



**Board of Education Agenda**

**SPECIAL MEETING**

**February 23, 2024**

**5:30 pm**

**Washington Campus Gym**

**645 Alger St**

**Owosso, MI 48867**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Public Participation**

**4. Agenda Items**

1. Overview of search process and roles
  - a. Open Meetings Act
  - b. Current dates:
    - February 7
    - February 8-15
    - February 16-19
    - February 21
    - February 23
    - February 29
2. Review Stakeholder Input
3. Develop Selection Criteria
4. Review the candidate materials (At Place)
5. Determine next steps in the process (3 options)

**5. Public Participation**

**6. Board Comments**

**8. Adjournment**

This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting. Board Policy 0166



MASB  
MICHIGAN ASSOCIATION  
OF SCHOOL BOARDS

## Legal Do's and Don'ts of Superintendent Searches

Presented By:  
Brad Banasik  
MASB Legal Counsel

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### Overview

- Key Open Meetings Act (“OMA”) Provisions
- Interpretations
- Closed Meeting Exception
- Interviews
- Negotiating the Superintendent’s contract

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### Key OMA Provisions

- “All **meetings** of a **public body** shall be open to the public.”
- “All **decisions** of a public body shall be made at a meeting open to the public.”
- “All **deliberations** of a public body constituting a quorum of its members shall take place at a meeting open to the public” unless as otherwise specified in the act.

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### Interpretation-“Public Body”

- Where a school board empowers a committee to exercise or perform a school board function, the committee falls within the definition of “**public body**” and must conduct its business in meetings open to the public.
- This interpretation applies to committees comprised of less than a quorum of the members of the public body and even one-person committees if the purpose of the committee is to circumvent the requirements of the OMA.

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### Rules for Superintendent Searches

- The selection of a superintendent is an exercise of governmental authority required to be conducted in an open meeting, regardless of whether conducted by the full board, a sub-quorum committee, or a single individual.
- A school board may delegate aspects of the hiring process to a committee, as long as the committee complies with OMA requirements, such as posting meetings, offering public comments, and keeping minutes.

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### Interpretation-“Decision”

- A “consensus building process” that equates to decision-making falls under the OMA. (Board members using electronic communications or sub-quorum meetings to achieve the same discussions that could’ve been achieved in an open meeting.)
- One member of a public body **may** conduct an informal canvas of his or her colleagues serving on the public body to find out where the votes will be on a particular issue. *St. Aubin v Ishpeming City Council*, 197 Mich App 100 (1992).

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### Interpretation-“Decision” (Cont.)



- Votes must be taken in such a way that a person attending the meeting or reading the minutes can see how each board member voted.
- “A secret ballot effectively closes part of a meeting to the public, since the ballot withdraws from public view an essential part of the meeting.” *Esperance v Chesterfield Township*, 89 Mich App 456 (1979).

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### Rules for Superintendent Searches



- Decision-making includes narrowing the field of prospective applicants to a short-list of candidates.
- A school board member may canvas other board members on one-on-one individual basis to gauge support in regards to a specific candidate.
- If a school board is split between two final candidates, a secret ballot may not be used to determine who is the leading candidate of the two for the purpose of conducting a unanimous vote for that individual.

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### Closed Meeting Exception



- “A public body may meet in a closed session... to review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, except as otherwise provided in this subdivision, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.”

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## Rules for Superintendent Searches



- School boards are not required to apply the closed meeting exception. (MASB has traditionally conducted searches without using closed sessions.)
- The closed meeting review process cannot be used by a school board as a means of *deciding* which candidates rank the highest or should be given interviews.
- Members of a school board cannot attempt to narrow the field of candidates through a *consensus building process* in closed session.

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## Rules for Superintendent Searches



- The “specific contents” provision permits closed sessions only to review personal matters contained in the candidates’ applications.
- During the initial application review phase, an applicant’s confidentiality can be protected.
- The board or committee decision to determine which candidates will be offered interviews must be made at an open meeting and recorded in the minutes. (Disclosing the names of the final candidates.)

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## Public Interviews



- The public interview requirement applies regardless of whether the interview is conducted by the school board, a personnel committee, or a single board member acting for the school board.
- Private interviews in person, by telephone or other electronic means are not permitted.
- **What constitutes an *interview*?** Telephone call by a single board member or consultant? Dinner with applicant? Site visit? Email exchange?

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## Rules for Superintendent Searches



- All interview questions must be asked at the public interview. Individual board members should not ask any follow-up questions by personally communicating with a candidate outside of the interview.
- If conducting a *targeted search*, any initial contact with a candidate should be limited to informing the individual about the vacancy and extending an invitation to apply for it.

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## Presenting the Contract



- **Common Practice:** Presenting a proposed contract to the final applicant after the Board has voted to offer the position to that individual.
- **Best Practice:** Presenting a proposed contract to the group of finalists and asking them to submit any proposed changes before the Board makes its final decision.
- The best practice process levels the playing field in terms of negotiating the contract with the final applicant.

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## Negotiating the Contract



- The exemption in Section 8(c) of the OMA permitting closed sessions for the purpose of strategy and negotiation sessions connected with a collective bargaining agreement does not permit closed meetings to discuss terms of a superintendent's contract.
- Meetings of a school board or a committee of the board to discuss terms of an employment offer to new superintendent must be conducted in open session. (The same is true for discussions about modification or extension of a superintendent's contract.)

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## Negotiating the Contract- Tips

- Designate one person to be responsible for negotiations – either a board member, the search firm, or the district’s legal counsel.
- Become educated about the compensation of superintendents in comparable school districts.
- After the candidate and the board have reached an agreement in principle, ask the district’s legal counsel to prepare a final draft of the contract.
- Before a person may sign the contract on behalf of the district, the Board must authorize that person to do so by vote.

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## Conclusion

- **Questions?**
- **Brad Banasik, (517) 327-5929**  
[bbanasik@masb.org](mailto:bbanasik@masb.org)

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# Superintendent Search Stakeholder Input

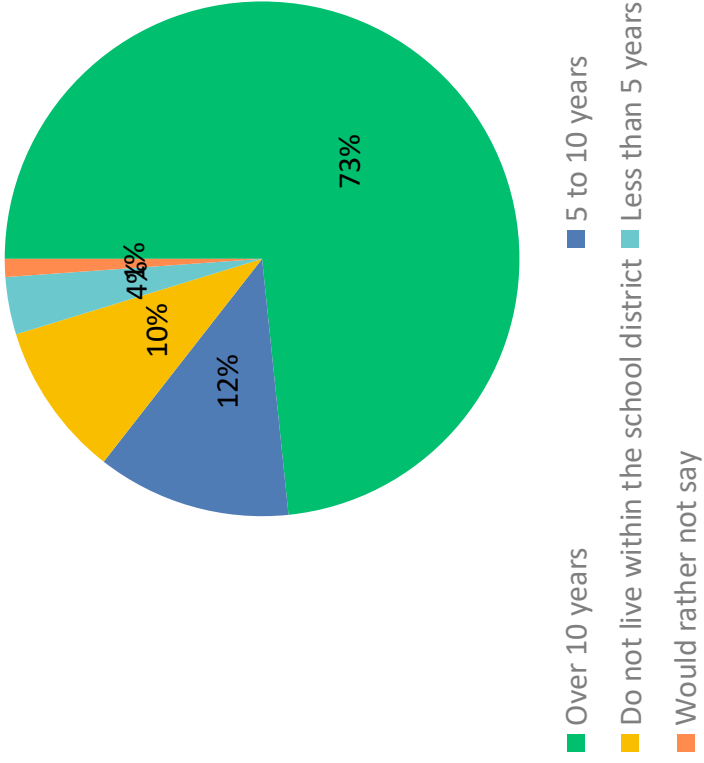
Friday, February 16, 2024  
448 Responses

David Moore, Ed.S.  
Consultant, MASB



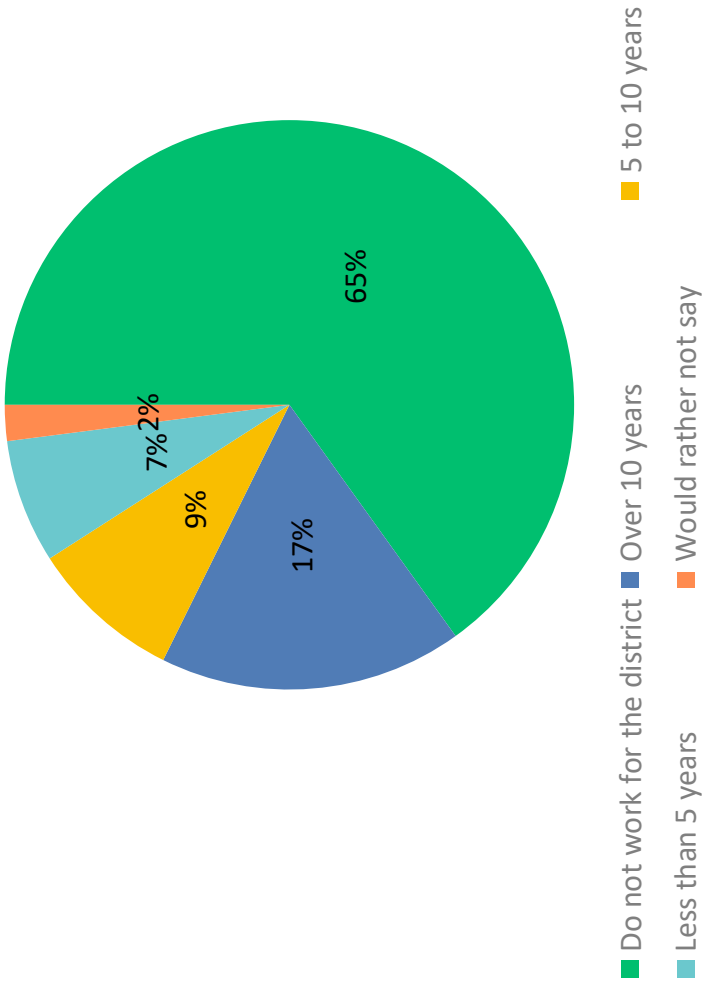
# Q1: If you are a resident, how long have you lived in the school district?

Answered: 443 Skipped: 1



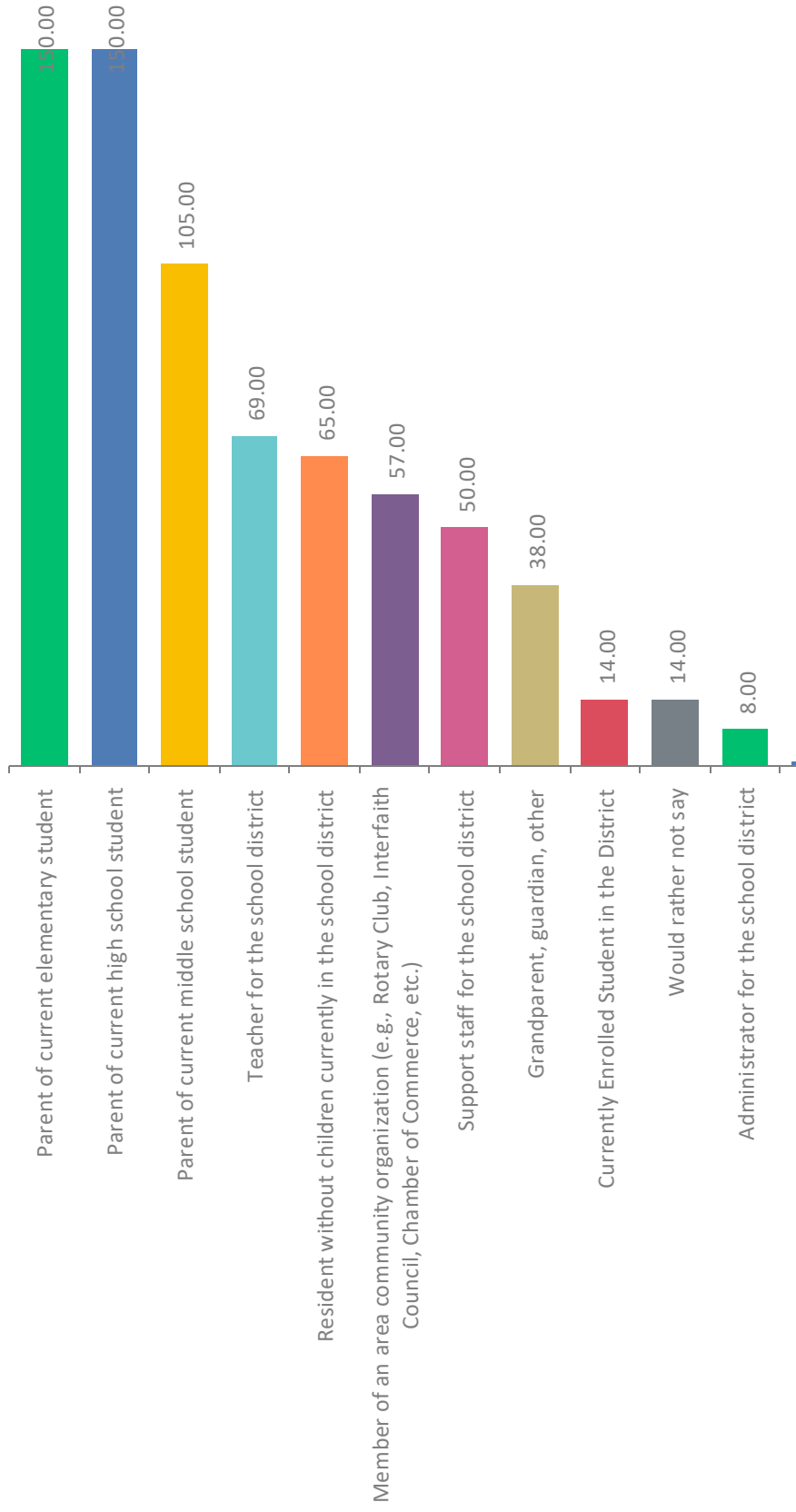
## Q2: How long have you worked for the school district?

Answered: 441 Skipped: 3



### Q3: Which type(s) of stakeholder are you? Check ALL categories below that apply to you.

Answered: 439 Skipped: 5



## Q4: Strengths of the district

teachers support staff include classes offered people experience new diverse  
teachers care students really dedicated staff strengths district CTE programs strengths  
extracurricular activities children quality also elementary Communication know

school district families lot job curriculum class parents safe strong  
facilities think seem academic allow opportunities see Owosso

Owosso Public Schools community go beyond offerings one

great believe programs involved district learning

teachers sports students working staff provide

school positive need team high school courses offered

kids beyond good keep education college support Love many  
safety level fine arts program Well band building going caring different

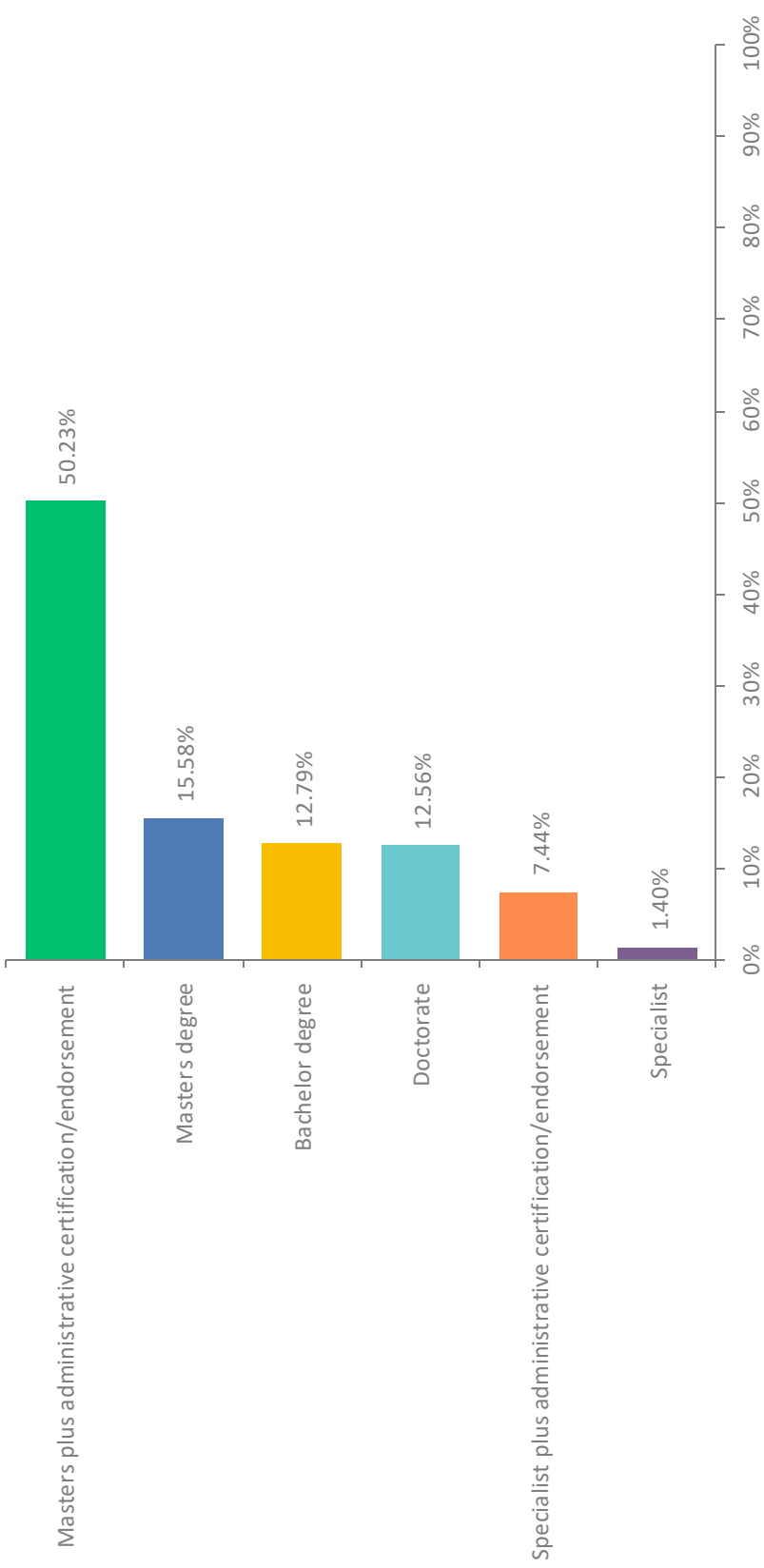
teaching staff variety Great teachers leader Excellent look amazing  
middle school options opportunities students feel support staff care students take time  
administration always stand supportive important caring staff administrators

## Q5: Challenges of the district

- lose everything time general take world Student behaviors administration families opinion
- also teacher shortage current teachers staff increase Poor back opportunities believe  
always high school within people face classrooms addressed keep will need  
curriculum work support financial think numbers challenge Hiring  
buildings programs funding mental health staff less going  
superintendent community problems teachers area
- need middle school students changes school want
- will pay district sinking fund lack level parents behavior
- issues state good many education prepare feel well children  
community support kids seems Continued even Owosso important  
school district etc see dealt due expectations money aging buildings COME  
experience CONCERNS enough high public discipline Bullying students will actually things  
start new one

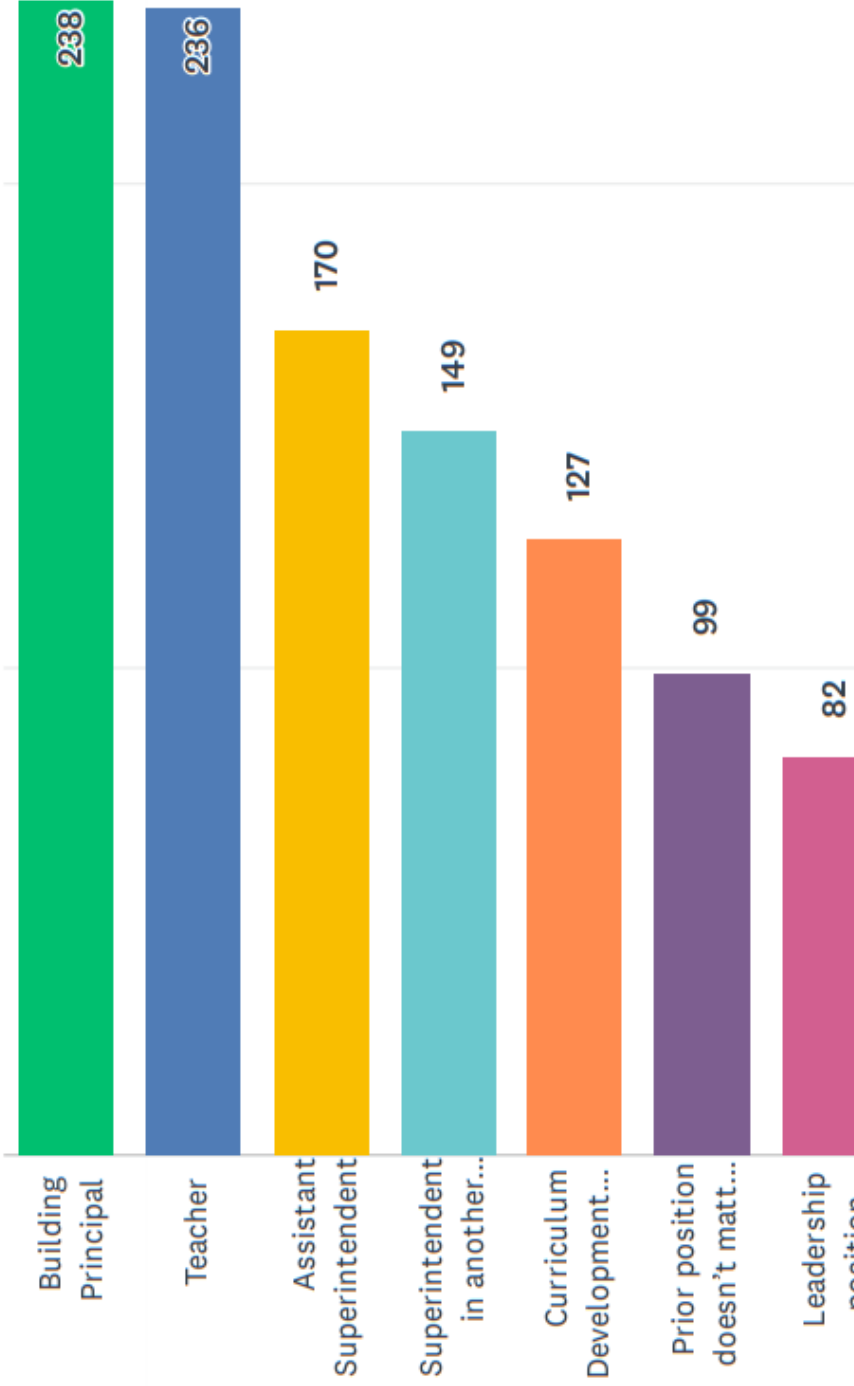
# Q6: Minimum level of education

Answered: 430 Skipped: 14



# Q7: Experience in prior positions

Answered: 436 Skipped: 8



## Q8: Areas of Expertise

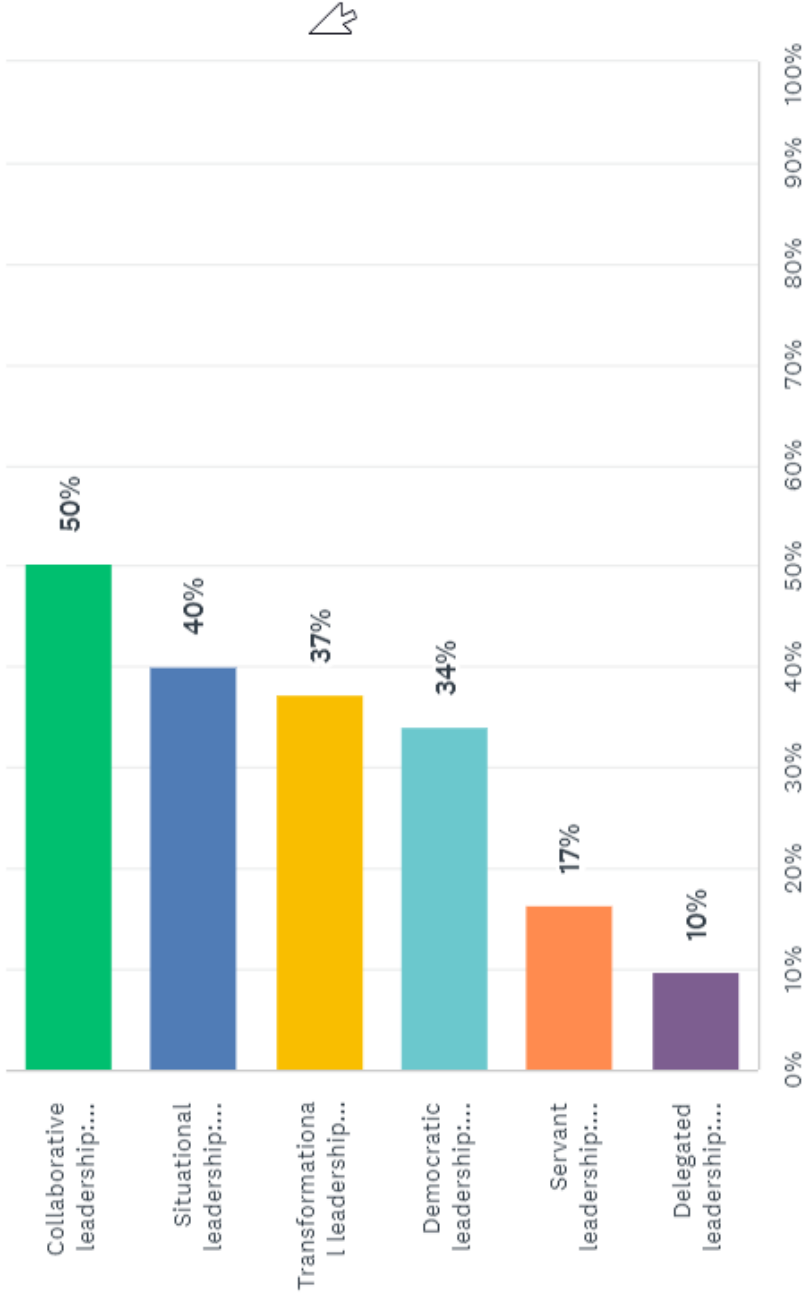
Answered: 437 Skipped: 7





# Q9: Leadership Styles

Answered: 436 Skipped: 8



# Q10: Experiences and Skill

Answered: 437 Skipped: 7



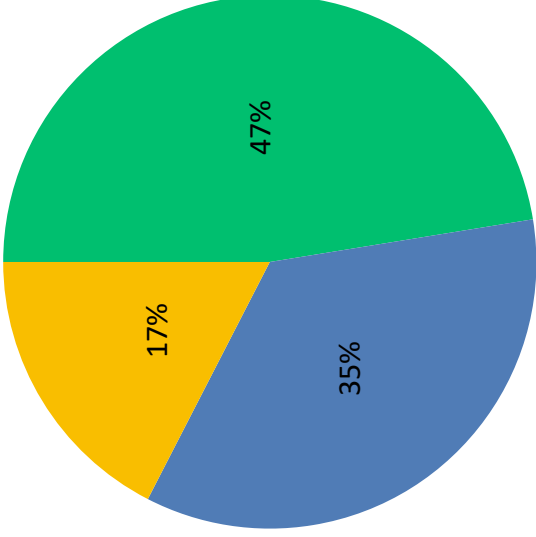
# Q11: Personal Characteristics

Answered: 435 Skipped: 9



## Q12: Selection Strategy

Answered: 430 Skipped: 14



- Find a candidate with the same basic educational and management philosophy as the current administration, but who can make some necessary changes
- Find a very different kind of candidate—one who is ready to take the district in a significantly different direction
- Find a candidate who will stay the course and continue the good work of the current administration

**Q13 Find a candidate with the same basic educational and management philosophy as the current administration, but who can make some necessary changes**



years current administration administration stay course new superintendent s improve  
educational However heard current positives programs job children team high school  
allowing going leaving teaching choosing support may come take someone must  
new keep Owosso look made person see focus teachers hire feel  
understands schools happening community level better  
much change need made district school district need  
sports students give think curriculum things also will  
problem staff way many whole great people always great things  
work course buildings leader superintendent already believe handled well  
district community know culture improvement one need change kids education ideas  
time direction learn find issues challenges important confident need someone  
always room parents see changes continue make changes

## Q13 Find a very different kind of candidate—one who is ready to take the district in a significantly different direction

IB OPS bullying try lead goal includes raised district needs concerns know move way  
keep education values USE areas think path continue support staff help make sure **see**  
without want choose new sports school district direction take back

parents taught make need change go job will bring kids create

teachers families school things district right

need person students much community respect

good say work well feel high school change come

superintendent many curriculum ideas children system Owosso  
elementary staff academically also meet needs need someone need someone will  
ONE home support provide Someone expect look place believe implemented hiring  
understand S focus Current long time significantly buildings little new superintendent position

## Selection Criteria Explanation

Attached is DRAFT 1 of the Selection Criteria. This DRAFT selection criteria was based the survey results from the community and also past searches that have been done by MASB Consultants.

On the attached sheet, board members will find a listing of potential qualities needed for the next Owosso Superintendent. To the right of many statements, are numbers listed. These numbers indicate which question on the survey supported the quality.

For example: Possess a Master's Degree plus Administration Certification required was a top choice in the community survey on Question 6.

Directions: Board members are asked to review DRAFT #1 of the Owosso Public Schools Superintendent Selection Criteria and add, delete or modify statements listed on DRAFT #1. It will be the goal of the BOE to finalize these qualities on the FINAL Selection Criteria.

## **DRAFT #1 of the Owosso Public Schools Superintendent Selection Criteria**

The Owosso Public Schools District is seeking a strong, collaborative leader to work with the board, staff, and community to create a successful educational experience for all students. The Board of Education has identified the following criteria for selecting its next superintendent.

*\*\*\*The number to the right of each statement below refers to the answer given from the on-line survey. For example: Possesses a Master's Degree plus Administrative Certification was one of the top answers given by the community in Question 6 of the on-line survey. If there is no number listed, these items were not listed on the survey, but could be added to the final draft. When the final draft is completed, all numbers will be removed.*

### **PROFESSIONAL**

- Master's Degree plus Administrative Certification required (6)
- Previous building-level administrative experience (7)
- Previous teaching experience (7)
- Previous assistant superintendent experience preferred (7)
- Possesses a strong background in K-12 education and curriculum (8)
- Experience in curriculum development and evaluation (8)
- Demonstrates a collaborative leadership style and uses situational leadership when needed (9)
- Record of success in past positions including improving achievement for all students
- Uses a data-based strategies approach in the decision-making process
- Values professional development of staff
- Actively engages and responds to community
- Advocates for public education at the local, county and state levels

### **VISION**

- Thinks strategically and can inspire other toward a shared district vision (10)
- Demonstrates a keen ability to think outside of the box and develop creative solutions (10)
- Identifies emerging trends, anticipates their impact, and develops strategies to address them (10)
- Can identify and establish both short-term and long-term goals
- Progressive with technology and able to integrate as appropriate into the learning process and operational systems
- Promotes a culture of learning in the classroom and the home

### **MANAGEMENT**

- Demonstrates exceptional public relations and communication skills (8)
- Effectively oversees budget and finances (8)
- Experience in labor relations and negotiations (8)
- Effectively explains district decisions and follows through (10)
- Recognizes, values, and affirms all staff (10)
- Ability to develop and direct an effective management team (10)
- Experience in building relationships with employee groups
- Experience supporting successful bond passages

### **PERSONAL QUALITIES**

- Exceedingly responsive (Follows through and Follows up) (10)
- Passion for students and children (10)
- Is honest, ethical, and transparent (11)
- A problem solver (11)
- Embodies the highest degree of moral, professional, and ethical behavior (11)
- Is an effective listener and communicator (11)
- Is visible, approachable, and accessible to staff, students, and community (10 & 11)
- High level of cultural competency and embraces diversity and equity of all kinds
- Treats others with empathy and respect (5)
- Has strong leadership skills that can bring people together toward common goals
- Is able to build trust in the school district and community



## Three options in moving forward with the Superintendent Search

- **Option 1 – Appoint the candidate:** This can be done with a:
  - motion by a board member to appoint Steve as superintendent
  - second by a board member
  - majority of the board members supporting the motion.

Sample Motion: I make a motion that we appoint Steve Brooks as superintendent of Owosso Public Schools pending the completion of contract negotiations.

- **Option 2 – Meeting with the candidate on Thursday, February 29 @ 5:30 pm.** This can be done with a:
  - motion to meet with Steve on Thursday, February 29 to have a discussion and ask Steve some questions.
  - second by a board member
  - majority of the board members supporting the motion

Sample Motion: I make a motion that we meet with Steve Brooks on Thursday, February 29 @ 5:30 pm to have a discussion and ask him some questions.

- **Option 3 – Use the services of MASB and do both an internal/external search for a new superintendent.** This can be done with a:
  - motion to request MASB to do an internal/external search for a new superintendent
  - second by a board member
  - majority of the board members supporting the motion

Sample Motion: I make a motion that we request MASB to do an internal/external search for a new superintendent.