

Climate Audits

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Board members often struggle with the best means for gathering information attesting to the general health of the district. Admittedly, questions that solicit answers that are illustrative of various levels of internal and external satisfaction with the school system or its personnel are not always as clear as the Board may wish.

Every Board should be concerned with their district's actual performance to state standards and also with the community's perception of their district's performance. Additionally, the internal satisfaction level of employees is always an area of interest to school board members. High employee turnover, low performance to standards, and growing rumors of dissatisfaction and unrest all point to areas of concern that require some type of intentional intervention. However, while the administration and management of a district are often attributed as the cause of internal unrest and poor performance, the real reasons can be masked behind these and ultimately not be a management or leadership issue at all.

Individual board member investigative forays to find cause or offer solutions are discouraged, especially since individual members have no independent authority to conduct these types of exploratory excursions. Boards operate as a single entity, not as several independent contractors. So, how is the Board to get the answers it needs in a timely manner and in an objective format?

One way is to authorize the superintendent to collect the data, either by independent audits and interviews or by anonymous surveys. However, this type of information can be difficult, if not allusive, to superintendents because of their position in the district and familiarity with staff and support members. Consequently, a solution more often recommended is to authorize an independent climate audit enlisting an outside consultant. These can be tailored to collect information from specific groups that will provide the best data to address targeted or to gather data that will objectively define the general health of the district.

Before you run to the internet to find a survey or just any consultant, it is important to do your homework. Not every consultant is qualified to do this work and not every survey with "climate audit" in its description will necessarily yield the desired information. Ask your superintendent to bring recommendations of consultants who have a proven track record in other districts. Having more than one to choose from is always preferable if possible. Once you have the recommended consultants, meet with them and let them review the process, how information will be collected, the level of privacy and security that will be maintained both during and following the audit, and how recommendations from the results will be tabulated and presented.

A qualified consultant is able to wade through emotional responses to target any underlying issue, weeding out any noise that can occur during audits that are taken during or after high profile issues. Additionally, they will treat the survey content with confidentiality for both those that provide input and for those that want to receive an objective assessment of the district's health.

Oath of Office for School Board Members

By Lisa F. Tanselle, ISBA General Counsel (ltanselle@isba-ind.org)

Now that the elections are over and school board members prepare to take office in January, it's a good time to share some pertinent information about the oath of office that elected officials must take.

Contents of the Oath

IC 20-26-4-2 requires any person "elected or selected" to be on the school board to take the following oath:

I solemnly swear (or affirm) that I will support the Constitution of the United States of America, the Constitution of the State of Indiana, and the laws of the United States and the State of Indiana. I will faithfully execute the duties of my office as a member of this governing body, so help me God.

The statute allows the school board to add provisions to the oath that the board considers appropriate for the office. Some school boards choose to add language that requires the board

member to abide by a code of ethics adopted by the school board.

Administration of the Oath

IC 33-42-9-7 specifies who is authorized to perform a notarial act, which includes administering the oath of office. Those persons authorized to administer the oath include notaries public; judges and justices of Indiana courts; mayors, clerks, clerk-treasurers of towns and cities, township trustees, in their respective towns, cities, and townships; clerks of circuit courts and master commissioners in their respective counties; judges of US district courts; county auditors in their respective counties; and any member of the Indiana General Assembly.

Time Period to Take the Oath

IC 5-4-1-1.2 says a person appointed or elected to a school board may take the oath "at any time after the individual's appointment or election." However, the person must take the oath no later than 30 days after the beginning of the term of

office. Thus, for board members taking office on January 1, 2019, they must take the oath no later than January 31, 2019. If a board member fails to take the oath of office by January 31, 2019, the board position becomes vacant.

Once the oath is taken, a copy of the oath must be delivered to the circuit court clerk. The oath must be delivered no later than January 31, 2019.

Setting for the Administration of the Oath

Clearly Indiana law allows for the administration of the oath of office to individual board members at times convenient to that individual member. There is no requirement in statute for the oath be administered in a group setting or at a school board meeting open to the public. In fact, the Open Door Law was amended a few years ago to exclude from the definition of a meeting "a gathering for the sole purpose of administering an oath of office to an individual." Thus, it is lawful to gather together all of the school board members who are starting a new term of office to administer the oath without advertising that gathering as a meeting. However, for those school boards that prefer to have the oath administered at the first school board meeting in January, that is lawful as well.