# The School Board in Action:

# Seating New Board Members & Organizing the Board

IASB
ILLINOIS ASSOCIATION
OF SCHOOL BOARDS

# Introduction

State law requires each school board to hold an organizational meeting following the consolidated election held in odd-numbered years. This pamphlet describes the legal requirements and provides a process for smoothly and efficiently accomplishing those requirements.

The board should have policy to address the organizational meeting and will want to make certain that the processes used in the organizational meeting are aligned with that policy. In addition to the legally required process, board members may weigh other considerations, including a show of respect for the traditions of the board and expressions of gratitude for retiring members.

The organizational meeting must be held in open session, and the board must:

- seat new members,
- elect officers, and
- set a time and place for regular meetings.

If officers are elected to one-year terms, the board must hold an organizational meeting every year primarily for the purpose of electing officers.

Even though its members change, a school board is a continuing entity. The board does not need to re-hire district staff, re-approve contracts, or re-adopt the board policy manual. These unnecessary actions may cause confusion and could create legal issues for the district.

For more information, see IASB's book *Coming to Order*.

# Seating the New Board Members

Within 21 days following the consolidated election, the district will receive an abstract of votes from the election authority or election commission. In most cases, the election authority is the County Clerk. The abstract of votes is the official notification to the district of the election winners. It provides the basis for announcing the new members who will be seated on the board.

The board must seat its new members within 28 days of the consolidated election. If a regular board meeting date falls within the 21-day to 28-day time frame, the board may choose to seat its new members at its regular meeting. If no regular meeting falls in that time frame, a special meeting must be called.

The outgoing board members may approve the minutes of board meetings that have not yet come up for approval before the new board members are seated. This action is merely an approval of the record of business already conducted. No business other than seating new members should be transacted by the outgoing board members at the organizational meeting

Before an individual takes a seat on the board, he or she must take an official oath. Districts often ask whether this applies only to newly elected board members or to all members elected and/or re-elected. To assure compliance, both newly elected and returning members should take the oath.

Boards should check their local board policy to determine how the oath is taken. School boards may develop whatever process and/or ceremony they choose and include it in board policy. Some options are:

- The oath is administered by the board president, the board secretary, the superintendent, the board's attorney, etc.
- Each individual taking the oath may read the oath aloud.
- A group of members or the entire board may take the oath simultaneously.

### The form of the official oath given in statute is as follows:

**I**, (*name*), **do solemnly swear** (or affirm) that I will faithfully discharge the duties of the office of member of the board of education (or board of school directors, as the case may be) of (*name of school district*), in accordance with the Constitution of the United States, the Constitution of the State of Illinois, and the laws of the State of Illinois, to the best of my ability.

**I further swear** (or affirm) that:

**I shall respect** taxpayer interests by serving as a faithful protector of the school district's assets;

**I shall encourage** and respect the free expression of opinion by my fellow board members and others who seek a hearing before the board, while respecting the privacy of students and employees;

**I shall recognize** that a board member has no legal authority as an individual and that decisions can be made only by a majority vote at a public board meeting; and

**I shall abide** by majority decisions of the board, while retaining the right to seek changes in such decisions through ethical and constructive channels.

## The following sample scripts illustrate several of the concepts in this publication.

### Taking the oath of office

Continuing president or president pro tem: "I will now administer the oath of office to the newly-elected members of the board of education."

Continuing president or president pro tem: (to new board members): "Please repeat after me: … "

### Nominations

President pro tem: "Nominations are now in order for the office of president."

Member: "I nominate Helen Smith."

President pro tem: "Helen Smith is nominated. Are there any other nominations for the office of president?"

President pro tem: "Hearing no further nominations, the nominations for the office of president are closed."

### Electing the president *(If there is only one nomination, the president pro tem may recognize the election without asking for votes.)*

President pro tem: "Helen Smith being the only candidate nominated for the office of president, the chair hereby declares her elected by acclamation and directs the secretary to so record in the minutes."

### Electing the president *(If there are several nominations, the candidate receiving the majority of votes cast wins. Abstentions should be counted with the majority of votes cast.)*

President Pro tem: "All in favor of Helen Smith for the office of president raise their hands."

Then: "All in favor of Paul Jones for the office of president raise their hands."

Then: "The secretary (or secretary pro tem) reports the vote is 5-2 in favor of Helen Smith. By receiving a majority of the votes cast, Helen Smith is elected president of this board of education."

### Electing the president *(If more than two candidates are nominated, one candidate must receive a majority of the votes cast to declare a winner.)*

President pro tem: [The secretary reports that] "Three candidates have split the vote [3-2-2 or 3-3-1]. No one candidate has received a majority of the votes cast. Voting will continue until one candidate receives a majority of the votes cast. At this time, does any candidate choose to drop out of the contest for the office of president before we vote again?"

# Election of Board Officers

The law does not establish a method for electing officers. Each board must establish its own policies regarding the organizational meeting, including terms of office (two years or one year), selection of officers, and nominating and voting processes. The *Open Meetings Act* requires the election of officers by open vote, not by secret ballot.

To launch the process of electing officers, someone should be selected to serve as the president pro tempore (temporary president) until the board elects a permanent president. The president of the board is the first officer to be elected and immediately assumes duties of the chair to preside over the election of other officers.

## Appointment of president pro tem and secretary pro tem

The board may establish its own process for selecting a president pro tem. Any seated board member can serve as a president pro tem. Best practice would indicate choosing a board member who has been through an organizational meeting in the

past. Some boards appoint the current president or vice president as the president pro tem if he or she is still on the board.

If a board does not use a recording secretary (superintendent's secretary or other district employee), the board should appoint a secretary pro tem to keep a record of the board's actions until a new board secretary is elected.

## Nominations and voting

### *Board President*

The board's local process determines how both nominations and voting are done; a simple process works best. The first order of business is nominations. Anyone can make a nomination, including self-nominations. Nominations do not require a second. Election of an officer requires a majority of those voting. This entire process must occur during an open meeting, and voting must not be by secret ballot.

- If only one member is nominated for president, the president pro tem may: 1) cast a unanimous ballot and declare that candidate elected, or 2) ask for a show of hands or a voice vote in which each member has an opportunity to vote "yes" or "no" for the nominated candidate.
- If two or more members are nominated for president, a show of hands or roll call voice vote is necessary. The member receiving a majority of the votes cast is elected. If there is a tie or no one receives a majority of votes cast, a second vote must be taken. Additional votes must be taken as necessary to elect one candidate. If no candidate is elected, the president pro tem continues to serve until a president elected.

### *Vice President, Secretary and Treasurer*

Once elected, the board president presides over the meeting as the board proceeds to elect its vice president, secretary and treasurer (if the board elects a secretary and/or treasurer from among its members), using the same nomination and voting process that the board used to elect the president.

State law assigns specific duties to board officers; however, each school board may require its officers to perform other duties. Board policy should be consulted for officer duties.

## Choosing officers

Choosing the best individuals to lead the board is important. Some things to consider when choosing board officers include:

### *President*

The board president presides at all meetings and calls special meetings, in addition to many other duties. Because the president becomes the public face of the board, members may want to select someone with recognized leadership skills, the ability to effectively speak for the board and to work together with the superintendent to plan and conduct successful meetings. Basing the choice on these considerations is generally more effective than either basing the choice upon longevity or rotating the office so that each board member takes a turn serving as president. The individual chosen for the post should possess the qualities to do the job well and be prepared to satisfy the major time commitment required.

### *Vice President*

The vice president performs the duties of the president in the event of a vacancy or if the president is absent or unable to perform his or her duties. A board is well advised to select a vice president who has many of the same skills and qualities of the president.

### *Secretary*

The secretary may be a board member or non-member at the discretion of the membership. The secretary is the only officer who may receive compensation. Compensation of a board member chosen as secretary is limited, however, to a maximum set by statute and the amount must be established at least 180 days before the term of office begins. Compensation of a non-member board secretary is not subject to a statutory maximum. Although a board member is elected board secretary, best practice dictates that a recording secretary be used to keep the minutes, freeing all elected board members to take an active role in board discussion and deliberation.

### *Treasurer*

The School Code specifies the qualifications and term lengths for treasurer. In some districts, but not all, a school board member may be elected treasurer. An appointed treasurer (non-member of the board) serves at the pleasure of the board rather than for a fixed term.

## Establishing Regular Meetings

All school boards are required to hold regular meetings, establish a schedule for them, and provide public notice as required by the *Open Meetings Act*. Once the newly elected members have been seated and the permanent board officers are elected, the board sets the dates and location(s) for its regular meetings.

After new board members have taken the oath, officers have been elected, and the meeting dates and locations have been set, the board goes on to any items of business remaining on the agenda.

## Board Traditions

Some school boards have established the tradition of adjourning *sine die* before reorganizing, as detailed in *Roberts Rules of Order*. *Sine die* is a Latin expression meaning "indefinitely or without a date set for a future meeting." This procedure is not required by law and has no legal significance. The implication is that an "old board" is permanently adjourned and that a "new board" is convened. However, in regard to contracts, formally adopted board policy and other agreements, the board is seen as a corporate body that continues regardless of changes in its membership.

Another tradition in many districts is that once the new board members have been seated, members retiring from the board who are present are recognized for their service to the district. Boards provide this recognition in a small ceremony after the new board members have been seated. This can take the form of a presentation of a plaque, framed certificate or other memento acknowledging board service. The specifics of the ceremony are a matter of local tradition or preference.

Some districts host a social function for both the incoming and outgoing board members, either before or after the organizational meeting. The reception, which does not need to be elaborate, is an opportunity to recognize the contributions of the outgoing board member(s) as well as to welcome the new member(s) of the board and introduce them to the public and district employees.

## Sources

*Illinois Election Code*
- Article 17, Conduct of Elections and Making Returns (10 ILCS 5/17-22)
- Article 22, Canvassing Votes, (10 ILCS 5/22-17 and 5/22-18)

*Illinois School Code*
- Article 10, School Boards (105 ILCS 5/10-1 et seq.)

*Illinois School Law Survey*
- Chapter 4, School Election Procedures
- Chapter 5, School Board Officers
- Chapter 6, School Board Meetings

*Coming to Order: A Guide to Successful School Board Meetings*
- Chapter 10: The New Team: Reorganizing the School Board

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