



WASHINGTON STATE BOARD OF EDUCATION

OLD CAPITOL BUILDING • ROOM 253 • P.O. Box 47206 • 600 S.E. WASHINGTON • OLYMPIA, WA 98504-7206

BYLAWS REVIEW

SUMMARY OF POLICY ISSUE /STATE BOARD OF EDUCATION (SBE) STRATEGIC PLAN GOALS

The Board may be adopting amendments to its Bylaws at the January 2009 Board meeting. This memorandum, presentation, and accompanying handout showing possible amendments, are fulfilling the required notification to Board members for possible revisions. The Bylaws state:

“All members shall be given notification of proposed amendments to the bylaws at the meeting preceding the meeting at which the bylaws are to be amended.”

BACKGROUND

Amy Bragdon and Warren Smith are the Board leads and Brad Burnham is the supporting staff member for reviewing the Bylaws. The self-imposed schedule includes:

- Presenting draft amendments at the November 2008 Board Meeting, and
- Presenting final amendments for consideration of adoption at the January 2009 Board Meeting.

The proposed revisions are provided in a handout. The Board leads request that Board members consider the proposed amendments and send comments or questions to Brad Burnham no later than Monday, November 24.

POLICY CONSIDERATION

It is appropriate to periodically review the Bylaws.

EXPECTED ACTION

No action is required at this Board meeting. This document, along with the handout and presentation, serve as notice of amendments to the Bylaws that may be adopted at the January 2009 Board Meeting. The Bylaws may only be amended by a two-thirds affirmative vote of the Board members.



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PROPOSED BYLAWS AMENDMENTS

Bylaws

of the

Washington State
Board of Education

Adopted April 28, 2006

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ARTICLE I
Name

The name of this agency shall be the Washington State Board of Education.

ARTICLE II
Purpose

The purpose of the Washington State Board of Education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability system to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210.

ARTICLE III
Membership

Section 1. Board size. The membership of the Washington State Board of Education shall be composed of sixteen members who are residents of the state of Washington.

Section 2. Board composition. (1) Five (5) of the 16 members shall be elected by school district directors. Three (3) of the members shall be residents of Western Washington and elected by Western Washington school directors. Two (2) of the members shall be residents of Eastern Washington and elected by Eastern Washington school directors.

(2) One (1) of the 16 members shall be elected at-large by the members of the boards of directors of all private schools in the state meeting the requirements of RCW 28A.195.010.

(3) One (1) of the 16 members shall be the Superintendent of Public Instruction.

(4) Seven (7) of the 16 members shall be appointed by the governor.

(5) Two (2) of the 16 members shall be high school students determined by the Washington Association of Student Councils. Student members are non-voting members.

Section 3. Terms. (1) No person may serve as a member of the board, except the superintendent of public instruction, for more than two consecutive full four-year terms. Student members each serve one two-year term.

(2) The governor may remove an appointed member of the board for neglect of duty, misconduct, malfeasance, or misfeasance in office, or for incompetent or unprofessional conduct as defined in chapter 18.130 RCW. The governor shall appoint a new member to fill the vacancy.

(3) If an appointed member of the board resigns, the governor shall appoint a new member to fill the vacancy.

(4) If an elected member of the board resigns, the vacancy shall be filled by election at the next scheduled election opportunity. If the next election opportunity is more than one year away, the Superintendent of Public Instruction shall call for a special election to fill the vacancy.

Section 4. Compensation. (1) Members of the board who are not public employees shall be compensated in accordance with RCW 43.03.240 and shall be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

(2) Members of the board who are public employees shall be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

ARTICLE IV Officers

Section 1. Designation. The officers of the board shall be the chair, the vice chair, immediate past chair, the superintendent of public instruction, and a member at-large.

Section 2. Term of officers. (1) The chair shall serve a term of two years and may serve for no more than two consecutive two-year terms.

(2) The vice chair and immediate past chair shall serve a term of two years and may serve no more than two consecutive two-year terms.

(3) The member at-large shall serve a term of one-year.

(4) The Superintendent of Public Instruction shall serve for as long as this member is the Superintendent of Public Instruction.

Section 3. Officer elections. (1) **Two-year positions.** (a) The chair and vice chair shall be elected biennially by the board at the planning meeting of the board.

(b) Should the superintendent of public instruction hold the position of chair, vice chair, or immediate past chair, the board shall elect a second member at-large as provided in subsection (2) of this section to serve as an officer and executive committee member.

(c) Each officer under subsection (1)(a) shall take office at the end of the meeting and shall serve for a term of two years or until a successor has been duly elected. No more than two consecutive two-year terms may be served by a board member as chair, vice chair, or immediate past chair.

(2) **One-year position.** (a) The member at-large office position shall be elected annually by the board at the planning meeting of the board.

(b) The person elected as member at-large shall take office at the end of the meeting and shall serve for a term of one year or until a successor has been duly elected. No more than two consecutive one-year terms may be served by a board member as member at-large.

(3) **Vacancies.** Upon a vacancy in any officer position, except the Superintendent of Public Instruction, the position shall be filled by election not later than the date of the second ensuing regularly scheduled board meeting. The member elected to fill the vacant officer position shall begin service on the executive committee at the end of the meeting at which she or he was elected and complete the term of office associated with the position.

Section 4. Duties. (1) **Chair.** The chair shall preside at the meetings of the board, serve as chair of the executive committee, make committee appointments, be the official voice for the board in all matters pertaining to or concerning the board, its programs and/or responsibilities, and otherwise be responsible for the conduct of the business of the board.

(2) **Vice Chair.** The vice chair shall preside at board meetings in the absence of the chair, sit on the executive committee, and assist the chair as may be requested by the chair. When the chair is not available, the vice chair shall be the official voice for the board in all matters pertaining to or concerning the board, its programs and/or responsibilities.

(3) **Superintendent of Public Instruction.** The superintendent of public instruction shall sit on the executive committee.

(4) **Immediate Past Chair.** The immediate past chair shall carry out duties as requested by the chair and sit on the executive committee. If the immediate past chair is not available to serve, a member of the board will be elected in her/his place.

(5) **Member At-Large.** The member at-large shall carry out duties as requested by the chair and sit on the executive committee.

ARTICLE V Meetings

Section 1. Regular meetings. (1) The board shall hold an annual planning meeting and such other regular and special meetings at a time and place within the state as the board shall determine.

(2) The board shall hold a **minimum of four meetings yearly, including the annual planning meeting.**

(3) A board meeting may be conducted by conference telephone call or by use of video/telecommunication conferencing. Such meetings shall be conducted in a manner that all members participating can hear each other at the same time and that complies with the Open Public Meetings Act. Procedures shall be developed and adopted in the BOARD PROCEDURES MANUAL to specify how recognition is to be sought and the floor obtained during such meetings.

Section 2. Agenda preparation. (1) The agenda shall be prepared by the executive committee in consultation with the executive director, and other staff as necessary.

(2) The board chair reserves final authority to approve all items that will appear on the agenda at a board meeting.

(3) Members of the board may submit proposed agenda items to the board chair.

(4) The full agenda, with supporting materials, shall be delivered to the members of the board at least one week in advance of the board meeting, in order that members may have ample opportunity for study of agenda items listed for action.

(5) Hearings to receive information and opinions, other than those subject to the provisions of Chapter 34.05 RCW relating to adoption of rules and regulations or as otherwise provided by law, shall be scheduled when necessary on the agenda prior to final consideration for action by the board.

Section 3. Board action. (1) All matters within the powers and duties of the board as defined by law shall be acted upon by the board in a properly called regular or special meeting.

(2) A quorum of eight (8) voting members must be present to conduct the business of the board.

(3)(a) Subject to the presence of a quorum, the minimum number of favorable votes necessary to take official board action is a majority of the members present. There shall be no proxy voting.

(b) In order to vote at a meeting conducted by telephone or videotelecommunications conference call, members must be present for the discussion of the issue upon which action will be taken by vote.

(4) The manner in which votes will be conducted to take official board action shall be determined by the board chair, unless a roll call is requested and sustained by a majority of the voting members who are present.

(5) All regular and special meetings of the full board shall be held in compliance with the Open Public Meetings Act (Chapter 42.30 RCW).

Section 4. Parliamentary Authority. The rules contained in the current edition of *Robert's Rules of Order Newly Revised* shall govern the State Board of Education in all cases to which they are applicable and in which they are not inconsistent with these bylaws, state law and any special rules of order the State Board of Education may adopt.

ARTICLE VI EXECUTIVE COMMITTEE

Section 1. Executive committee. (1) The executive committee of the board shall consist of the chair, the vice chair, the immediate past chair, the superintendent of public instruction, and a member at-large.

(2) When there is a vacancy of an officer position, excepting the Superintendent of Public Instruction, the vacant position shall be filled pursuant to the election process in the Board Procedures Manual.

(3) The board chair shall serve as the chair of the executive committee.

(4)(a) The executive committee shall be responsible for the management of such affairs as may be delegated to it by the board, including transacting necessary business in the intervals between board meetings, inclusive of preparing agendas for board meetings.

(b) The executive committee shall be responsible for oversight of budget and personnel issues.

(c) The executive committee shall bring to the board recommendations regarding the duties and other matters relating to the executive director.

(d) The executive committee shall conduct an annual evaluation of the executive director with a report to the board. The evaluation will be based, in part, on the fulfillment of job responsibilities outlined in the director's job description.

(5) The executive committee shall meet monthly.

(6) The executive committee shall assure that the board annually conducts a board review and evaluation.

ARTICLE VII Committees

Section 1. Designation. (1) Responsibilities of the board may be referred to committee for deeper discussion, reflection and making recommendations to the whole board. Rule changes should be discussed in committee before recommended language is referred to the board for discussion and possible vote.

(2) The board chair shall appoint at least two board members to each committee to conduct of the business of the board.

(3) Appointments of non-state board members to a state board committee shall be made by the board chair, taking into consideration nominees submitted by board members, and identified groups or organizations.

(4) Board members of committees of the board shall determine which board member shall chair the committee.

(5) Each committee will be responsible for recommending to the budget process costs associated with responsibilities of the committee.

ARTICLE VIII Executive Director

Section 1. Appointment. The board may appoint an executive director.

Section 2. Duties. The executive director shall perform such duties as may be determined by the board. The job description will be approved by the executive committee. The person thus appointed shall serve as secretary of the board, without any vote in its proceedings, for the purpose of keeping a

record of board proceedings which shall be kept in the office of the board. The executive director, upon request, shall furnish to any person a copy of such proceedings. The executive director is responsible for performance and operations of the office; and for staff support of board member duties.

Section 3. Compensation and termination of the executive director. The rate of compensation and termination of the executive director shall be subject to the prior consent of the full board.

ARTICLE IX Amending Bylaws

Section 1. Amending bylaws.

(1) These bylaws may be amended only by a two-thirds affirmative vote of the board members.

(2) All members shall be given notification of proposed amendments to the bylaws at the meeting preceding the meeting at which the bylaws are to be amended.

Section 2. Suspending bylaws. These bylaws may be suspended at any meeting only by a two-thirds affirmative vote of the voting board members present at the meeting.

Adopted by the State Board of Education: April 28, 2006