

## This response was prepared for the Nevada Legislative Counsel Bureau.

### Your Question:

You asked for information on the state policy landscape of local school board governance, including:

- School board selection policies.
- School board compensation policies.
- School Board Training Requirements
- Research on school board governance.

### Our Response:

This information request response follows the format of the presentation provided to the Nevada Joint Interim Standing Committee on Education on May 3, 2022. The response is separated into 4 sections—school board selection, school board compensation, school board training requirements, and research on school board governance. Each section includes state examples and relevant resources.

For additional information, Education Commission of the States tracks legislation related to school boards in our [State Education Policy](#) database. You can see a robust list of bills related to school boards by filtering for Issue Area “K-12 Governance”, then sub-issue “School Boards.”

### School Board Selection

School boards play a fundamental role in education governance nationwide. State law often provides a framework for their election or selection and their duties and authority. Education Commission of the States’ [50-State Comparison on K-12 Governance](#) provides a national overview of the policymaking roles in K-12 education policy including information on school board’s [constitutional or statutory authority](#) and the required [composition and selection](#) of school board members. Most states elect local school board members. [Florida](#), [Indiana \(Ind. Code Ann. § 20-25-3-4\)](#) and [Ohio](#) require elections to be nonpartisan. There are at least nine states that have a combination of appointments and elections.

### School Board Size

State policy varies on the size of local school boards. Some states—[New Hampshire](#)— set a minimum number of representatives, while others—[Wisconsin](#)—set a maximum number of representatives while allowing local school boards or governing bodies to determine how many members will make up the school board. States also set a specific number of board members that may vary based on the size of the district. The following examples highlight these different approaches.

[Colorado requires](#) (Colo. Rev. Stat. Ann. § 22-31-105) school districts to elect a seven-member school board. The board must be made up of five members elected from the districts of the city or county and two at-large members. Board members serve a four-year term.

**Utah** recently enacted [legislation](#) that amends the size of the school board based on student population. School districts with less than 10,000 students have five board members; districts with 10,000 to 50,000 students are permitted to have seven board members; districts with 50,000 to 100,000 students have seven board members unless residents vote to increase the total to nine; and districts with over 100,000 students have nine board members.

### *School Board Member Representation*

While school board members are required to be residents of the school district, states have taken different approaches to board member representation. Some require school board members to represent specific voting districts, others require members to be elected at-large, and several states require a combination of the two—like **Colorado**. The following examples highlight these approaches.

**California** requires all school board members to be elected at-large. Unified school district boards are made up of seven members.

**New Mexico** school boards are made up of five members elected from voting districts that are updated following each census.

### *Hybrid School Boards*

Hybrid school boards are made up of members who are elected in addition to members who are appointed by another government agency or executive. Hybrid school boards as they exist in state policy are usually specific to certain school districts or municipalities.

**Maryland** provides for elected, appointed, and hybrid school boards in state policy. For example, the Baltimore County School Board is made up of [11 members](#), seven elected and four appointed by the Governor with assistance from the [nominating commission](#). [Three other school boards](#) in Maryland are both elected and appointed.

In the 2022 legislative session, **North Carolina** enacted multiple bills addressing school board governance in specific districts. For example, [H.B. 400](#) changed the composition of the Asheville City Board of Education to be made up of seven members, with three members appointed by the governing body of the City of Asheville and four members elected in accordance with this act. Beginning in 2024, the board would shift to seven members elected to staggered four-year terms. Board members must be elected on a nonpartisan basis at the time of the general election in each even-numbered year to serve a four-year term.

**Ohio** does [permit](#) districts to add board members under their own volition. School boards may adopt a resolution to add appointed members, but the number of appointed members must be less than the number of elected members.

### *Appointed School Boards*

Like hybrid school boards, policies related to appointed boards are typically targeted towards specific cities; Baltimore, Boston, New York City, Philadelphia, and Cleveland serve as prominent examples. In most cases the mayor serves as the appointing authority, but city councils or other local governing bodies may also play a role in appointments. In some of these cases, appointed boards are a result of state takeover of a school district.

At the state-level, both **Ohio** and **Virginia** have provisions in state policy allowing for appointed boards. In **Virginia**, school board members were originally [appointed](#) by county government officials, but legislation enacted in 1992 permitted the voters of a school district to [petition](#) for the establishment of an elected board. Most districts in the state have transitioned to an elected board. **Ohio** still maintains a mechanism for the establishment of appointed school boards in certain districts. Ohio [permits](#) mayors to appoint school board members following a transition from

state control. After 4 years of mayoral appointment, [residents may vote](#) to return to elections. The [Cleveland Metropolitan School District](#), for instance, requires the mayor to appoint school board members from a list provided by a nominating panel composed of parents, a teacher, a principal, a member of the business community, and a representative of a postsecondary institution.

[Mayoral control](#) has garnered increased attention over the last two decades as a trend in urban education governance. Examples of appointed school boards in large urban districts are included below.

### **Baltimore City**

The Baltimore City Board of School Commissioners is made up of nine members appointed by the mayor from a list of recommended candidates developed by a [community panel](#). The legislation establishing the community panel repealed the Governor's authority to appoint members to the board.

### **New York City**

New York City schools have been under mayoral control since 2002. The [Panel for Education Policy](#) serves as the board of education and it is made up of 15 appointed members and the chancellor. Each borough president appoints a member, the education council presidents select a member, and the mayor appoints the remaining nine members. The New York Legislature will [reconsider mayoral control](#) this Summer after omitting the issue from the state's budget bill.

### **Philadelphia**

Mayoral control followed 18 years of state control. The [Board of Education of the School District of Philadelphia](#) is made up of members appointed by the mayor from a list of candidates submitted by the [education nominating panel](#). Board members must also be approved by the city council.

### *Legislative Trends*

States have considered multiple proposals that would directly impact school board elections and operations over the course of the last few legislative sessions. Issues addressed by legislatures include campaign contributions, partisanship in board elections, board selection method, school board election calendars, and board member term limits. The following examples represent a sampling of these bills that address some issues discussed in the "Research" section of this response.

**Colorado** [H.B. 22-1060](#) establishes contribution limits and disclosure requirements for school district board candidates. The maximum aggregate contributions are \$2,500 from any individual other than a small donor committee and \$25,000 from a small donor committee. The contributions are subject to existing statutory provisions governing campaign contribution disclosure and establishes certain reporting guidelines.

**Georgia** [S.B. 369](#) requires future elections for the Board of Education of Gwinnett County to be nonpartisan. Other counties and cities are [permitted](#) (Ga. Code Ann. § 20-2-56; § 21-2-139) to determine whether or not elections will be partisan or nonpartisan. The legislation impacting Gwinnett County was enacted following a significant amount of [local debate](#).

**Florida** [H.B. 1467](#) limits school board members to a term of 12 consecutive years. One [expert proposed term limits](#) as a way to increase community representation on school boards.

**Idaho** [H.B. 1280](#) moved the date for school board elections to the same day city government elections are held in November.

**Illinois [H.B. 2908](#)** provides for the election 21 members of the Chicago Board of Education through a phased-in process. Provides for mayoral appointments that will support the transition to a fully elected board. Limits the authority of the board to close or consolidate schools until the phase-in process begins in 2024.

**Tennessee [H.B. 9072](#)** specifies that elections for school board members may be conducted on a partisan or nonpartisan basis. If at least one county primary board of a political party elects to conduct school board elections on a partisan basis, then a person seeking a position on any board in that county may campaign as the nominee or representative of a political party.

## School Board Compensation

The National School Boards Association (NSBA) conducted a survey of school board members nationwide and released their 2018 findings in this [report](#). In the time and compensation section of the report (page 16), NSBA reported that 61% of school board members are volunteers, 73% indicated that they did not receive a stipend for individual meetings and travel expenses. Both of those figures remain comparable to the [2010 survey data](#). For board members that do receive a salary, the majority earn less than \$5,000.

State policies for local school board compensation vary widely. Below are examples of several types of state policies that represent the variety of policy decisions states make regarding school board compensation.

**California [allows](#)** compensation for board members providing limits depending on the average daily attendance in the district. Compensation may be increased above the limits by 5% each year if approved.

**Colorado [allows](#)** compensation of board members determined by the board. Compensation is limited to \$150 per day for no more than five days of service per week.

**Florida [requires](#)** school board members receive a base salary. The base salaries of school board members are set based on the population of the county the member serves.

**Indiana [limits](#)** school board compensation to no more than \$2,000 per year.

**Louisiana [authorizes](#)** school board members to receive, at most, \$50 per meeting for up to 144 days per year.

**Mississippi [grants](#)** school board members \$67.00 per meeting for no more than 36 meetings in a calendar year, or they may opt to receive an annual stipend of \$2,400.

**Texas [requires](#)** school board members to serve without compensation.

**Virginia [delineates](#)** between appointed and elected school board members. *Elected school board members* are eligible to receive salaries not to exceed the [limits](#) set for other local governing boards. *Appointed school board members* may receive a salary not to exceed limits set for each county in statute.

## School Board Training Requirements

Approaches to school board member training programs varies by state, including the number of training hours, training over a member's term and required content. Below is information related to various state approaches and requirements for local school board member training.

**Georgia requires** (O.C.G.A. 20-2-230) the state board of education in the department of education to craft and oversee local school board member training. In 2009, the state board of education convened a task force to, among other things, develop and recommend [standards](#) for local school boards and [guidelines](#) for member training. The task force established a new lexicon around central themes to reflect local education priorities and maintain student achievement. The themes identified in the state standards for local education board focus include governance structure, strategic planning, board and community relations, policy development, board meetings, personnel, financial governance and ethics. The state standards may include an expectation on the knowledge, skill, or performance.

Starting on July 1, 2021 (as enacted by [S.B. 68](#) in 2020), financial management is included in local school boards' roles and responsibilities and must be included in member training. The training must include:

- Guidance on the local school system's most recent audit findings and the local school system's risk status as determined by the department of audits and accounts or the department of education.
- An overview of the local school superintendent's role concerning financial management and financial governance of a local school system.

If the state categorizes a school within the local board of education's purview in a specific risk category, the members must complete additional training.

**Louisiana requires** each local public school board member to receive a minimum of 16 hours of training and instruction during the first year of service on the board to receive the "Distinguished School Board Member" designation. Each member must receive a minimum of six hours of training and instruction annually beyond the first-year requirements. If a school district is deemed academically unacceptable or in need of academic assistance by the state board, at least two hours must focus on school improvement. The training topics currently include state education laws, governing the powers, duties, and responsibilities and educational trends, research and policy. The [Louisiana School Board Association](#) provides the training programs.

**New Jersey requires** new school board members to complete a training program that includes instructional program, personnel, fiscal management, operations and governance. In subsequent years, board members must complete a school district governance training on school law and other information to enable the board member to serve more effectively.

The [New Jersey School Board Association](#) is charged with providing school board member training, and outlines the training schedules [based on four topic areas](#).

- Governance I, provided to new board members during new member orientation, focuses on various topic areas.
- Governance II, provided during the second full year of service of a member's first term, focuses on school finance.
- Governance III, provided during the third full year of service of a member's first term, focuses on student achievement.
- Governance IV, provided in the first year of any succeeding term to members re-elected or reappointed to the board, focuses on legal updates.

**Oklahoma requires** all elected school board members to undergo training. The law indicates that [training hours](#) depend on the length of term served by the board member. [Training requirements](#) include one hour each of finance training, open records/meetings training and ethics training. New members must complete nine hours of continuing education (three for incumbents). Instruction is provided by the Oklahoma School Boards Association or the Oklahoma Department of State.

**South Carolina** [requires](#) all elected or appointed members of a school district board of trustees to complete an orientation program covering the powers and duties of a board member within one year of taking office. The orientation, which must be approved by the state board of education, must include training on “policy development, personnel, superintendent and board relations, instructional programs, district finance, school law, ethics and community relations.”

## School Board Governance Research

Research on effective school board governance—as well as research on the impact of various policies relating to school boards—is limited and often speculative. It is difficult to draw definitive conclusions about what works in school board governance largely due to the unique political and social contexts in which boards operate. Key findings from a few relevant studies on school board elections and voter turnout, school board selection methods, school board compensation, and effective school board governance are included below.

### *School Board Elections and Voter Turnout*

- [The Democratic Deficit in U.S. Education Governance](#) (2020)
  - This report highlights key demographic differences between local school board election voters and the students school boards serve in four states—California, Illinois, Ohio and Oklahoma. Research indicates that a majority of school board members are white serving predominantly students of color, which is associated with racial opportunity gaps. The authors offer [multiple recommendations](#) to remedy this representational gap, including holding school board elections in November on even years when [turnout is highest](#) and transitioning to [at-large elections](#).
- [The Public's Voice](#), NSBA (2020)
  - This brief highlights low voter turnout and a high proportion of uncontested candidates in school board elections nationwide.
- [Does School Board Leadership Matter?](#) (2014)
  - This report finds that on-cycle and at large elections are associated with high-performing school districts.

### *Elections vs. Appointments*

- [Elected Versus Appointed School District Officials: Is There a Difference in Student Outcomes?](#) (2008)
  - This study examined the impact of an elected or appointed school board and superintendent on student outcomes. Researchers did not find significant differences between elected and appointed boards.
- [Learning to Serve: A Comparison of Appointed and Elected School Boards, School District Deconsolidation, and their Effects on School](#) (2020)
  - This paper argues that appointed school boards can increase diversity and result in more direct accountability for the appointing authority.
- [Mayoral Governance and Student Achievement](#), Center for American Progress (2013)
  - A summary of this report can be found [here](#). This report outlines potential benefits of mayoral control, including the strategic use of resources and direct accountability to constituents. The researchers found a positive impact on student achievement in some cities but cautioned that there are other factors that contribute to improved achievement.
- [Governing Urban Schools in the Future: What's Facing Philadelphia and Pennsylvania](#) (2016)

- Although it is specific to Philadelphia, this [report](#) provides an overview of education governance in some of the nation’s largest cities. According to the report, “There is no consensus among researchers about whether any particular form of school governance—including state takeovers, mayoral control, or elected local boards—leads to better student performance or fiscal management.”

### *Compensation*

We were unable to identify research addressing the impact of compensation. Advocates for board compensation claim it can support [increased socio-economic diversity](#) and increase the pool of [qualified candidates](#).

### *Effective Governance*

- [Eight Characteristics of Effective School Boards](#) (2019)
  - This study from the Center for Public Education, conducted in partnership with the National School Boards Association reviewed relevant research on school board governance and identified eight characteristics of effective governance, including: 1) Shared vision and goals; 2) Belief that all children can learn; 3) Achievement and accountability focus; 4) Collaborative and communicative; 5) Data-driven; 6) Resources aligned to goals; 7) Effective working relationship with district leadership; and 8) Team development.
- [The Impact of School Board Governance on Academic Achievement in Diverse States](#) (2013)
  - This comprehensive study of school board governance and its impact on student achievement identified the importance of school board planning, board member development, collaboration with the superintendent, and accountability for the superintendent as practices associated with high student achievement.
- [The Governance Factor: A Predictive Study of School Board Influence on Student Achievement in Texas Public Schools](#) (2014)
  - This analysis of school board governance identified six factors that are associated with improved student achievement, including a shared vision for decision-making, teamwork and problem solving, review of data to ensure progress, high expectations for academic achievement, annual formal evaluation, and policy and procedure adherence.