, community members, administrators, and local agencies to be a part of the committee. The main purpose of the committee and the coordinator is to review the positive student discipline plan and provide input on its components. The plan itself and its components are the responsibility of the local school board and school administrators.

The purpose of the IDOE model plan is to provide guidance and resources for use by a local school corporation to develop, review, and if necessary, update the policies, rules, procedures, and practices relating to student behavior and discipline and create a positive and safe learning environment for students. The model plan and resources document may be found at

[https://www.doe.in.gov/sites/default/files/news/research-based-equitable-school-discipline-model-policy-2019-april-12.pdf?utm\\_content=&utm\\_medium=email&utm\\_name=&utm\\_source=govdelivery&utm\\_term=](https://www.doe.in.gov/sites/default/files/news/research-based-equitable-school-discipline-model-policy-2019-april-12.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=)

IDOE has also developed a comprehensive resource guide for the development or review of a positive behavior system. It may be found at

[https://www.doe.in.gov/sites/default/files/news/comprehensive-positive-school-discipline-resource-guide-april-5.pdf?utm\\_content=&utm\\_medium=email&utm\\_name=&utm\\_source=govdelivery&utm\\_term=](https://www.doe.in.gov/sites/default/files/news/comprehensive-positive-school-discipline-resource-guide-april-5.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=)

# ISBA/IAPSS 70<sup>th</sup> Annual Fall Conference

The 70th Annual ISBA/IAPSS Fall Conference is coming! This year's conference will be focused on "Celebrating 70 Years of Effective K-12 School Governance and Leadership" and will be held Monday, September 30 -Tuesday, October 1, 2019. The meetings and exhibit hall will be again located in the Indiana Convention Center, centered around Halls J & K.

A comprehensive program is designed every year by ISBA/IAPSS to provide topics and presentations that appeal to any superintendent or school board member, no matter the size of your school corporation. Our conference is structured to bring to you the latest information, along with success stories from schools that have implemented change in their corporations. We will have some informative experts on current topics in education who are willing to share their knowledge with YOU!

Register at [www.isba-ind.org](http://www.isba-ind.org) and mark your calendars now for the 70th Annual ISBA/IAPSS Fall Conference, because it is designed to help you become an effective and exceptional school leader in today's changing world!

## FEATURED KEYNOTE SPEAKERS



This year, our Monday morning keynote address will be presented by **Dr. Stephen Sroka**. Dr. Sroka specializes in "The Power of One" which explores the barriers and the strategies needed to build relationships and lead. Challenges explored are communication, collaboration, cultural competency and caring. Dr. Stephen Sroka has spoken worldwide with The Power of One message, how one person can make a difference. This keynote will warm your heart, stir your soul, and ignite a fire in your brain. Let's see if it can spark the fire within you!



At the Tuesday general session, our keynote address will be from **Ravi Hutheesing**, who will speak on "Cultural Competence, the Pathway to Equity in Education." The world is changing, and schools are challenged with doing more than ever to prepare students for an unpredictable future. Therefore, we must overcome our own unsubstantiated fears and implicit biases so that we not only educate every child fairly, but also help them defeat their own fears and biases while cultivating their curiosity about the world.

### ITEM TO NOTE:

- There will be NO Tuesday Luncheon again this year. Together, ISBA and IAPSS realized that our time with attendees would be better served by convening the attendees together for a cohesive general session on Tuesday morning. Please note that the Tuesday General Session will take place in the 500 Ballroom.

### SAVE THE DATE!!!

**71<sup>st</sup> ANNUAL ISBA/IAPSS FALL CONFERENCE**  
**SEPTEMBER 27 – SEPTEMBER 28, 2020**

### STAFF

Terry Spradlin—Executive Director  
Lisa Tanselle, Esq.—General Counsel  
Dr. Michael Adamson—Director of Board Services  
Julie Slavens, Esq.—Staff Attorney  
Brooke Orner—Coordinator of Conferences  
Rae Anne Motsinger—Comptroller/Office Manager  
Kayla Baldwin—Administrative Assistant



### FOR MORE INFORMATION

Visit our website :

[WWW.ISBA-IND.ORG](http://WWW.ISBA-IND.ORG)

317.639.0330



ISBA announces its Comprehensive Policy Management Services (CPMS), a more robust service beyond the policy advisories from ISBA that will be continued for all members.

As a board member, you know policy-making is a top priority of any school board's governance responsibility. The policies put in place should comply with current Indiana and federal laws and reflect the educational values of the school corporation and the community.

ISBA is your resource for Indiana public school policy development and management. Through a yearly subscription, ISBA can provide your school corporation with:

- Focused Consultation
- Policy Evaluation, Customization, & Manual Coding
- Quarterly Policy Updates Report and Webinar Meetings
- Sample Policies and Policy Lists
- Policy Training

Learn more about CPMS on our website at <http://www.isba-ind.org/cpms.html>.