

FARGO BOARD OF EDUCATION MEMO #144 – 2020-21

June 8, 2021

RE: GP-12: Process for Addressing Board Member Violations

FROM: Governance Committee – Rebecca Knutson, Chair

FOCUS: Discussion and Possible Actions

The Fargo Board of Educations operates under a policy governance model. The Governance Process (GP) policies stipulate how the Board operates. Within the GPs is a policy that specifies how to address Board members if a violation occurs. GP-12: Process for Addressing Board Member Violations has a four-step process in the event of a member’s willful and continuing violation of policy. GP-12, in full, is attached to this memo.

Per Step One of the policy, on May 4, President Knutson had a conversation with Board member Jennifer Benson via phone on items that occurred at the April 27 Board meeting, including not wearing a mask and reactions during the recognition of audience item of the agenda. With the Board’s approval of the 2020-21 Smart Restart Plan, facemasks were required to be worn in all District facilities as a mitigation strategy for the COVID-19 pandemic. If wearing a mask was an issue for public meetings, Ms. Knutson offered for Ms. Benson to join meetings via the phone or to file documentation with the Human Resources Department for a mask exemption. Ms. Benson elected to do neither, as Ms. Benson indicated phoning into a meeting would not allow her to fully participate in a meeting (not able to participate in executive sessions per Board processes) and that she would not file paperwork for a mask exemption. Hearing no intent from Ms. Benson to adhere to the District’s COVID-19 masking mitigation requirement, Ms. Knutson informed Ms. Benson that Step Two of the policy would follow. Following April 27, Ms. Benson continued to attend regular and committee meetings of the Board without a mask, despite continued reminders of the requirement. As such, Ms. Benson was in violation of GP-10: Board Member Covenants, specifically policy point 6, which states: *Accordingly, members will respect decisions of the full board.*

Per Step Two of the policy, *discussion with the offending member at a Governance Committee meeting regarding the specifics of the violation(s)*, the Governance Committee discussed the continued noncompliance of policy at its May 27 regular meeting. As per policy, Board member Benson was invited to the committee meeting for a conversation of the policy violation. Consensus of the committee was reached to move the conversation to the full Board per GP-12, Step Three, *discussion in a public meeting between the offending member and the full Board.*

At the Board meeting, discussion will occur about the policy violation.

***Policy Type: Governance Process***

**Process for Addressing Board Member Violations**

The Board and its members are committed to faithful compliance with the provisions of the Board's policies.

A Board member will inform the Board President if, in the Board member's opinion, the Board or individual members are not in compliance with the Board's policies on *Governance Process* and *Board-Superintendent Relations*. If the President is the member who the Board member feels is not acting in compliance with policy, the Board member will inform the Board Vice President.

In the event of a member's willful and continuing violation of policy, the Board will seek remedy in the following order:

1. conversation in a private setting between the offending member and the Board president or other individual member
2. discussion with the offending member at a Governance Committee meeting regarding the specifics of the violation(s)
3. discussion in a public meeting between the offending member and the full Board
4. censure of the offending member at a public meeting of the full Board

***Monitoring Method:***        ***Board self-assessment***  
***Monitoring Frequency:***   ***Annually in Second Quarter***

Fargo Public Schools Board of Education