

West Park School District
Board Policy Manual

Board Policy Manual

2000. Administration

Policy 2000: Concepts And Roles	3
Policy 2110: Superintendent Responsibilities And Duties	5
Policy 2111: Superintendent Governance Standards	6
Policy 2120: Superintendent Recruitment And Selection	8
Policy 2121: Superintendent's Contract	11
Policy 2140: Evaluation Of The Superintendent	14
Policy 2210: Administrative Discretion Regarding Board Policy	16
Policy 2230: Representative And Deliberative Groups	17

Policy 2000: Concepts And Roles

Status: DRAFT

Original Adopted Date: Pending

The Governing Board recognizes that district administration performs essential roles and functions in support of student learning, including the provision of instructional support and services to schools as well as the responsible management of noninstructional operations. The Superintendent or designee may make decisions concerning district operations within the parameters of law and Board policy.

The Superintendent shall provide leadership in developing administrative regulations and organizational structures, decision-making processes, and staff action plans that allow the district to fulfill its vision and goals. The Board also expects the Superintendent to help shape the culture and environment of the district in a manner that focuses district operations on enhancing student achievement, encourages positive relationships within the community, and instills confidence in district schools.

The Board and Superintendent shall work together as a team in the exercise of district governance. The Board and Superintendent shall establish protocols that describe how the governance team will operate, including, but not limited to, agreements regarding Board meeting operations and communications between the Superintendent and the Board.

Because the Superintendent is the only district employee who is directly selected and evaluated by the Board, the Board has a responsibility to ensure that the Superintendent possesses the skills and attributes that best meet the needs of the district.

The Board and Superintendent shall agree upon a system for evaluating the Superintendent, including the evaluation criteria, method, evaluation instrument, process, and timeline.

The Superintendent may delegate to other district staff any duties imposed upon him/her by the Board. This delegation shall not relieve the Superintendent of responsibility for actions taken by his/her designees.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 35020	Duties of employees fixed by governing board - https://simbli.eboardsolutions.com/SU/EvurCplusXTldwZkG6Fmkq2pw==
Ed. Code 35026	Employment of district superintendent by certain district - https://simbli.eboardsolutions.com/SU/mPJ3DCXE6wjEuVnCDQvmCQ==
Ed. Code 35028	Qualifications for employment - https://simbli.eboardsolutions.com/SU/EpMyDt8olZ0nzDaOvIRKTg==
Ed. Code 35029	Waiver of credential requirements - https://simbli.eboardsolutions.com/SU/zhoVLsE3wE1QmGEudplusY06Q==
Ed. Code 35031	Term of employment - https://simbli.eboardsolutions.com/SU/Dd2pNygL7slshTy35OP9AP1Lg==
Ed. Code 35033	District superintendent for certain districts - https://simbli.eboardsolutions.com/SU/FUgzPsRKqOebMXhwnwg9c3w==
Ed. Code 35034	District superintendent of certain districts - https://simbli.eboardsolutions.com/SU/sTE2lwDZUoR78pPLktZhWg==
Ed. Code 35035	Powers and duties of the superintendent; transfer authority - https://simbli.eboardsolutions.com/SU/U8vklOrjlenvguXkYb3glg==
Ed. Code 35160	Authority of governing boards - https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==
Ed. Code 35160.1	Broad authority of school districts - https://simbli.eboardsolutions.com/SU/ewe0Cc8cKGTgDzaAt5MKhw==

Ed. Code 35161

Board delegation of any powers or duties -

<https://simbli.eboardsolutions.com/SU/slsh1PplusGg7pf1zBSnE4YBslshMOQ==>

Management Resources References

CSBA Publication

CSBA Publication

Website

Website

Website

Website

Description

Professional Governance Standards

Superintendent Governance Standards

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==>

American Association of School Administrators -

<https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==>

Association of California School Administrators -

<https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYBdPXeA==>

CSBA -

<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Policy 2110: Superintendent Responsibilities And Duties

Status: DRAFT

Original Adopted Date: Pending

The Governing Board desires to establish a productive working relationship with the Superintendent and to ensure that the work of the Superintendent is focused on student learning and achievement and the attainment of the district's vision and goals. The Board also desires to provide a fair basis for holding the Superintendent accountable. The responsibilities of the Superintendent are detailed in law, in the Superintendent's contract, and throughout Board policies and administrative regulations.

The Board shall clarify expectations and goals for the Superintendent at the beginning of every evaluation year.

As the chief executive officer of the district, the Superintendent shall implement all Board decisions and manage the instructional and noninstructional operations of the schools. The Superintendent also serves as a member of the district's governance team and has responsibilities to support Board operations and decision making.

The Superintendent may delegate any of his/her responsibilities and duties to other district staff, but he/she remains accountable to the Board for all areas of operation under the Superintendent's authority.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 17604	Delegation of powers to agents - https://simbli.eboardsolutions.com/SU/ISE6DzUyzfgL1OD3d5Hb1w==
Ed. Code 17605	Delegation of authority to purchase supplies and equipment - https://simbli.eboardsolutions.com/SU/umX8ORcHdqWGq6GplusY0P3WQ==
Ed. Code 35020-35046	Officers and agents - https://simbli.eboardsolutions.com/SU/zPUh1PYG3O7o8qWrvKdH8Q==
Ed. Code 48900	Grounds for suspension or expulsion - https://simbli.eboardsolutions.com/SU/ty00CSnFfkJelBt0Nh9REw==

Management Resources References

Description

CSBA Publication	Superintendent Governance Standards
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==
Website	American Association of School Administrators - https://simbli.eboardsolutions.com/SU/MOaF8AO8cslshSlfGc13QQoEQ==
Website	Association of California School Administrators - https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Notice References

Description

Unique Policy	This policy is unique to the district/COE and is not connected to an existing CSBA sample policy or included in regular quarterly updates from CSBA.
---------------	--

Policy 2111: Superintendent Governance Standards

Status: DRAFT

Original Adopted Date: Pending

The Governing Board recognizes that effective district governance requires strong collaboration and teamwork with the Superintendent. Because the Board and Superintendent each have their unique roles and responsibilities, both contribute to the responsible governance of the district and the quality of education provided to the community's students.

The Superintendent is expected to hold himself/herself to the highest standards of ethical conduct and professionalism.

To support the Board in the governance of the district, the Superintendent:

1. Promotes the success of all students and supports the efforts of the Board to keep the district focused on learning and achievement
2. Values, advocates and supports public education and all stakeholders
3. Recognizes and respects the differences of perspective and style on the Board and among staff, students, parents/guardians and the community and ensures that the diverse range of views inform Board decisions
4. Acts with dignity, treats everyone with civility and respect, and understands the implications of demeanor and behavior
5. Serves as a model for the value of lifelong learning and supports the Board's continuous professional development
6. Works with the Board as a "governance team" and assures collective responsibility for building a unity of purpose, communicating a common vision and creating a positive organizational culture
7. Recognizes that the Board/Superintendent governance relationship is supported by the management team in the district
8. Understands the distinctions between Board and staff roles, and respects the role of the Board as the representative of the community
9. Understands that authority rests with the Board as a whole; provides guidance to the Board to assist in decision-making; and provides leadership based on the direction of the Board as a whole
10. Communicates openly with trust and integrity, including providing all members of the Board with equal access to information and recognizing the importance of both responsive and anticipatory communications
11. Accepts leadership responsibility and accountability for implementing the vision, goals and policies of the district

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35020

Description

Duties of employees fixed by governing board -
<https://simbli.eboardsolutions.com/SU/EvurCplusXTldwZkG6Fmkq2pw==>

Management Resources References

AASA Publication

CSBA Publication

CSBA Publication

Description

Professional Standards for the Superintendency, 1993

Professional Governance Standards

Superintendent Governance Standards

Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDslshXk6R5akQ==
Website	American Association of School Administrators - https://simbli.eboardsolutions.com/SU/MOaF8AQ8cslshSlfGc13QQoEQ==
Website	Association of California School Administrators - https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHyxBdPXeA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Policy 2120: Superintendent Recruitment And Selection

Status: DRAFT

Original Adopted Date: Pending

The Governing Board recognizes that it has a direct responsibility to select and employ the Superintendent. Whenever it becomes necessary for the Board to fill a vacancy in the position of Superintendent, the Board shall work diligently to employ a person whose management and leadership abilities are most closely aligned with district needs.

The Board shall establish and implement a search and selection process that includes consideration of:

1. The district's current and long-term needs, including a review of the district's vision and goals
2. The desired characteristics of a new Superintendent, including professional experience, educational qualifications, leadership characteristics, philosophy of education, and other management, technical, interpersonal and conceptual skills, as well as the priorities the Board wants to place on different abilities, traits and levels of knowledge
3. The scope of the search, including whether to promote from within the district or broaden the search to include both internal and external candidates and, if external candidates will be considered, whether to conduct a statewide or nationwide search
4. The salary range and benefits to be offered
5. Basic elements to be included in the Superintendent's contract
6. Whether to hire a professional adviser to facilitate the process
7. How and when to involve the community in certain phases of the selection process
8. The best methods for advertising the vacancy and recruiting qualified candidates
9. The process for screening applications and determining how the screener(s) will be selected
10. Interview questions, processes and participants
11. How and when candidates' qualifications will be verified through reference checks
12. Other actions necessary to ensure a fair selection process and a smooth transition to new leadership

Even if a professional adviser is used to facilitate the process, the Board shall retain the right and responsibility to oversee the process and to review all applications if desired.

The Board shall select candidates to be interviewed based on recommendations of the screener(s) and the Board's own assessment of how candidates meet the criteria established by the Board.

The Board shall interview preliminary and final candidates in closed session and determine the most likely match for the district. (Government Code 54957)

The selected candidate shall hold both a valid school administration certificate and a valid teacher's certificate. The Board may waive any credential requirement, but shall not employ a person whose credential has been revoked by the Commission on Teacher Credentialing pursuant to Education Code 44421-44427. (Education Code 35028, 35029, 35029.1)

Before offering the position to the selected candidate or making any announcements, Board members may visit that candidate's current district, as appropriate, to obtain verification of his/her qualifications.

The Board shall deliberate in closed session to affirm the selection of the candidate and shall report the selection in open session. (Government Code 54957)

The Board shall conduct these proceedings in accordance with legal and ethical obligations regarding confidentiality

and equal opportunity.

As necessary, the Board may appoint an interim superintendent to manage the district during the selection process.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

2 CCR 11006-11086

Ed. Code 220

Ed. Code 35026

Ed. Code 35028

Ed. Code 35029

Ed. Code 35031

Ed. Code 44420-44440

Gov. Code 11135

Gov. Code 12900-12996

Gov. Code 53260-53264

Gov. Code 54954

Gov. Code 54957

Gov. Code 54957.1

Description

Discrimination in employment -

<https://simbli.eboardsolutions.com/SU/jUNOUneBGplusu4fVMTIWMKA==>

Prohibition of discrimination -

<https://simbli.eboardsolutions.com/SU/UuY0xi20LPENZCvpYu9MBA==>

Employment of district superintendent by certain district -

<https://simbli.eboardsolutions.com/SU/mPJ3DCXE6wjEuVnCDQvmCQ==>

Qualifications for employment -

<https://simbli.eboardsolutions.com/SU/EpMyDt8oIZ0nzDaOvIRKTg==>

Waiver of credential requirements -

<https://simbli.eboardsolutions.com/SU/zhoVLsE3wE1QmGEudplusY06Q==>

Term of employment -

<https://simbli.eboardsolutions.com/SU/Dd2pNygL7slshTy35OP9AP1Lg==>

Revocation and suspension of credentials -

<https://simbli.eboardsolutions.com/SU/plusAmlQuOFqs89Ky7ZhplusVq7w==>

Prohibition of discrimination -

<https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtfQ==>

Fair Employment and Housing Act -

<https://simbli.eboardsolutions.com/SU/kYDZnuplusf3qJV95L7E0pUzw==>

Employment contracts -

<https://simbli.eboardsolutions.com/SU/erJtnEqGW6DdW4AygbnhrQ==>

Time and place of regular meetings -

<https://simbli.eboardsolutions.com/SU/VfWpXvZdZ1PMI4GM6Vr1eg==>

Closed session personnel matters -

<https://simbli.eboardsolutions.com/SU/slshHI9rGplusU5KWWytZk9AyVpA==>

Closed session; public report of action taken -

<https://simbli.eboardsolutions.com/SU/Qewj6slshFwZ2PoRdZ4Tcbwzw==>

Federal References

20 USC 1681-1688

28 CFR 35.101-35.190

29 USC 794

34 CFR 100.6

34 CFR 106.9

42 USC 12101-12213

42 USC 2000d-2000d-7

42 USC 2000e-2000e-17

Description

Title IX of the Education Amendments of 1972; discrimination based on sex

Americans with Disabilities Act

Rehabilitation Act of 1973; Section 504

Title VI; Compliance information

Severability

Americans with Disabilities Act

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended

Management Resources References

Website

Description

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

Website	Association of California School Administrators - https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYBdPXeA==
Website	California Civil Rights Department - https://simbli.eboardsolutions.com/SU/RRvNseNogmlnMLyI8K40jw==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==
Website	U.S. Equal Employment Opportunity Commission - https://simbli.eboardsolutions.com/SU/vWZpgy5hWTz73t9BVEDPpA==

Policy 2121: Superintendent's Contract

Status: DRAFT

Original Adopted Date: Pending

The Governing Board believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent will work together as a governance team to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the value of stability in district administration, the best use of district resources, and the Board's duty to ensure accountability to the public for the performance of the district's schools.

The contract shall be reviewed by the district's legal counsel and may include the following:

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work
3. Salary, health and welfare benefits, and other compensation for the position, including a statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board
4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the use of a personal vehicle.

5. Vacation, illness and injury leave, and personal leaves
6. Professional development
7. General duties and responsibilities of the position
8. Criteria, process, and procedure for annual evaluation of the Superintendent
9. A statement that there shall be no automatic renewal or extension of the contract, although the Board can enter into a new contract with the Superintendent prior to the expiration of the existing contract
10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice
11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date
12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in the Superintendent's official capacity in the performance of employment-related duties

The Board may deliberate about terms of the contract in closed session at a regular meeting. However, discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception"), for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)

The Board may consult with district legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.

Terms of the contract shall remain confidential until the ratification process commences.

The Board shall take final action on the Superintendent's contract during an open session of a regularly scheduled

Board meeting, and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

Copies of the contract and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953)

Termination of Contract

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

In such an event, the maximum cash settlement that the Superintendent may receive upon termination of the contract shall not exceed the Superintendent's monthly salary multiplied by the number of months left on the contract or the Superintendent's monthly salary multiplied by 12, whichever is less. (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

In addition, if the Superintendent is convicted of a crime involving an abuse of office or position, the Superintendent shall reimburse the district for payments received as paid leave salary pending investigation or as cash settlement upon termination, and for any funds expended by the district in defending the Superintendent against a crime involving the Superintendent's office or position. (Government Code 53243-53243.4, 53260)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 35031	Term of employment - https://simbli.eboardsolutions.com/SU/Dd2pNygL7slshTy35OP9AP1Lg==
Ed. Code 41325-41328	Conditions of emergency apportionment - https://simbli.eboardsolutions.com/SU/aWpaslshSYYC7SzGEA4swqslshTQ==
Gov. Code 3511.1-3511.2	Local agency executives - https://simbli.eboardsolutions.com/SU/u0d1AzQ2dsejTlKpgDFCbg==
Gov. Code 53243-53243.4	Abuse of office - https://simbli.eboardsolutions.com/SU/hlJEKHtplusqlR14plusNTi0Kw==
Gov. Code 53260-53264	Employment contracts - https://simbli.eboardsolutions.com/SU/erJtnEqGW6DdW4AygbnhrQ==
Gov. Code 54953	Oral summary of recommended salary and benefits of superintendent - https://simbli.eboardsolutions.com/SU/tKyXcAOYfHSmEfDaslshsAQng==
Gov. Code 54954	Time and place of regular meetings - https://simbli.eboardsolutions.com/SU/VfWpXvZdZ1PMI4GM6Vr1eg==
Gov. Code 54956	Special Meetings - https://simbli.eboardsolutions.com/SU/nxgDWlo6fSp4U2WiriRPkA==
Gov. Code 54957	Closed session personnel matters - https://simbli.eboardsolutions.com/SU/slshHI9rGplusU5KWWytZk9AyVpA==
Gov. Code 54957.1	Closed session; public report of action taken - https://simbli.eboardsolutions.com/SU/Qewj6slshFwZ2PoRdZ4Tcbwz==

Gov. Code 54957.6

Closed sessions regarding employee matters -
<https://simbli.eboardsolutions.com/SU/MkNHdhmwOzofoaWq9tbc5Q==>

Gov. Code 7920.000 - 7930.170

California Public Records Act -
<https://simbli.eboardsolutions.com/SU/IBl6lfok6zP3Bde1F55TFg==>

Federal References

26 CFR 1.105-11

26 USC 105

42 USC 300gg-16

Description

Self-insured medical reimbursement plan

Self-insured medical reimbursement plan; definition of highly compensated individual

Group health plan; nondiscrimination in favor of highly compensated individuals

Management Resources References

Attorney General Opinion

Attorney General Publication

Court Decision

CSBA Publication

Website

Website

Website

Website

Description

57 Ops. Cal. Atty. Gen. 209 (1974)

The Brown Act: Open Meetings for Legislative Bodies, rev. 2003

San Diego Union v. City Council, (1983) 146 Cal.App.3d 947

Superintendent Contract Template

CSBA District and County Office of Education Legal Services -
<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>

California Office of the Attorney General -
<https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==>

Association of California School Administrators -
<https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYbDPXeA==>

CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Policy 2140: Evaluation Of The Superintendent

Status: DRAFT

Original Adopted Date: Pending

The Governing Board recognizes its responsibility to establish an evaluation system that enables a fair assessment of the Superintendent's effectiveness in leading the district toward established goals, serves to support his/her continued growth in leadership and management skills, and provides a basis for Board decisions regarding contract extension and compensation. The Board shall annually conduct a formal evaluation of the Superintendent's performance and may provide additional opportunities throughout the year to review the Superintendent's progress toward meeting established goals.

The Board shall determine, with the Superintendent's input, the criteria, schedule, method(s), and instrument(s) to be used for the Superintendent's evaluation. Evaluation criteria shall include, but are not limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board.

Prior to the evaluation, the Superintendent shall provide to the Board for its review a report of progress toward district goals, the Superintendent's self-appraisal of accomplishments and performance, and a statement of actions taken to address any Board recommendations from the previous evaluation.

Each Board member shall independently evaluate the Superintendent's performance based upon the evaluation criteria, after which the Board shall produce a single document that integrates the individual evaluations and represents the consensus of the Board.

The evaluation shall provide commendations in areas of strength and achievement and recommendations for improving effectiveness in any areas of need, concern, or unsatisfactory performance.

The Board shall meet in closed session with the Superintendent to discuss the evaluation. (Government Code 54957)

At this meeting, the Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional information regarding his/her performance or district progress.

The discussion shall include the establishment of performance goals for the next year and may identify professional development opportunities for the Superintendent and/or the entire governance team to address areas of concern, strengthen the relationship between the Superintendent and Board, or enhance the Superintendent's knowledge of current educational issues and leadership and management skills.

After the Board and Superintendent have discussed the evaluation, the Board president and Superintendent shall sign the evaluation and it shall be placed in the Superintendent's personnel file. The evaluation, including personal performance goals, shall be confidential to the extent permitted by law.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Gov. Code 54957

Gov. Code 7928.400

Description

Closed session personnel matters -

<https://simbli.eboardsolutions.com/SU/slshHI9rGplusU5KWWytZk9AyVpA==>

Public Records Act; employment contracts -

<https://simbli.eboardsolutions.com/SU/kEvZmXVXoGWnRnPcitqGzw==>

Management Resources References

Court Decision

Court Decision

Website

Description

Duval v. Board of Trustees, (2001) 93 Cal.App.4th 902

Versaci v. Superior Court, (2005) 127 Cal.App.4th 805

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmpETuDsIshXk6R5akQ==>

Website	Association of California School Administrators - https://simbli.eboardsolutions.com/SU/DMWjqGR6N1ooUHxYBdPXeA==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==

Notice References

Unique Policy

Description

This policy is unique to the district/COE and is not connected to an existing CSBA sample policy or included in regular quarterly updates from CSBA.

Policy 2210: Administrative Discretion Regarding Board Policy

Status: DRAFT

Original Adopted Date: Pending

The Governing Board desires to be proactive in communicating its philosophy, priorities, and expectations for the district; clarifying the roles and responsibilities of the Board, Superintendent, and other senior administrators; and setting direction for the district through written policies. However, the Board recognizes that, in the course of operating district schools or implementing district programs, situations may arise which may not be addressed in written policies. In such situations, or when immediate action is necessary to avoid any risk to the safety or security of students, staff, or district property or to prevent disruption of school operations, the Superintendent or designee shall have the authority to act on behalf of the district in a manner that is consistent with law and Board policies.

As necessary, the Superintendent or designee shall consult with other district staff, including legal counsel and/or the chief business official, regarding the exercise of this authority.

Any exercise of administrative authority shall be nondiscriminatory and demonstrate the district's commitment to equity in district programs and activities.

The Superintendent shall be accountable to the Board for all areas of operation under his/her authority. As appropriate, the Superintendent or designee shall notify the Board as soon as practicable after he/she exercises the authority granted under this policy. The Board president and the Superintendent shall schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35010

Description

Control of district; prescription and enforcement of rules -
<https://simbli.eboardsolutions.com/SU/OQVSplusCEZXMHIMKVyv3kBA==>

Ed. Code 35035

Powers and duties of the superintendent; transfer authority -
<https://simbli.eboardsolutions.com/SU/U8vklOrjlenvguXkYb3glg==>

Ed. Code 35160

Authority of governing boards -
<https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==>

Ed. Code 35161

Board delegation of any powers or duties -
<https://simbli.eboardsolutions.com/SU/slsh1PplusGg7pf1zBSnE4YBslshMOQ==>

Ed. Code 35163

Official actions, minutes and journal -
<https://simbli.eboardsolutions.com/SU/7APGMyznAnJOc6A3BG3eplusA==>

Management Resources References

Website

Description

CSBA District and County Office of Education Legal Services -
<https://simbli.eboardsolutions.com/SU/UdykszdmpETuDslshXk6R5akQ==>

Website

CSBA -
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Policy 2230: Representative And Deliberative Groups

Status: DRAFT

Original Adopted Date: Pending

The Governing Board believes that broad input on district operations and policy from staff, parents/guardians, students and members of the public can provide the district with a diversity of viewpoints and expertise, help build a sense of ownership of the schools, enhance district efficiency and assist district communications. As desired, the Superintendent or designee may establish a management team, administrative councils, task forces, cabinets or committees in accordance with law.

The membership, composition and responsibilities of these groups shall be defined by the Superintendent or designee. The Superintendent or designee may establish, change or dissolve these groups at his/her discretion.

Groups established by the Superintendent or designee shall act in an advisory capacity unless specifically authorized to act on behalf of the Superintendent or designee. Advisory groups shall submit their recommendations to the Superintendent or designee, who may report the recommendations to the Board as appropriate.

Expenses incurred for consulting services, materials, travel or other related operations shall be approved by the Superintendent or designee in advance.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35160.1

Ed. Code 45100.5

Ed. Code 45256.5

Gov. Code 3540.1

Gov. Code 54952

Description

Broad authority of school districts -

<https://simbli.eboardsolutions.com/SU/ewe0Cc8cKGTgDzaAt5MKhw==>

Senior classified management positions -

<https://simbli.eboardsolutions.com/SU/1MXl18lCfbXgqGgFugrAvQ==>

Designation of certain senior classified management positions -

<https://simbli.eboardsolutions.com/SU/ghmvHTnWu7hjhMAB3SZkow==>

Public employment; definitions -

<https://simbli.eboardsolutions.com/SU/1rRSSt4h2qTslshGbO6ucvzcA==>

Legislative body; definition -

<https://simbli.eboardsolutions.com/SU/RgFto700eZlek60xH6P9YQ==>

Management Resources References

Website

Description

CSBA District and County Office of Education Legal Services -

<https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsIshXk6R5akQ==>