

WEATHERING THE STORM:

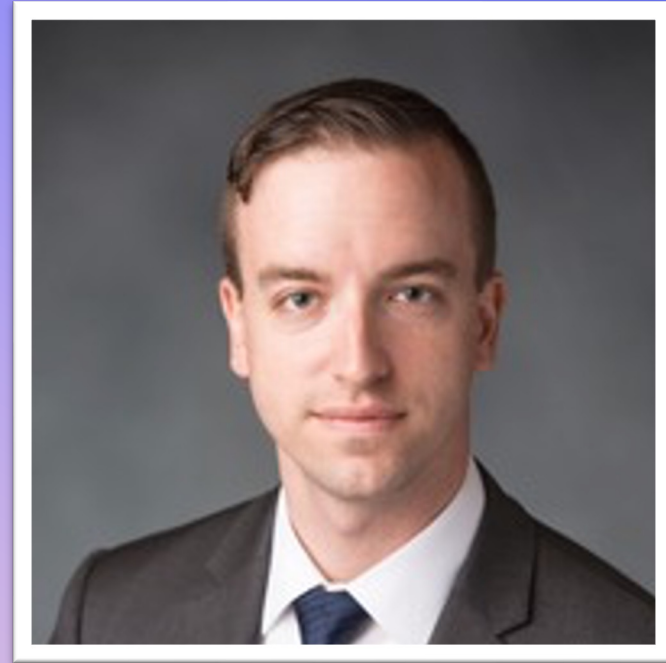
Navigating Controversies in
the School Environment



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What We'll Cover



1. Ways your school can avoid and prepare for controversies.
2. What to do when faced with a controversy.

Controversy in Schools

- Public and private schools are especially susceptible to controversy given the important role they play in society.
- Schools represent a cross-section of society where different perspectives, ideals, and virtues are prone to collide.
- Educators are also in a position of trust.



**PREPARING YOUR
SCHOOL:
ENGAGEMENT AND
POLICY-MAKING**



COMMUNICATION IS KEY



- Make sure that you are communicating with your parents and community stakeholders
 - Have a board that meets regularly
- Make sure that you are listening...small complaints can turn into larger issues if ignored

Govern with an Eye Towards Engagement

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- As school leaders, play an active role in the school community. Get to know your parents and forge relationships.
- Does the community know your board? If not, this could be a recipe for disaster.
 - Whether you are a private school or charter school, you should have a board that meets regularly.
 - While private schools are not subject to the Sunshine Law, inviting parents to your board meetings might be the right decision. Transparency can go a long ways.

Govern with an Eye Towards Engagement



- Do parents have means to participate in the process?
 - A PTO is a great way to provide a “release valve” and a mechanism for parents to feel part of the process.
 - Consider how the PTO should be structured: separate legal entity, part of school entity, etc.
- Does your school have a School Advisory Council?

Policy Development

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- What is the board's process for policy-making?
 - Sweeping new policies can be a catalyst for controversy.
 - Are new policies being effectively vetted and reviewed prior to being rolled out?
 - How are you messaging new policy changes?
 - Are stakeholder comments and concerns being adequately considered and addressed?

Set Clear Expectations for Staff, Students, and Parents

- Have a well-vetted employee handbook that is provided to each employee and discussed during pre-planning week.
 - Code of Ethics for Employees
 - Expectations for communications with parents and students
 - Expectations for use of social media**
 - Expectations for grading student work
- Properly vet your employees before you hire them. Contact previous employers and references.

**Public schools are required to adopt an Internet Safety Policy under recently passed legislation.

Set Clear Expectations for Staff, Students, and Parents

- Have a well-vetted student handbook that is provided to students and parents and discussed at the start of school.
- Require parents to sign an acknowledgement that they have reviewed the student handbook.
- Consider whether it makes sense for your school to have a parent contract that establishes expectations for parents.
 - Charter schools: Review your charter contract to see what it says about parent contracts. May require your sponsor's approval.

Grievance Policy

- Have a clear and thought-out Grievance Policy that allows for timely and effective resolution of complaints.
 - A grievance policy should:
 - Designate persons to receive grievances (may vary based on who the grievance is against)
 - Set timelines for investigating and resolving grievances
 - Address whether and under what circumstances appeals to higher level decision-maker are permitted
 - Be communicated to staff, parents, and stakeholders
- **New FDOE rules require special grievance procedures for certain types of complaints. Consult with your legal counsel.

Public Comment Policy

- You need to ensure that your school has a public comment policy in place for board meetings.
- Public comment policy should:
 - Establish procedures
 - Establish time limits
 - Establish standards for decorum
- It is better to have a clear process established ahead of time rather than creating one in the midst of controversy.

Public Records Policy

- Ensure that you have a public records policy in place that addresses:
 - Procedures for responding to records requests
 - When and how fees may be charged
 - Records retention
- The name and contact information for your records custodian should be prominently displayed on your school's website and in the front office,

**RESPONDING TO
CONTROVERSIES AT
YOUR SCHOOL**



Scandals/Controversies

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- Even with all the right policies in place, your school could still be faced with scandal or controversy.
- May come in many shapes and sizes: employee/board member misconduct, disgruntled current/former employee, disgruntled parent or parent group, anger over new policies/procedures, school safety issue, etc.
- This is a general discussion. The appropriate response to any given situation is going to depend on the specific facts and circumstances involved.

Initial Response (Crimes & Abuse)

- If a crime has been committed, immediately contact law enforcement.
- Likewise, if there is known or suspected child abuse, abandonment, or neglect, you should make a report to DCF through the abuse hotline, as required by law.
- In such situations, you are also advised to reach out to your school's legal counsel.

Initial Response

- You can't make the right decisions without all the facts!
- Take witness statements and gather up relevant evidence.**
- Start gathering information and performing any necessary investigations. If employee misconduct is involved, you will likely want to place the employee on administrative leave while the investigation is conducted.

**If DCF or the police are conducting an investigation, you do not want to interfere with that, which may mean holding off on your own investigation. Consult with your legal counsel.

Know When to Seek Outside Help

- Identify when the matter may require consultation with outside professionals.
- In the midst of controversy, the actions the school decides to take need to be well-vetted. The school will likely be under scrutiny from some members of the public.
- What can outside professionals help with?
 - Strategizing on appropriate steps to take
 - Determining what actions are legal and where the school may have exposure
 - Strategizing appropriate messaging for parents or the community at large

Messaging to the Community

- How you communicate with the public during a crisis is critically important. Well-intentioned statements that are poorly worded or not adequately considered can inflame the situation.
- Consider that some information is **confidential** and should not be shared, even if you would otherwise like to do so.
- **Inquiries from the media:**
 - Your policies and procedures should make clear that only authorized persons are permitted to communicate with the media.
 - Generally, it is best to provide a written statement.
 - Written statements should be thoroughly vetted, reviewed by the school's legal counsel and any public relations consultants that have been engaged.

SOCIAL MEDIA CAN MAKE THE MATTER GO VIRAL

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- In 2023, scandals and controversies often breath life on social media
- Consider whether it makes sense to release a statement on social media
- This is where a PR expert can come in handy

Use Caution

- For both private and charter schools, any scandal could later become the subject of litigation, and communications made between board members and staff could become public.
- Charter schools are subject to the Public Records Act. When scandals arise, it is not uncommon for a school to receive public records requests.
- **Be thoughtful about what you put into writing!**

Navigating “That” Board Meeting

- Holding a board meeting in the middle of a controversy will not be fun, but it very well may be necessary.
- You should allow for plenty of time for public comment. Make sure that everyone has the chance to speak.
- Enforce your public comment policy. Blood may run hot, but it doesn't mean that the rules of decorum go out the window!
- **Listen to what people have to say!** *However*, it is almost never advisable to engage in a back-and-forth with members of the public.
- **Private schools:** You may not be *required* to hold public meetings, but consider whether it makes sense to allow public comment. Will giving people a chance to speak and feel heard be helpful?

Navigating “That” Board Meeting

- Under Florida’s Sunshine Law, charter school board members cannot discuss amongst themselves any matter that may come before the board outside of a public meeting.
- The principal or school leader can brief board members individually on what is happening and provide relevant information. **However, you cannot relay information between board members.**
- Going into an uncomfortable board meeting well prepared can make a difference.

Closing Thoughts

- Make sure that your school is well prepared ahead of time for potential controversies.
- Be thoughtful and strategic in how you respond to a controversy, including knowing when to get outside help.
- Keep your board and administration apprised of new developments in the law and FDOE rules.

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QUESTIONS?

