

# RUMINATIONS OF A FORMER SCHOOL BOARD MEMBER\*

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## Abstract

The author describes his initial introduction to school board service. The historical context in which the author became a school board member is described as a means of highlighting the challenges that he faced as a new board member as well as the challenges that public education faced in the early and mid 1980s in a southern state.

Stories and anecdotes are presented that illustrate the importance of an excellent board-superintendent relationship. The duties and responsibilities of a school board are discussed with an emphasis on the line of demarcation between the duties of a board and those of a superintendent. Suggestions are also offered regarding strategies for effectively presiding at a board meeting, including handling executive sessions. Board member ethics are also discussed with examples.



NOTE: This module has been peer-reviewed, accepted, and sanctioned by the National Council of the Professors of Educational Administration (NCPEA) as a scholarly contribution to the knowledge base in educational administration.

Becoming a school board member and board president was never on the proverbial radar screen for me when I began my career as a university faculty member and administrator in the early 1980s. In fact, prior to becoming a school board member, I had never attended a school board meeting, knew very little about public school governance and structure, and was blissfully content in my ignorance.

That all changed when representatives of a community advocacy group approached me in early spring of 1984 and asked me to run for a vacant trustee position. My initial reaction was, “Are you serious? Me? Why me? I know nothing about being a school board member!” The representatives did an excellent job of assuring me that my lack of school board experience was not an inherent disadvantage, especially since the position for which I would be running was open.

After some pretty heavy lobbying from some very persuasive individuals and reaching an agreement with my wife, I relented in my opposition to being a school board candidate. I filed the proper paperwork

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and appeared on the ballot as one of two candidates for Place 5 in the 1984 School Board election for the Independent School District Board of Trustees. To my pleasant surprise, I won by 75 votes. My first foray into public office was a success. I accepted both condolences and congratulations from friends.

What started out as diffidence, fear and trepidation on my part evolved into confidence, commitment, and a strong sense of accomplishment as a member of a team of outstanding board members and extraordinarily talented superintendents. The decade and a half of service to the students, faculty, staff, and taxpayers of the district were challenging; but so were the rewards. Throughout it all, I was able to develop a deeper appreciation for public education and for the tireless work by teachers, staff, and administrators, who are among the most committed group of professionals anywhere.

My service on the board began during a time of unprecedented changes and challenges in the State of Texas. Those changes and challenges combined to make the early and mid-1980s a pivotal period for Texas public education. Some of those changes were:

- The implementation of a state-wide student testing program that established minimum standards for student achievement
- No-Pass/No-Play, which required students involved in extracurricular activities to meet minimum academic performance standards in order to participate in those activities
- A teacher career ladder, appraisal and compensation system that measured teacher performance against a set of competencies that determined teachers' placement on the career ladder and corresponding compensation
- Teacher and administrator testing that required all public school teachers and administrators to pass the Texas Examination of Current Administrators and Teachers (TECAT) to demonstrate reading and writing proficiencies as a condition for maintaining their lifetime certification
- Establishment of a state board of education to oversee the public education system
- Mandatory school board training designed to orient new members and to provide continuing education for experienced board members
- The state system of funding public education was successfully challenged by the Mexican-American Legal Defense and Education Fund (MALDEF) and by the Edgewood Independent School District. Property-poor school districts were at a disadvantage under a state funding system that relied heavily on property taxes.
- The oil industry underwent major transitions, resulting in massive unemployment in the petroleum and related industries. In turn, the State realized a drastic reduction in revenues, triggering significant decreases in funding for most state agencies.

In addition to focusing on these and other state-initiated mandates and issues, my local school board was preoccupied with routine school district business, such as hiring a new superintendent, awarding vendor contracts, and setting tax rates for the upcoming fiscal year. As a result, board members' collective attention had a dual and sometimes fractured focus – on both the state capital, where there were continuing public education mandates emanating from the state legislature and on the local community where the needs and concerns of students, parents, and taxpayers needed addressing. As a novice board member, my focus was not only on local and state-mandated issues, but also on my newly acquired status as a school board trustee. With no frame of reference or history to guide my thoughts, opinions, or decisions, I initially felt like an ill-prepared college freshman cramming for his final exams. During my first board meeting, I found it nearly impossible to resist the temptation to ask myself, “What have you gotten yourself into? What were you thinking about running for the school board?” I remember feeling overwhelmed and utterly useless during my first study sessions and board meetings listening to terms like M&O, effective tax rate, and bonded indebtedness. I have a doctorate degree and no doubt had used those words and letters many times; however, as concepts in school finance and governance, they might as well have been Greek to me. Despite an orientation session with the board president and superintendent, both of whom offered sensible explanations of these and other school governance terms and concepts, I realized that learning to be a school board member was going to take time and that it would be a marathon and not a sprint. That realization also led me to the conclusion that it takes one or two terms of service to become acclimated to the ever-changing nuances,

priorities, and complex details of school board and school district business. I became a quick study, however, and gradually managed to learn enough to contribute intelligently to discussions and decisions dealing with issues of school district governance and finance.

Among the early lessons that I learned as a school board member were the duties of a board member. Board members are mandated to hire and supervise superintendents, set tax rates, and establish goals for the district, the primary purpose of which is to contribute to student achievement. Anything beyond these duties borders on meddling and micro-managing, which can irreparably breach the trust relationship among board members and between the board and superintendent. As a team, the board and superintendent must work collaboratively in achieving district goals, while granting maximum respect and deference to the unique but complementary roles of each. To be effective in their duties, boards have to act boldly yet appropriately while fully embracing their roles as partners and team players in the effective governance of the school district.

Perhaps, none of the board's duties is more important than that of hiring and supervising a superintendent. As the chief instructional and administrative leader of the district, the superintendent is ultimately (but not exclusively) responsible for the success or failure of the district in achieving its goals. That might seem unfair on its face, but no one, including principals, athletic coaches, librarians, counselors, and teachers is held to higher accountability standards than the superintendent. As the leader of the district, the superintendent accepts the notion that accountability begins and ends at the desk of the superintendent, thus making the selection of the superintendent the most important decision the board makes. If the board makes a poor selection, then the board must be held accountable for making a poor selection and for the consequences arising from that selection. If the voters determine that the board is not measuring up to a reasonable standard of accountability, a change in the composition of the board might ensue.

One of the most common and egregious mistakes some boards make is to stray into the restricted domain of personnel. Superintendents are responsible for the hiring and firing of district personnel. Indeed, the board is required to approve most of those decisions, but consent should never be confused with dictating to a superintendent who should be transferred, promoted, hired, or fired. That was a guiding principle for me as a board member and as board chair. I was very protective of that time-honored line of demarcation between the superintendent's duty to recommend personnel action and the board's duty to approve or disapprove. There is sound logic behind such an arrangement. Board members are members of the lay public, generally with full-time jobs and with very little time or ability to perform the professional activities required to recruit, select, and hire personnel. That is the superintendent's job. Typically, the superintendent will present personnel recommendations to the board, based on recommendations from designees, principals, search committees, or search firms. The job of the board is to carefully study those recommendations, ask tough but appropriate questions, and vote to approve or reject the recommendations. It is always important for the superintendent or designee to inform the selected applicant that the decision to hire is contingent on a background check and board approval. Board members do not like to hear through unofficial sources that a person has been hired before the board has taken action on the recommendation. But the board's responsibility does not always end with that vote. If the superintendent habitually makes poor recommendations, the board is duty-bound to take corrective actions during formative and summative evaluations of the superintendent. To not do so serves no one and deprives children, parents, and taxpayers of their right to expect and receive the maximum return on the investments made in providing the best education possible.

Although the line of demarcation is generally clear and unambiguous between the roles of boards and superintendents in matters of personnel, conflicts and disagreements are inevitable. For example, sometimes the superintendent is unaware of or is in denial over the shortcomings of key personnel, particularly high profile personnel, such as athletic directors and head football coaches. As members of the community who are constantly interacting with neighbors, parents, and taxpayers, board members sometimes hear negative comments about personnel that the superintendent does not hear or dismisses as groundless. When hearing such comments, board members must decide whether and how to share that information with the superintendent. The manner in which the information is conveyed to the superintendent will directly affect the short- and long-term relationship between board and superintendent. If one is going to share personnel information with the superintendent, it ought to be done as constructively as possible, instead

of as an opportunity to engage in the “gotcha” style of supervision. Moreover, strong skills of discernment are important in such situations, so that individuals do not use board members as their only conduit for expressing concerns about school personnel. Generally, it is better for the individual to deal directly with the specific school personnel when there is concern about a certain school-related issue. There are occasions, however, when board members are duty-bound to address personnel concerns with the superintendent. Such was the case in my school district.

All seven board members in my district had received many negative comments from members of the community regarding a high profile administrator. It was clear that the administrator had lost the trust of the vast majority of the community, and thus that of the board. The superintendent’s initial response was to express strong disagreement with the negative assessment of the administrator’s performance, while pointing to excellent evaluations of the administrator’s job performance. Through sensitive and intense discussion with the board, she came to understand that a recommendation to extend the administrator’s contract was not going to be approved. In fact, the vote would be 7-0 to disapprove, which would have been an embarrassment to her and to the administrator. The superintendent fought gallantly to persuade the board to support her position to extend the administrator’s contract. But the board remained unanimous in its position that the community had lost support for the administrator. In what had to have been a difficult conversation with the administrator, the superintendent allowed the administrator to submit his letter of resignation, which the board approved. This example also illustrates the dilemma boards frequently face, in which members experience conflict over being a team player and being responsive to the concerns of voters, taxpayers, and other stakeholders. There is no routine approach to resolving such conflicts.

Hiring a new superintendent was quite an adventure and came much easier to me than school finance. But I was embarrassingly naïve the first time I was involved in the superintendent search process. Even experienced board members were victimized by naiveté in this incident. As a member of the screening committee, I traveled with other members of the committee to the home town of one of the finalists. As we randomly asked people in the town to tell us about the candidate, there was unanimous praise for him. We could find absolutely no one who had anything negative say about this individual. We thought we had found the perfect superintendent. Such an exciting and unexpected occurrence weighed heavily in our decision to make an offer, which he accepted. Two years later, we discovered to our chagrin why so many in his former home town had such glowing things to say about him. They wanted to get rid of him; and with their lavish praise for him, they wanted to make sure we would hire him. There were other signs early in his tenure that indicated that the fit was not a good one, but like many new relationships, we chose to overlook them. That was a very valuable lesson in due diligence, which is an important duty for board members when searching for a superintendent. Another lesson that I already knew but was reinforced with this search was that selecting the best person for a leadership position is not a matter of hearing the right words, witnessing a great performance during the interview, or hearing ordinary people say how wonderful a candidate is. Instead, it involves asking tough questions, engaging in a thorough vetting process, and going beneath the style and getting to the substance. While the trend today is to utilize executive search firms, which no doubt do a much better job in the vetting process, during those days, the use of a search firm, particularly in small districts was practically non-existent.

During the same superintendent search, I recall asking the same question to each candidate. The question was related to their ideas for increasing diversity among the faculty and administration in the district. Specifically, I asked each candidate to share his views on affirmative action and how those views would guide his decision-making and planning. It seemed as if (although they were not) each had been warned that the question was coming because they all gave nearly identical responses. Each response started with the statement, “I believe that we should not hire people who are not qualified. . .” Before they could go further, I interrupted to explain that my question had to do with affirmative action and how they would increase diversity among faculty and administrators in the district, not whether unqualified people should be hired. I agree, I told each of them, that we should never hire unqualified people. (Actually, the idea of invoking that premise in a discussion of affirmative action was very offensive to me. We very seldom qualify our decision to hire a white candidate by saying that he/she should be qualified before we hire them.) I went on to inform the candidate and my fellow board members that affirmative action has never required or encouraged school

districts to hire unqualified people. If unqualified people are hired, such hires should not be blamed on affirmative action, but on poor hiring procedures and processes. With that explanation, I generally heard enough substance from each candidate to inform me of their plans for increasing diversity in our school district.

In contrast, the two most effective superintendents with whom I had the pleasure of working were women. I strongly supported their ascension to the superintendency and each did an outstanding job in leading the district. Not everyone in the community, however, was pleased with the fact that at one point, the superintendent, assistant superintendent, and business manager were all women. In fact, one person told me that maybe we should paint the administration building pink because “of all the women over there.” I countered with the question, were you this outraged when there were only men in the administration building? Both women were pioneers, and through their outstanding work, transformed the attitudes of many in the community regarding the effectiveness of a woman superintendent.

Board harmony is a desirable but elusive state. As seven personalities with seven separate world views, board members are bound to have disagreements. In fact, disagreements indicate independence and diversity of thought, which accounts for the synergy and creative tension that lead to problem-solving. Emotionally charged issues, however, can result in debilitating tension, hurt feelings, and failure to solve problems. To my regret and frustration, I found myself at odds with a few of my fellow board members over two emotionally-charged issues - affirmative action and the adoption of a school calendar that did not recognize the Dr. Martin Luther King, Jr. holiday. Because of the district’s lack of success in hiring black faculty, staff, and administrators, I called for the creation of a district-wide affirmative action policy. Not all board members and staff considered such a policy or philosophy of inclusiveness as relevant. In their view, the race of a teacher or administrator was unimportant. My contention was that race does matter; and it is important for both black and white students to have the opportunity to be taught by teachers from various racial and ethnic backgrounds. I was persuasive and persistent enough over a long period of time that I prevailed and was asked to work with central office staff to draft a district-wide affirmative action policy, which the board adopted.

Regarding the calendar that did not recognize the King Holiday, I, along with one other board member voted each year against a school calendar that did not recognize the Holiday. Our opposition to the calendar received attention in the local newspaper, which, in part, prompted the superintendent to eventually recommend a King Holiday calendar. Taking such a strong position on issues of fairness and social justice was consistent with my role as a board member who brought a unique perspective to the work of the board. Nevertheless, I was once accused by one board member of being a one-issue oriented person who was only interested in issues involving race, culture, and diversity. I interpreted the remark as an attempt to silence me, not as an attempt to find solutions to a horrible record of diversity in the district’s employment. My response was always respectful but pointed: “Let’s work together to do something to improve the situation; and I will gladly shut up.” Because I was one of only two board members of color, the mere mentioning of affirmative action, diversity, and King Holiday seemed to fall on my shoulders. I gladly accepted that responsibility because I take social justice seriously, as an action and not just as a concept. That sentiment was born out of experiences early in my life in working for social justice. I grew up in Mississippi during the civil rights movement and was a participant in and a product of that historical movement. I remember drinking from the ubiquitous colored water fountains, sitting in the back of the bus, and using a separate rear entrance to be served food at a restaurant. I even went to jail as a twelve year old child for picketing the courthouse in Hattiesburg, Mississippi and desegregated an all-white junior high school, where I was routinely called the N word and spat on for no reason other than my race. As a result of being exposed to injustice and challenging it early in my life, I have chosen to fully embrace the importance of vigilance and action. Even with such disagreements with fellow board members, we never succumbed to fractious and divisive actions that would harm the district. As a board and administration, we eventually agreed that a diverse faculty and administration were good for the district and would facilitate the attainment of the ultimate district goal, success for all students. Over time, progress was made in the area of diversity in the faculty and administration.

As an African American board member, I accepted the reality that there were certain expectations

placed on me that were not placed on white board members. For example, the black community expected me to advocate strongly for inclusiveness in the faculty and administration and for fair treatment of African American students. That expectation was put to a severe test during a particularly contentious event in which a black teacher was recommended for non-renewal. At the time, he was one of only three black teachers in the entire district. After learning about the district's decision to non-renew, numerous black citizens called me to ask if we had lost our minds in firing one of only three black teachers in the district. My response was that it was a personnel matter, and that I was not a liberty to discuss the details of what prompted the action. I reminded them that they know me and my commitment to diversity and social justice. On this particular matter, I ask them to trust me that it was the right decision to terminate that particular teacher. I added that although I advocated diversity in the workforce, I advocated more strongly for having only the best and most committed teachers teaching our children, although the two are not mutually exclusive. But when it is clear that any teacher, regardless of race or culture, is not doing his/her job and is not fully committed to the education of our children, that person should not remain employed in any school district. The most important question a board member should ask when confronted with any school district decision is: How does it affect student achievement? In the case of this teacher, the answer was simple; and eventually my African American friends relied on their trust in my track record and decision-making to come to some resolution in their minds about the non-renewal of the teacher.

Supporting a recommendation to non-renew one of only three black teachers in the district was a tremendous challenge to me. But no other event challenged me as a board member more than the efforts by a group of parents to force the removal of two books from the high school library. The notion of banning books was abhorrent to me and conflicted greatly with my sense of right and wrong. Nevertheless, the group of well-intentioned parents believed that the foul language contained in the books was grounds for their removal. The books were not part of a required reading list and had been approved through the district's regular library book approval process. The group's leader informed the board and the superintendent that concerned parents planned to attend the board meeting en masse and wanted to speak to the board regarding their request/demand to have the two books removed. As everyone entered the high school library for the meeting, we were handed an excerpt from the book, the worst part, of course. As I looked at the printed words on the paper, I found them distasteful and thought that I really do not want my kids reading this stuff. When we reached the point in the agenda permitting comments from the public, the group's spokesperson began to point out to us how awful her group considered the books to be, and that we had an obligation to not only remove those two books but also any other book they found morally objectionable. This was another of those moments when board members are faced with the moral and ethical dilemma of supporting the community or the administration. I recall watching the facial expressions of my pastor, which strongly indicated that he favored the ban. Each board member had to examine his/her own moral compass and value system for answers and responses to this unprecedented request. In addition, we needed and received assurances from staff that procedures were followed for including books in the high school library. I chose to reject the group's argument, principally, on the grounds that government censorship is wrong. That is what is done by totalitarian governments. Moreover, if we banned those books, where would we draw the line? Next time, another group will want another book banned and before long, we would find ourselves on a dangerous and slippery slope. Further, I reasoned that democracy is not always tidy and easy. We often have to accept the distasteful with the tasteful. I believed that although I did not want my children to read those books, I should not deprive another parent the right to allow his/her child to read them. Thanks to the leadership of the superintendent, a solution was found, which did not involve banning those or any books.

Setting tax rates, which in Texas typically entails increasing taxes, is a function of school boards that requires careful consideration of the tax base, taxing capacity, maximum tax rate, and effective tax rate. With a limited tax base, many small and poor school districts find it difficult to fund programs, salaries, indebtedness, and other needs. Because of the funding mechanism in the state, districts that do not maximize local efforts to raise funds through ad valorem taxes are generally penalized by receiving reduced appropriations from the state. Therefore, there is strong incentive to raise taxes, but to do so within the district's capacity to levy and collect. For some new board members, this might sound counter intuitive and could result in someone expressing opposition to efforts to raise local ad valorem taxes. When I became board

chair, such an incident arose in one of our meetings. A new board member expressed his opposition to the recommendation to raise property taxes to fund the local contribution to the district's revenue budget. He stated that the board is obligated to keep taxes as low as possible. I respectfully pointed out to him that our obligation is not to keep taxes as low as possible. Our obligation is to provide the best education possible for the children of the district. If that means raising taxes we must do so. There are districts with extremely low taxes; and they pay for such by receiving reduced allotments from the state. The result for those districts is an overall reduction in revenue, which negatively affects their ability to fund programs, pay salaries, and meet debt obligations.

Board members have to have a strong ethical foundation to handle those moments when someone seeks to persuade them to behave unethically, especially when taxpayers' money is involved. It is important to know in advance of such incidents how one will respond or risk the appearance of being uncertain. During my tenure as board chair, the board sought to pass a major bond for the construction of a new high school. A consultant recommended several architects to the board, all of whom accepted the board's invitation to make a presentation. All appeared except one, who was unable to attend due to prior commitments. The next day, the absent architect came to my office to let me know in no uncertain terms that, because of his influence in the community, if he were awarded the contract, he would be in a position to make sure the bond election would pass. By very strong inference, he let me know that if he were not awarded the contract, he would likewise be in a position to make sure that the election would fail. With no hesitation, I let him know that I cannot speak for the entire board, but my recommendation to the board would be to disqualify him on ethical grounds. The board agreed; and that individual was barred from any future contractual considerations with the district.

The bond election passed with overwhelming support from voters, owing to a well developed and well executed plan to educate voters about the need for the new high school and the impact of the bond repayment on their tax bill. We found it especially helpful to inform citizens with homestead exemptions that their taxes would not increase and that the overall increase for others would be relatively small, based on a \$100,000 property valuation. This effort was in stark contrast with another bond election years earlier. In the earlier election, the voters rejected the board's request for a bond to finance the construction of a new elementary campus. After the election failed, the board agreed to call for a new election, although several members thought that we should reduce the size of the bond request. They believed that the failure of the election was directly linked to the size of the request, which was only \$4 million. The rest of us believed that the election failed because we did an inadequate job of making a strong enough case for the need for a new elementary campus and because we did an inadequate job of reminding supporters to go to the polls. We believed, naively, that a majority of voters would not object to the construction of a new campus for elementary students. After all, we thought, this new elementary school is for the little ones, and surely no one would deprive them of a suitable campus. After extensive debate, the board decided not to reduce the amount of the bond request; and the second election passed because we did a better job of educating the public regarding the need for the facility and the impact the repayment of the bond would have on their tax bill. We also avoided the mistake of not taking for granted that everyone in the community supported education and that everyone who supported the bond election would actually take the time to go to the polls.

One of the most critical and visible tasks of a board chair is to collaborate with the superintendent in putting together a board meeting agenda and managing that agenda during public meetings. During my six-year tenure as board chair, I developed a reputation for running meetings in a very timely and efficient manner. I operated on the notion that most meetings should last no longer than an hour. If they last much longer, it is probably an indication that there are too many items on the agenda or that the president is not managing the agenda or the meeting very well. I was pleased to hear from a consultant, who observed one of our meetings that she thought that our meetings were the most efficiently and timely run she had ever seen. Having a cooperative board also contributes greatly to the smooth running of a board meeting. Board members in my district adhered to the tradition of reserving our comments until we reached the appropriate place in the board's agenda – Board Members Comments. Also, when members of the public made comments, we practiced the tradition of listening more than responding. Those traditions and practices

greatly streamlined the meetings.

The length of executive sessions, however, is another matter. Executive session meetings can last for hours, depending on the topic. As personnel decisions and discussions involving litigation are rightfully and legally conducted in executive session, such meetings can run into the early hours of the next morning. Fortunately, such occurrences were extremely rare in my district. If executive sessions are routinely long, it could be an indication that the board might be discussing matters that legally should not be discussed in closed or executive session. If discussions in closed session are not closely related to specific items permitted under the Open Meetings Law, typically matters involving personnel, consultation with an attorney regarding litigation, and the sale or purchase of real estate, they should not be discussed in closed session. All states have an Open Meetings Law, and the provisions vary by state. In addition, votes are not be taken in closed session. An action is not official until it is voted on in open session with a quorum present. Boards also have to be cognizant of laws that govern the use of email and other technologies in conducting meetings. Virtual meetings and discussion of items outside the public arena can be violative of Open Meetings Laws. The board chair is responsible for insuring appropriate transparency in board activities and for reminding all members, including the superintendent, that the Board is a governmental entity, and as such is subject to the laws that govern all publicly elected and appointed boards.

As a former school board member and board chair and currently a professor in an academic department that prepares educational leaders, I find it beneficial to remind students of the following points regarding the role of a school board in school district governance:

- School district governance is not just a job for the superintendent. In fact, successful governance structures are teams of eight – seven elected board members and the superintendent.
- The quality of the relationship between the board and the superintendent is vital to the district's efforts to enhance student achievement. Respect for the traditional roles of each entity shapes the quality of that relationship.
- Boards are statutorily established to represent the lay public and to ensure that there is adequate input by the public into the district's governance. This process is best achieved when trustees remember that they are lay leaders and not members of the professional staff.
- Superintendents are successful when they communicate with board members. Board members should be routinely apprised of important information during meetings and during periods between meetings. Board members do not like to hear information that directly affects the school district from sources other than the superintendent or designee.
- A healthy school-community relationship is the responsibility of both the board and the superintendent. As members of the lay public, board members have a critically important line of communications with an array of community stakeholders. That line of communications can be used constructively or destructively. Likewise, the superintendent has to be an effective communicator and chief spokesperson for the district with its internal and external publics. The more both publics know about what the schools are doing, the more likely they will support the schools. Conversely, the less they know, the less likely they will provide that support.
- As team members, the board of trustees and the superintendent should be guided by the unalterable principle of always doing what is best for the students, parents, taxpayers, staff, and other stakeholders.

My fifteen years as a board member were dedicated to being the best team member I knew how to be.