Ellicott School District #22
Ellicott, Colorado
Policy Manual Project Notes

Section C

CA	*Administration Goals.* See Repeals List.
CBA/CBC	*Qualifications/Powers and Responsibilities of Superintendent.* Edited for clarity and style. Revisions suggested. Please provide missing information under "qualifications." Policy is optional.
CBB	*Recruitment of Superintendent.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is optional.
CBD	*Superintendent's Contract.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is optional.
CBF	*Superintendent's Conduct.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is optional.
CBI	*Evaluation of Superintendent.* Suggested revision reflects current terminology. Policy is highly recommended.
CBI-R	*Evaluation of Superintendent (Regulation).* Revisions suggested for clarity. Regulation is recommended.
CBIA	*Public Inspection of Superintendent's Evaluation.* See Repeals List.
Former CC	*Absence of Administration.* [Recoded and retitled, CF, School Building Administration.]
CC	*Administrative Organization.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is optional.
CF	*School Building Administration.* [Recoded from CC, Absence of Administration.] Revisions and CASB sample language suggested for a comprehensive policy approach. Policy is optional.
CH	*Policy Implementation.* Edited for clarity. Revisions suggested for a comprehensive policy approach. Policy is optional.
CHA	*Development of Administrative Regulations.* See Repeals List.
CHCA	*Handbooks and Directives.* Edited for style. Policy is optional.

CHD — *Administration in the Absence of Policy.* You may wish to include a policy on this subject. A CASB sample is provided as a resource. Policy is optional.

Draft prepared July 22, 2015

File: CBA/CBC

Qualifications/Powers and ~~Duties~~ Responsibilities of Superintendent

(Job Description)

TITLE: Superintendent of s~~S~~chools

QUALIFICATIONS:

1. Certificate, license or other legal credential required.

   [Note: Please provide requirement, i.e., **Administrator's license with superintendent endorsement, etc.]**

2. Degree(s) required and area of major study.

   [Note: Please provide requirement, i.e., MA degree in Education, etc.]

3. Kind and amount of prior job experience required.

   [Note: Please provide requirement, i.e., public school teaching, variety of experience in supervision, administration and program implementation; **strong academic background; broad knowledge of curriculum, supervision, administration, staff and community relations, etc.]**

4. Such alternatives to the above qualifications as the Board may find appropriate and acceptable.

REPORTS TO: Board of Education

SUPERVISES: Directly or indirectly all employees of the district

JOB GOAL: To provide leadership in developing and maintaining the best possible educational programs and services.

PERFORMANCE RESPONSIBILITIES:

The superintendent of schools shall be responsible for the general management of the schools of the district under **the** requirements of the ~~State~~**state** and the policies of the Board. The superintendent ~~is~~**shall be** responsible for guiding the development of the educational objectives and programs of the school district to fulfill the educational needs of all ~~pupils~~ **students**. The superintendent shall provide overall direction to the activities of the school district and its personnel toward the accomplishment of district goals~~;~~,, administer the policies of the Board~~;~~,, conserve the school district's assets and resources, and maintain and enhance the school district's standing in all its internal and external relationships.

The management responsibilities of the superintendent shall extend to all activities of the district, to all phases of the educational program~~,~~ **and** to all parts of the physical plant.

1. **Operations.** The superintendent shall:

   a. Manage the work of all personnel in planning and program development and direct ~~all~~ **the** activities of the school district. The superintendent may delegate these responsibilities~~,~~ together with appropriate authority, but ~~he~~ may not delegate nor relinquish ~~his~~ ultimate responsibility for results ~~or~~**of** any portion of ~~his~~ **the** accountability.

   b. Manage the development of long- and short-range educational objectives for the improvement and growth of the school district and of educational activities in the school district.

   c. Manage the development of the overall educational process and administrative procedures and controls necessary to the implementation of educational programs for the achievement of the educational objectives of the school district**, including the district's academic standards**.

   d. Manage the regular and systematic evaluation, analysis and appraisal of the achievements of ~~pupils~~**students** and the performance of personnel in each of the educational **programs** or activities against stated objectives of the school district.

   e. Report to the Board the progress and status of the programs and activities of the school district.

   f. Inform the Board on all matters of major importance or significance to the activities, programs and progress of the school district.

2. **Organization.** The superintendent shall:

   a. Establish and maintain an administrative organization which provides for the effective management of all the essential functions of the school district.

   b. Recommend proposed revisions to the organization of the management structure~~,~~ including the establishment or elimination or **a** revision of administrative positions.

3. **Personnel.** The superintendent shall:

   a. Develop and recommend policies and programs for personnel recruitment, selection~~,~~ and employment; employee~~s~~ relations; employee benefits and services; employee safety; personnel evaluation, and salary administration for the school district.

   b. Ensure the maintenance of an adequate staff of properly trained administrative and supervisory personnel throughout the school district.

   c. Recommend to the Board the selection, employment, assignment, transfer and suspension of all personnel.

d. Supervise assigned personnel and conduct periodic evaluations and appraisals of their performance.

e. Recommend salary increases and salary adjustments for all personnel.

f. Develop and recommend to the Board job classifications for all new positions.

4. **Finances.** The superintendent shall:

a. Direct the development of the annual budget of the school district.

b. Review and recommend programs and supporting data for funds to be included in the annual budget of the school district.

c. Provide for the overall management of the school district's financial activities~~,~~ and take appropriate action to ~~assure~~ **ensure** that expenses are kept within the approved budgetary limits of the school district.

d. Assist principals and directors in maintaining economy and efficiency in the operation of their administrative units.

e. Maintain an active contact and familiarization with all local, state, federal and philanthropic programs which provide or could provide financial assistance to the district.

5. **Relationships**. The superintendent shall:

a. Act as executive officer for the Board.

b. Act as professional adviser to the Board.

c. Attend meetings of the Board with the right to comment on all issues.

d. Prepare the agenda for all educational matters for all meetings of the Board and deliver the agenda with pertinent information on each item well in advance of the meeting.

e. Participate in the affairs of local, state and national professional organizations.

f. Serve as a representative of the school system and the community at meetings on the local, state and national level.

g. Maintain a cooperative working relationship between the schools and the community and community agencies.

h. Establish and maintain such other relationships within and outside the school district as required to carry out his **or her** responsibilities.

Adopted: ~~01/21/87~~ **January 21, 1987**

Revised: date of manual revision

LEGAL REF.: C.R.S. 22-9-106 (4) ***(qualifications to evaluate personnel)***

CASB SAMPLE POLICY

File: CBB

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, this policy reflects legal requirements school districts must follow. This sample policy contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Recruitment of Superintendent

The appointment of a superintendent is a function of the Board. The Board shall take steps to find the person it believes can most effectively translate into action the policies of the Board and the aspirations of the community and the professional staff.

The Board may seek the advice and counsel of interested individuals or of an advisory committee, or it may employ a consultant to assist in the selection. It may also, at its discretion, determine that an external search is not necessary due to a qualified internal candidate. Final selection shall rest with the Board after a thorough consideration of qualified applicants.

A vote of the majority of Board members present at a Board meeting for which due notice has been given of the intended action shall be required for the appointment of the superintendent.

Search process

When the Board conducts a search for the position, the writing or revising of the job description, requirements for applicants, selection procedures and applicable deadlines shall be adopted at a public meeting.

Records submitted to the district by an applicant for a superintendent position shall remain confidential until the applicant becomes a finalist for the position. If only three or fewer candidates possess the minimum qualifications for the position, said candidates are all considered finalists.

A list of all finalists being considered for the position shall be made public by the Board at least 14 days prior to appointing one of the finalists to fill the position. No offer of appointment shall be made prior to this public notice.

When an applicant becomes a finalist, all records submitted by the applicant shall be available for public inspection except that letters of reference or medical, psychological and sociological data shall remain confidential.

(Adoption date)

LEGAL REFS.: C.R.S. 22-32-110 (1)(g) *(power to employ a CEO)*
C.R.S. 22-44-115 (4) *(administrative contracts)*
C.R.S. 24-6-402 (2)(d)(IV) *(outcome of a secret ballot vote must be recorded contemporaneously in the minutes)*
C.R.S. 24-6-402 (3.5) *(search committee duties)*

C.R.S. 24-72-204 (3)(a)(XI)(A) *(inspection of public records)*

NOTE: Colorado's open meetings law permits local boards of education to select the membership of any superintendent search committee by secret ballot. C.R.S. 24-6-402(2)(d)(IV). If the selection of the search committee is by secret ballot, the outcome of the vote shall be recorded contemporaneously in the minutes. Id.

CASB SAMPLE POLICY

File: CBD

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, CASB believes this sample contains the content/language that reflects "best practices." However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Superintendent's Contract

The superintendency is becoming more demanding as the superintendent's responsibilities become more complex. The Board realizes that it is therefore increasingly important to attract able persons to the superintendency by making the rewards of the position commensurate with its challenges. The Board further realizes that it is increasingly important to free the superintendent from the pressures of groups in the community by ensuring security from the threat of sudden and unjustified dismissal.

The Board, upon the selection of a candidate or upon reappointment of the incumbent superintendent, shall endeavor to secure the dignity of position and the freedom of leadership appropriate to the responsibilities of the superintendent through an explicit contractual agreement. Such contract shall meet the requirements of state law and shall protect the rights of both the Board and the superintendent.

(Adoption date)

LEGAL REFS.: Constitution of Colorado, Article X, Section 20 (4)(b)
C.R.S. 22-9-109 *(specific portions of superintendent's evaluation open to public inspection)*
C.R.S. 22-32-110 (1)(g) *(power to employ a CEO)*
C.R.S. 22-44-115 (4) *(administrative contracts)*
C.R.S. 22-63-202 (2) *(employment contracts damages provisions)*
C.R.S. 24-72-204 (3)(a)(II)(B) *(inspection of public records)*

CROSS REF.: GCOE*, Evaluation of Evaluators

[Revised August 2006]
COLORADO SAMPLE POLICY 1993©

CASB SAMPLE POLICY

File: CBF

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Superintendent's Conduct

The superintendent shall observe rules of conduct established in law which specify that a school district employee shall not:

1. Disclose or use confidential information acquired in the course of employment to further substantially the superintendent's personal financial interests.

2. Accept a gift of substantial value or substantial economic benefit tantamount to a gift of substantial value which would tend to improperly influence a reasonable person in the position to depart from the faithful and impartial discharge of the superintendent's duties or which the superintendent knows or should know is primarily for the purpose of a reward for action taken.

3. Engage in a substantial financial transaction for private business purposes with a person whom the superintendent supervises.

4. Perform an action which directly and substantially confers an economic benefit tantamount to a gift of substantial value on a business or other undertaking in which the superintendent has a substantial financial interest or is engaged as counsel, consultant, representative or agent.

It shall not be considered a breach of conduct for the superintendent to:

1. Use school facilities and equipment to communicate or correspond with constituents, family members or business associates on an occasional basis.

2. Accept or receive a benefit as an indirect consequence of transacting school district business.

(Adoption date)

LEGAL REFS.: C.R.S. 18-8-308 *(disclosure of pecuniary conflicts of interest)*
C.R.S. 22-32-110 (1)(k) *(power to adopt conduct rules)*
C.R.S. 24-18-104 *(government employee rules of conduct)*
C.R.S. 24-18-109 *(local government employee rules of conduct)*

NOTE 1: State law defines "economic benefit tantamount to a gift of substantial value" to include: 1. A loan at a rate of interest substantially lower than the prevailing commercial rate; 2. Compensation received for private services rendered at a rate substantially exceeding the fair market value; and 3. Goods or services for the district employee's personal benefit offered by a person who is at the same time providing goods or services to the district under a contract or other means by which the person receives payment or other compensation from the district. C.R.S. 24-18-104 (2). However, state law permits a district employee to receive such goods or services if the "totality of the circumstances" indicates the transaction is legitimate, the terms are fair to both parties, the transaction is supported by full and adequate consideration, and the employee does not receive any substantial benefit resulting from the employee's status that is unavailable to members of the public generally. C.R.S. 24-18-104 (2)(b).

NOTE 2: State law lists the type of items that are not considered "gifts of substantial value or substantial economic benefit tantamount to a gift of substantial value" and are therefore permissible for a district employee to receive. See, C.R.S. 24-18-104 (3). Such items include campaign contributions or contributions in kind that are reported in accordance with the Fair Campaign Practices Act; an unsolicited item of trivial value (i.e. currently less than $53), "such as a pen, calendar, plant, book, notepad or similar item;" and an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento or similar item. Id.; see also, Colo. Const. Art. XXIX, Section 3.

NOTE 3: The amount of the gift limit ($53) is identical to the gift limit under section 3 of article XXIX of the state constitution. This amount shall be adjusted for inflation contemporaneously with any adjustment to the constitutional gift limit. C.R.S. 24-6-203 (8). The state constitution requires an adjustment for inflation every four years. The next adjustment must occur in the first quarter of 2015. Colo. Const. Art. XXIX, Section 3 (6).

File: CBI

Evaluation of Superintendent

The Board shall institute and maintain a comprehensive program for the evaluation of the superintendent on a regular basis that is agreed upon by the Board and the superintendent.

Through evaluation of the superintendent, the Board shall strive to accomplish the following:

1. Clarify the superintendent's role in the school system as seen by the Board by defining objectives that will contribute to achievement of district-wide goals.

2. Clarify for all Board members the role of the superintendent in view of the job description and the immediate priority among responsibilities as agreed upon by the Board and the superintendent.

3. Develop positive communication and harmonious working relationships between the Board and superintendent.

4. Provide administrative leadership of excellence for the school system including implementation of education programs for the achievement of the educational objectives of the school district, including ~~state and district content~~ **the district's academic** standards.

5. Measure the superintendent's professional growth and development and level of performance.

Those portions of the superintendent's written evaluation relating to the performance in fulfilling adopted district objectives, fiscal management of the district, district planning responsibilities and supervision and evaluation of district personnel shall be available for inspection by the public during regular office hours.

Nothing in this policy shall be construed to imply in any manner the establishment of any personal rights not explicitly established by law or contract. Further, nothing in this policy or the accompanying regulation shall be construed to be a prerequisite to or a condition of suspension, dismissal or termination. All employment decisions remain within the sole and continuing discretion of the Board.

Adopted: ~~01/21/87~~**January 21, 1987**
Revised: ~~03/21/2013~~**March 21, 2013**
Revised: date of manual revision

LEGAL REFS.: C.R.S. 22-9-106 (4)(b) *(local board of education shall have exclusive authority for evaluating the superintendent)*
C.R.S. 22-9-109 *(specific portions of superintendent's evaluation open to public inspection)*

CROSS REFS.: ADA, School District ~~Goals and~~**Educational** Objectives
CBA/CBC, Qualifications/Powers and Responsibilities of Superintendent
CBD, Superintendent's Contract

Ellicott School District #22, Ellicott, Colorado

Evaluation of Superintendent

The Board of Education shall serve as the evaluator for the superintendent. The superintendent's performance shall be reviewed annually.

The following procedures shall be used to implement the ~~district~~**Board's** policy for evaluation of the superintendent.

Prior to the evaluation

The Board and the superintendent shall devise a position description that sets forth expectations for the superintendent. The Board shall develop a plan that establishes goals for the district. The criteria for evaluation of the superintendent shall be agreed upon in advance of the period under review by the Board and the superintendent. These criteria will relate to the position description for the superintendent and the goals of the district.

The Board and the superintendent shall determine times in advance for establishing the criteria for review and discussing the performance of the superintendent in relation to these criteria.

Information collection

Conducting an evaluation is a matter of gathering information and then interpreting and summarizing it.

The evaluation shall be based upon multiple sources of information that can be provided by members of the Board or the superintendent.

Information may be collected from individual Board **members** and synthesized into a collective Board position, although the range of views may be presented as a basis for discussion with the superintendent.

The superintendent shall have an opportunity for self review in relationship to the criteria employed by the Board prior to the time that the superintendent meets with the Board to discuss the results of the evaluation.

Written evaluation report

The evaluation shall result in a written summary of conclusions regarding the superintendent's performance. The report shall include the following:

1. Specific information about the strengths and weaknesses in the superintendent's performance based upon the agreed upon criteria.

2. Documentation showing information collected and considered in the evaluation.

The Board and the superintendent shall discuss information relating to the superintendent's performance in an executive session **unless the superintendent**

requests that the discussion occur in a public meeting. A time shall be designated for this purpose when all members of the Board can be present.

The evaluation report shall be signed by the president of the Board and by the superintendent. The signature of any person on the report shall not be construed to indicate agreement with the information contained therein. The report shall be placed in the superintendent's personnel file.

The superintendent shall be allowed to attach any written comments to the evaluation report.

Any suggestions for improving the performance of the superintendent, modifying Board/superintendent relationships and/or modifying the goals and objectives of the district may be incorporated in the documents used to initiate the next evaluation.

Approved: ~~01/21/87~~**January 21, 1987**
Revised: ~~03/21/2013~~**March 21, 2013**
Revised: date of manual revision

CASB SAMPLE POLICY

File: CC

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, some content in this sample reflects legal requirements school districts must follow. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Administrative Organization

The legal authority of the Board shall be transmitted through the superintendent to the administration in accordance with applicable law.

The superintendent shall have freedom to create an administrative structure as appropriate for supervision and accountability throughout the district.

(Adoption date)

LEGAL REF.: C.R.S. 22-32-109 (1)(b) *(Board duty to adopt policies necessary and proper for the efficient administration of the district)*

NOTE: The organizational chart of the district, and if applicable, organizational charts of major divisions or departments may follow under code CCA.

File: ~~CC~~CF

School Building ~~Absence of~~ Administration

All building principals shall act as the chief administrative officers of their own buildings and grounds. They shall be responsible for and shall have authority over the actions of the students, professional and support staff members, visitors and persons hired to perform special tasks.

Principals shall also be responsible for achieving the long- and short-range educational objectives of the school district, as those objectives pertain to students and staff in their buildings. As part of the district's standards-based education program, principals shall also be responsible for development and management of a comprehensive standards-based education program in their buildings and shall rigorously monitor and modify the program to ensure that students meet or exceed the district's academic standards or complete the requirements and goals as listed on a student's Individualized Education Program (IEP), which may include modified academic standards.

In the absence of a building principal, the superintendent shall assume all authority and duties of the principal.

When all administrators are ~~to be~~ away from ~~a school~~**the district for an extended period of time**, the ~~administration~~ **superintendent** shall appoint an acting principal **who shall assume all authority and duties of the principal** ~~prior to leaving the school site for any extended period of time.~~

Adopted: ~~09/18/85~~ **September 18, 1985**
Revised and recoded: date of manual revision

LEGAL REFS.: **C.R.S. 22-32-109 (1)(jj)** ***(boards to identify areas where principals need professional development)***
C.R.S. 22-32-126 ***(employment of principals)***
C.R.S. 22-60.5-301, 306 ***(principal and administrator licenses)***
C.R.S. 22-63-103 (1.5) ***(definition of administrator)***
C.R.S. 22-63-201 ***(exception to licensure requirement)***

CROSS REFS.: **AEA, Standards Based Education**
IKE, Ensuring All Students Meet Standards

File: CH

Policy Implementation

The superintendent has responsibility for carrying out~~, through administrative regulations,~~ the policies established by the Board. **The superintendent shall develop additional administrative regulations consistent with Board policies.**

In the development of administrative regulations, the superintendent shall involve at the planning stage those who would be affected by such rules including staff members, students, parents and the public. The superintendent shall weigh with care the counsel given by representatives of staff, student and community organizations. The superintendent shall inform the Board of such counsel in presenting reports of administrative regulations and in presenting any regulations for Board approval.

The Board itself shall approve regulations when specific state or federal laws require the Board to do so or when the Board or superintendent considers such approval desirable.

The policies developed by the Board and the administrative regulations developed to implement policy are designed to increase the probability of an effective and efficient school system. Consequently, it is assumed that all ~~Board~~**district** employees and students will carry them out willingly.

~~Employees shall be responsible~~**The superintendent will develop a method** for ~~existing~~**disseminating district** policies and regulations **to district employees, students, parents/guardians** and ~~for seeing that they~~**members of the public who** are ~~implemented in the spirit intended~~ **affected by them.**

Disregard for Board policy and administrative regulations **by employees** may be interpreted as insubordination and/or willful neglect of duty.

Adopted: ~~01/21/87~~**January 21, 1987**
Revised: date of manual revision

CROSS REF.: BG, School Board Policy Process

File: CHCA

Handbooks and Directives

In order that pertinent Board policies, district regulations~~, and departmental~~ and/or school rules ~~and procedures~~ may be known by all staff members and students affected by them, district administrators and principals are granted authority to issue staff and student handbooks as found necessary and desirable.

It is essential that the contents of all handbooks conform with district-wide policies and regulations~~;~~ **I**it is also important that all handbooks bearing the name of the district or one of its schools be of a quality that reflects credit on the district. Therefore, the Board expects all handbooks to be approved prior to publication by the Board and/or superintendent.

The Board shall review and approve the district-wide personnel handbooks and the ~~high school~~ student handbook**s so** that the contents of both may be accorded the status of Board-approved policy and regulation. The superintendent shall use ~~his~~ judgment as to whether other specific handbooks need Board approval~~;~~**. H**~~h~~owever, all handbooks published shall be made available to the Board for informational purposes.

Adopted: ~~01/21/87~~**January 21, 1987**
Revised: date of manual revision

CASB SAMPLE POLICY

File: CHD

NOTE: While Colorado school districts are not required by law to adopt a policy on this subject, CASB believes this sample contains the content/language that reflects "best practices." However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Administration in the Absence of Policy

In cases when action must be taken and the Board has provided no guides in policy for such action, the superintendent shall have the power to act.

The superintendent's decisions, however, shall be subject to review by the Board at its next regular meeting. It shall be the duty of the superintendent to inform the Board promptly of such action and of the need for policy.

(Adoption date)

COLORADO SAMPLE POLICY 1977©