

## **Key Roles and Responsibilities of School Boards**

Four School Board Actions .....	pgs. 1-3
Meetings: Non-Public, “Non”, Emergency.....	pgs. 4-7
Individual Board Member Responsibilities .....	pg. 8
Social Media .....	pgs. 9-12
Hard Lessons .....	pg. 13
Superintendent’s Role .....	pgs. 14-15
91-A:3 Non-Public Regulations .....	pgs. 16-17

## **What should guide school board action with respect to its roles and responsibilities?**

1. Vision - setting the vision for education in the community.
2. Structure - establishing the structure of the school district to implement the educational vision.
3. Accountability - establishing academic standards to achieve the vision, assessing the academic performance and formulating a plan to help all students.
4. Advocacy - being an advocate for the schools, students, staff and administration within your district.

### **A. Set and establish policy. (Ed 303, Ed 306, various NH RSAs)**

- Ed 303.0 J(a) - Adopt policies necessary and desirable to control and effectuate the recruitment, employment, evaluation and dismissal of teachers and other employees
- Ed 303.01(b) - Adopt policies necessary and desirable to control and effectuate the purchase of equipment, supplies, or services.
- Ed 303.0 I (i) - Adopt a rule to ensure that there shall be no unlawful discrimination on the basis of sex, race, age, creed, color, marital status, national origin, or disability.
- Ed 303.0 IG) - Establish a policy on sexual harassment

### **B. Set the school district's budget. (Ed 303; RSA 32)**

- Ed 303.01(e)- Prepare an annual budget in accordance with RSA 32.
- RSA 32:5 - Budget Preparation

### **C. Hire a Superintendent. (RSA 194-C)**

- RSA 194-C:4. Each school administrative unit or single school district shall provide the following superintendent services...

### **D. Evaluate the Superintendent. (Ed 303; contract)**

- Ed 303.01(k). School boards shall annually evaluate the superintendent based on written criteria established by the school board (s)/SAU board.

### **E. Conduct hearings and serve as an adjudicative body. (Various statutes and rules)**

- A. Parents & Students
- B. Manifest Educational Hardship
- C. Long-term Suspensions (> 10 days) and Expulsions
- D. Discrimination /Sexual Harassment Policy
- E. Transportation/Bus Removal
- F. Bullying
- G. Residency
- H. Early Admission to First Grade
- I. Curriculum
- J. Employees
- K. Dismissals
- L. Non-renewals
- M. Disciplinary Removals/Paid and Unpaid Suspensions
- N. Constitutional Complaints (Free Speech, Academic Freedom, etc)
- O. Labor/Grievances

**F. Collective bargaining. (RSA 273-A)**

- 273-A:3, I. It is the obligation of the public employer and the employee organization certified by the board as the exclusive representative of the bargaining unit to negotiate in good faith.

**G. Communicate with the public - keep the public informed of board actions.**

- RSA 91-A, The Right to Know law.
- Local school board policies.

*Positive Practices:*

- *Set your agenda in advance.*
- *No " day of surprises " - if a member wants to discuss a matter - ask to have it put on the agenda or give your administrators and fellow board members advanced notice.*
- *Read your materials before the board meeting.*
- *Observe the rules of order. They allow the meeting to move forward in an orderly manner.*
  - *Public comments.*
  - *Agenda items.*
  - *Motions.*
- *Practice respectful communication skills when dealing with the public. It makes all the difference.*
  - *Be sure the public attendees understand board meeting process. Set their expectations ahead of time.*
  - *Be gracious and welcoming , the public is a guest at your meeting.*

- *Watch your tone, communication skills and non-verbal behaviors.*
- *Listen well and reflect back to be sure you have understood what you heard.*
- *Establish protocol via board policy. Have copies of the policy at the meeting in the event this becomes an issue.*
- *Hold meetings for the transaction of business at least once in 2 months and require the attendance of the superintendent or designee. The board shall cause a written record to be kept of each meeting in accordance with RSA 91-A.*

#### **H. Strategic Planning - long and short-term goals, plans and objectives.**

- Ed 303.01(g) - determine the educational goals of the district , develop long-range plans and identify measurable and attainable short-term objectives.

## Meetings (Non-Public, Non-Meeting, Emergency)

Notice of meetings must be posted in two appropriate places at least 24 hours in advance, excluding Sunday and holidays, unless an emergency exists.

Q. What's the difference between a nonpublic session and a "non-meeting"?

A. Gatherings of board members are either "meetings" or they are not. A meeting is the convening of a quorum (majority) of the members of a public body for the purpose of discussing or acting upon any matter within the body's supervision, control, jurisdiction, or advisory power. RSA 91-A:2, I.

A **non-public session** is something that meets the definition of a meeting, but which the public cannot attend. RSA 91-A:3, I. All of the formalities of a meeting apply to a nonpublic session except for the "open to the public" requirement. So, when a quorum of the board members is gathered to talk about or vote on any official business, it is a meeting. If they want to exclude the public from that discussion, they can do so only for the specific reasons listed in RSA 91-A:3, II.

On the other hand, a so-called "**non-meeting**" is a gathering of board members that either:

- (1) doesn't meet the definition of a meeting, or
- (2) is specifically exempt under the law.

A gathering falls outside the definition of a meeting if, for example, fewer than 50 percent of the members are present. Similarly, a chance, social, or other gathering falls outside the definition of a meeting if the members are not there to discuss business and make no decisions, such as attending training or a memorial service or a party.

There are also four categories of gatherings that are specifically exempt under RSA 91-A:2, I:

1. Strategy or negotiations regarding collective bargaining;
2. Political caucuses;
3. Circulation of draft documents among members when those drafts simply formalize decisions previously made in a properly-held meeting; and
4. Consultation with legal counsel.

When a board has a non-meeting, that gathering does not exist for purposes of the Right to Know Law. No notice or minutes are required, and the public does not have a right to attend.

An **emergency public meeting** (RSA 92-A:2, II) exists when the Chair or presiding officer concludes that "*immediate and undelayed action is imperative.*"

- Notice of the time and place of the emergency meeting shall be posted as soon as practicable.
- The public body must use whatever further means are reasonably available to inform the public of the emergency meeting.
- The minutes of the meeting must clearly state the reason for the emergency meeting.

Q. Do we have to post notice of a meeting if all we plan to do is have a nonpublic session?

A. Yes! To enter a nonpublic session, a board must already be in a properly- noticed public meeting. Someone makes a motion to enter nonpublic session and the reason for it. The board takes a roll call vote on the motion and, if it passes, enters nonpublic session. RSA 91-A:3, I. When the nonpublic session ends, the board goes back into public session.

Q. We can't take votes in a nonpublic session, can we?

A. Yes, you can. A board may do anything in a nonpublic session it may do in a public session, so long as the subject matter is appropriate for a nonpublic session. This means discussions, motions, and votes are all permitted. Remember, this is still a formal meeting under the law, even if the public may not attend.

Q. If we vote on something during a nonpublic session, do we have to announce it and report the vote when we come out of nonpublic session?

A. No, although you may. In the 1970s, the statute required that decisions made during a nonpublic session (then called "executive session") be reported when the board went back into a public session. However, this provision has been amended significantly since that time. As it is now in effect, the statute does not require any "reporting" after a nonpublic session. If a board would like to report on its decisions when back in public session, it may do so. However, there are a variety of reasons a board might wish not to do that. If the minutes of the nonpublic session have been sealed, the board should not then reveal the contents of those minutes to the public. (See more about minutes below.) In addition, if a decision is made to terminate an employee, it may be a much better idea to tell the employee before telling the public. If a decision is made regarding strategy in an ongoing lawsuit, reporting that strategy to the public may undermine its effectiveness.

Q. Who has a "right" to attend a nonpublic session?

A. The members of the board holding the meeting. That's it. No part of the Right to Know Law grants anyone other than board members a right to attend a nonpublic session, whether that person is an employee, the ordinary minute-taker for the board, or an attorney. A board may choose to invite others to attend, but there is some risk. If the minutes are sealed, the others in attendance are not bound by the same obligation of confidentiality that binds board members. This can create significant problems if those attendees decide to share that information with the public.

What often confuses people is that the law gives certain people the right to require a board to have the proposed discussion in a **public** session in two specific situations:

- Discussion of the dismissal, promotion, compensation, discipline, or investigation of any employee. RSA 91-A:3, II(a). Some employees, but not all of them, have a right to have these matters discussed in public. This right comes either from a

different statute or from an employment or collective bargaining agreement. Most collective bargaining agreements include the right to a public meeting. Note that this right to a public meeting is **not** contained in the Right to Know Law. When there is such a right, the employee must be notified in advance of the planned nonpublic session. If the employee asks the board to conduct the session in public, the board must comply.

- Discussion of matters which would likely affect adversely the reputation of any person, other than a member of the public body holding the meeting. RSA 91-A:3, II©. When this is the case, the person whose reputation is at stake may ask the board to conduct the discussion in public, and the board must comply.

Q. If we want to take a vote to seal the minutes, should we do it before or after we come out of the nonpublic session?

A. That is up to you. In either case, sealing the minutes requires a 2/3 vote and is proper when:

- (a) divulgence of the information would have an adverse effect on someone's reputation (other than a board member)
- (b) divulgence of the information would render a proposed action ineffective
- (c) the information involves emergency functions related to terrorism. RSA 91-A:3, III.

This vote may be taken while still in nonpublic session, in which case the information about the vote is recorded in the minutes of the nonpublic session. This may make sense if the discussion about sealing the minutes involves details about the exact information the board is considering sealing. However, the public needs to know that the minutes were properly sealed. This means that the vote to seal and its results should be announced as soon as the board comes out of nonpublic session and be reported in the public minutes.

Alternatively, if the board believes it can discuss and vote on sealing the minutes in the public session without revealing any of the sensitive information, it may wait to take the vote until it is back in public session. Either approach is correct under the law.

Q. If we talk about something in a nonpublic session, is that information confidential?

A. Maybe. If the minutes were not sealed, then the information about the nonpublic session will become public no later than 72 hours after the meeting. RSA 91-A :3, III.

However, if the minutes were sealed, then the information is confidential. In fact, the legislature considered this issue so critical that it added language to another statute to make the disclosure of such information a violation of an official's oath of office. An official who does this may be removed from office by a petition to the superior court. RSA 42:1-a.

Specifically, an officer violates his/her oath of office when he or she discloses to the public any information learned through that person's official position if:

- (a) a public body properly voted to seal the minutes and the information would constitute an invasion of privacy, adversely affect someone's reputation other than a board member, or render proposed municipal action ineffective; or
- (b) the officer knew or should have known that the information was exempt from disclosure under RSA 91-A:S, and that its disclosure would constitute an invasion of privacy, adversely affect someone's reputation other than a board member, or would render proposed municipal action ineffective.

Q. Who can see the minutes of a nonpublic session?

A. It depends whether or not the minutes were sealed. If the minutes were not sealed, they become available to the public within 72 hours after the meeting. RSA 91-A:3, III. If the minutes were sealed, they remain sealed until some point in the future when a majority of board members vote to unseal them because the reasons for sealing them no longer apply.

While minutes are sealed, they may be viewed only by the now-current board, **as a board**. This means that no single board member has the right to review sealed minutes unless a majority of the board votes to permit it.

*Positive Practices:*

- *Avoid Conflict of Interest and recuse yourself when necessary:*
  - *Direct financial interest in the outcome of a board decision*
  - *Direct family relationship where a relative is affected by the outcome of a decision*
  - *Employment relationship with a party that is benefiting from board action*
  - *Abutter to property subject to a decision of the board.*
- *Avoid prejudgment*
  - *Distinguish between your own personal points of view and the circumstances or outcomes. Gather all of the facts as a Board.*
- *Sharing opinions is fine but avoid launching our own investigations and instead request that additional information or investigations be undertaken or provided by the administration.*
  - *Board members consume information and then make informed decisions.*



## Individual Board Member Responsibilities

1. Not to speak on behalf of the Board without prior authority.
2. Not to individually direct or attempt to supervise employees of the District.
3. To keep non-directory student information and employee performance confidential.
4. Do not release non-public information to members of the public.
5. Pass all complaints of employee misconduct to the Superintendent for investigation and/or action.
6. All complaints relative to the Superintendent should be given to the board chair.
7. Attend all scheduled meetings
  - a. Can I attend electronically? (RSA 91-A:3, III)
    - i. Only when physical attendance is not practical.
    - ii. Must be able to communicate contemporaneously with all members of the public body.
    - iii. Your communication must be audible or observable by the public in attendance.
    - iv. Must identify anyone else present in the off-site location.
    - v. The minutes must state the reason attendance was not practical.
    - vi. Except in an emergency, a quorum must be physically present at the location indicated in the posting.

## Social Media

Many school board members are active users of social media, including online platforms such as Facebook and Twitter, as well as other media such as blogs and personal Web sites. Social media can be a positive tool for fostering community engagement with the school district. Board members, however, need to operate within appropriate guidelines when they are communicating online about school district business.

Board member use of Facebook and other social media sites/applications is subject to the same general standards concerning meetings and records as any other mode of communication (email, telephone, text, in person, etc.).

Under 91-A:2, I, a "public meeting" occurs whenever a quorum of a public body (including not only the board, but any board advisory committees as well) convenes **"whether in person, by means of telephone or electronic communication, or in any other manner such that all participating members are able to communicate with each other contemporaneously,... for the purpose of discussing or acting upon a matter or matters over which the public body has supervision, control, jurisdiction, or advisory power"** (referred to in this email as "jurisdictional matter"). Sequential communications (email strings), can also constitute a meeting.

Personnel, students, officials, budget, building, curriculum, co-, extra-, or sponsored activities, policies, buildings, all constitute jurisdictional matters for a school board. Indeed, it would be hard to conceive of an issue relating directly or indirectly to a school district that would not constitute a jurisdictional matter.

If the elements of a meeting are present, then all of the requirements of public meetings apply (notice, minutes, presence at a location where the public can attend, etc.).

Given the above, board members should be **extremely cautious engaging in any social media discussion of school matters**. While one board member hosting a page on his/her own without board authority would not in and of itself constitute a meeting, comments/replies/postings on the page by any other board members greatly increases the risk of an inadvertent - but illegal - meeting.

In using social media to communicate about school district business, the following are suggested guidelines for board members in their role as public officials:

**A. Clarify that you are communicating as an individual member of the board, and not an official district spokesperson.**

- a. Because the board acts only as "a body corporate," many school boards have a board operating procedure that appoints the board president as a spokesperson. Other board members are free to speak publicly about school matters, but should clarify that their statements reflect their own views, not necessarily the official position of the board.

- B. Avoid deliberating school district business with a quorum of the board.**
- a. Board members should not use online communications as a vehicle for communicating with each other outside of meetings; this undermines good working relationships and the purpose of open meetings.
- C. Direct complaints or concerns presented online to the appropriate administrator.**
- a. When a community member with a concern approaches a board member, even online, the board member is generally expected to direct the community member to an appropriate administrator. The school board operates as a body corporate, which means no single board member may act alone.
- D. Avoid Posting content that indicates that you have already formed an opinion on pending matters.**
- a. When a grievance, contract appeal, or other dispute is presented to a school board, the dispute is presented with the understanding that the school board will sit as a neutral tribunal to hear and resolve the matter. The concept of *due process* calls for the board to serve as an impartial decision maker. Social media posts by a board member expressing an opinion on pending matters may be considered evidence of bias or prejudgment on the issue. This evidence of bias may be used to exclude the individual board member or call into question the validity of board action.
- E. Ask for community input to be provided through appropriate channels, but do not allow your social network to direct your decisions as a trustee.**
- a. Soliciting input from the community may be a valuable function of social media; however, yielding decision making authority on matters of public business to social networks violates local policy, board ethics and, in some instances, the law.
- F. Post only content that the District has already released to the public.**
- a. In light of the sensitivity of many school district matters and the risk of inadvertent disclosure of confidential material, a member should limit the use of social media to sharing content already released to the public by the school district.
- G. When attempting to restate what happened at a previous board meeting, clarify that the posting is not an official record of the board meeting and share information only from the open portions of the meeting.**
- a. Nothing prohibits a board member from publicly describing the discussion or action that took place during the open portions of a previous board meeting. An individual member's board meeting notes do not carry the weight of an official summary of board discussion or action. Only final board-adopted minutes are the official record of a school board meeting.
  - b. On the other hand, knowingly disclosing the official record of a closed meeting to a member of the public, without lawful authority, is not allowed. Considering how carefully closed meeting records are guarded, board members should avoid creating or sharing separate records of closed meeting proceedings, such as handwritten or electronic notes. To be safe, a board

should either prohibit note taking in closed session or seal the notes along with the official certified agenda or audio recording .

**H. Conduct yourself online in a manner that reflects well on the District; avoid posting information that has not been verified and made public by the District; and never post anonymously about school business.**

- a. If a board member repeats a false rumor, or even a "half-truth" online, the board member's repetition of the unverified information can constitute defamation if the statement tends to harm another person, for instance, by damaging the person's reputation.

**I. Immediately report harassing or defamatory communications to the Superintendent if they involve school officials, staff, students, or district business.**

- a. If a community member posts something that is potentially offensive, harassing, or defamatory on a board member's account, the board member will not be held responsible for the inappropriate post unless the board member personally publishes or repeats the content (by "sharing" or "retweeting," for example).

**J. Retain electronic records when required to do so by the District's records retention policy.**

- a. School district records must be retained according to the district's records retention schedule. Key considerations include: ( 1 ) whether the posts were made using school district equipment or cellular or Internet service; and/or (2) whether the posts were used in the transaction of official business . If so, then social media posts should be preserved as school district records. Online posts are not a separate category of records for retention ; instead, posts must be archived according to their content. Generally speaking, posts about school district business need to be retained if the content goes beyond simply sharing existing District content (like a link to the District Web site) or routine correspondence (such as a reminder of the date, time, and location of the next board meeting).

**K. Immediately report to the District any potential security breach if you lose control or possession of a District-issued or personal electronic device on which confidential District records could be accessed.**

- a. Board members need to safeguard school district records, including the records they access online or on personal electronic devices. If a school district discovers or receives notification of a breach of a system security, the district must notify anyone whose sensitive personal information was, or is reasonably suspected to have been, accessed.
- b. In addition, after a board member's time on the school board concludes, so does the former board member's right of access to confidential records. Such records should be deleted , destroyed, or returned to the District, as appropriate.

**L. Comply with the District's acceptable use policy when using district-issued devices or technology resources, including District Internet access on a personal device.**

- a. To the extent a school board member is using school district technology, including school district electronic communications systems or equipment, the board member's use of technology will be subject to the district's acceptable use policies.

## Hard Lessons

Experienced board members from across the nation were asked to identify the most difficult lesson or fact they had to learn about board service. Here's what they said most often:

- Learning to acknowledge publicly that you have no power and authority as an individual board member; that only the board as a whole can make policies and decisions for the school district.
- Determining what your function is on the board and how to accomplish it effectively.
- That no matter what you *think* you know about board service when you first come on the board, you still have a lot to learn.
- Recognizing the difference between setting policy (the board's job) and administering the schools (the superintendent's job).
- That you must represent *all* the students. Your decisions must be made in the interest of the total school system and not made solely for special groups or interests.
- Learning how to respond to the complaints and concerns of citizens, school administrators, and other staff.
- That change comes slowly.
- That you can't solve everyone's problems by yourself.
- That effective board service means being able to hold the minority viewpoint when voting on a given issue; then openly supporting the majority vote of the board in your community.
- That the primary focus of all board decisions must be student achievement.

## The Superintendent's Role: (Ed 303, Ed 303, RSA 194-C)

### 1. Implement School Board Policy (Ed 302, Ed 303)

- A. Ed 302.02 - Substantive Duties of Superintendents.
  - Ed 302.02(a) - Nominate all certified staff and appoint other employees in accordance with state law, the rules of the state board and school board policies.
  - Ed 302.02(d) - Be responsible for developing and recommending to the school board or boards within the school administrative unit the annual budget for the support of the educational program and for the operation and maintenance of schools within the district or districts and the school administrative unit in accordance with school board policy.
  - Ed 302.02(e) - Be responsible for developing and maintaining an accounting system and financial reporting procedures for all funds in accordance with local school board policy, and local and state laws.
  - Ed 302.02(f) - Be responsible for the development of an educational plan including curriculum, instruction, and assessment programs for the district or districts and for recommending a program of studies suitable to the needs of the pupils and the community in accordance with local school board policies, state statutes and state board rules.
  - Ed 302.02(r) - Be responsible for the implementation and review of school district policies.

### 2. Nominate professional staff. (RSA 189:39; RSA 189:14-a; Ed 302)

- RSA 189:39 - Superintendents shall nominate and school boards elect all teachers employed in the schools in their school administrative unit, providing such teachers hold a valid educational credential issued by the state board of education.
- Ed 302.02(a) - Nominate all certified staff and appoint other employees in accordance with state law, the rules of the state board and school board policies.

### 3. RSA 194-C:4

Each school administrative unit or single school district shall provide the following superintendent services:

- A. An educational mission which indicates how the interests of pupils will be served under the administrative structure.

- B. Governance, organizational structure, and implementation of administrative services including, but not limited to:
- a. Payroll, cash flow, bills, records and files, accounts, reporting requirements, funds management , audits, and coordination with the treasurer, and advisory boards on policies necessary for compliance with all state and federal laws regarding purchasing.
  - b. Recruitment, supervision, and evaluation of staff; labor contract negotiation support and the processing of grievances; arrangement for mediation , fact finding, or arbitration; and management of all employee benefits and procedural requirements.
  - c. Development, review, and evaluation of curriculum , coordination of the implementation of various curricula, provisions of staff training and professional development, and development and recommendation of policies and practices necessary for compliance relating to curriculum and instruction.
  - d. Compliance with laws, regulations, and rules regarding special education, Title IX, the Americans with Disabilities Act, home education , minimum standards, student records, sexual harassment, and other matters as may from time to time occur.
  - e. Pupil achievement assessment through grading and state and national assessment procedures and the methods of assessment to be used.
  - f. The on-going assessment of district needs relating to student population, program facilities and regulations.
  - g. Writing , receiving, disbursement, and the meeting of all federal, state, and local compliance requirements.
  - h. Oversight of the provision of insurance, appropriate hearings , litigation , and court issues.
  - i. School board operations and the relationship between the board and the district administration.
  - j. The daily administration and provision of educational services to students at the school facility including , but not limited to, fiscal affairs ; staff, student, and parent safety and building issues ; and dealing with citizens at large.
  - k. Assignment , usage, and maintenance of administrative and school facilities .
  - l. Designation of number , grade or age levels and, as applicable , other information about students to be served.
  - m. Pupil governance and discipline, including age-appropriate due process procedures.
  - n. Administrative staffing.
  - o. Pupil transportation.
  - p. Annual budget, inclusive of all sources of funding.
  - q. School calendar arrangements and the number and duration of days pupils are to be served pursuant to RSA 189: I.

**4. Other duties and responsibilities determined by statute or local board policy.**

- o Notably, all the areas and topics listed under RSA 194-C:4 relate to school board policy.



## 91-A:3 Nonpublic Sessions

(b) Any motion to enter nonpublic session shall state on its face the specific exemption under paragraph II which is relied upon as foundation for the nonpublic session. The vote on any such motion shall be by roll call, and shall require the affirmative vote of the majority of members present.

(c) All discussions held and decisions made during nonpublic sessions shall be confined to the matters set out in the motion.

II. Only the following matters shall be considered or acted upon in nonpublic session:

(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted.

(b) The hiring of any person as a public employee.

(c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

(d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

(e) Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against the public body or any subdivision thereof, or by or against any member thereof because of his or her membership in such public body, until the claim or litigation has been fully adjudicated or otherwise settled. Any application filed for tax abatement, pursuant to law, with any body or board shall not constitute a threatened or filed litigation against any public body for the purposes of this subparagraph.

(i) Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.

(k) Consideration by a school board of entering into a student or pupil tuition contract authorized by RSA 194 or RSA 195-A, which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general public or the school district that is considering a contract, including any meeting between the school boards, or committees thereof, involved in the negotiations. A contract negotiated by a school board shall be made public prior to its consideration for approval by a school district, together with minutes of all meetings held in nonpublic session, any proposals or records related to the contract, and any proposal or records involving a school district that did not become a party to the contract, shall be made public. Approval of a contract by a school district shall

occur only at a meeting open to the public at which, or after which, the public has had an opportunity to participate.

(l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.

### References

Drummond Woodsum, School Board Roles & Responsibilities, 2017

New Hampshire Municipal Association, The Inside Scoop on Nonpublic Sessions, June, 2012

New Hampshire School Boards Association, Barrett Christina, Training Materials, 2015

Texas Association of School Boards, Social Media Guidelines for School Board Members, 2015