

# Board Bylaws, Policies and Administrative Regulations

## Guidelines and Procedures

### Bylaw

Bylaws are rules established by the board for its own governance that are consistent with state laws and regulations.

### Board Policy

A board policy should give clear guidance to the Superintendent, but should be broad and general enough to allow for the administrative discretion necessary to meet the circumstances of each individual case. A policy outlines what should be done, but does not specify how it should be done.

### Administrative Regulation

A regulation is specific; it provides specific instructions for the implementation of a board policy. It is written by the Superintendent or designee, and although board adoption is not required, it is proposed to the board with the corresponding board policy.

### Exhibits

Exhibits are forms developed in conjunction with the implementation of a policy or regulation. Exhibits are adopted formally by the board along with the corresponding policy or regulation.

### Policy Revisions

New policies are developed and proposed to the school board in a step by step process that includes presentation of the policy to Executive Cabinet, communication of the policy to appropriate members of the management team, and if applicable, shared with the employee groups. Feedback on the policy is welcomed and changes are made to the policy as necessary. Once the review process is completed, the policy is submitted to the Board for consideration.

The proposed policy is presented initially to the board as a first reading, action item. This enables the board to make changes or seek clarification on the proposed policy. A second reading is then conducted to formally adopt the policy. A policy can be adopted during the second reading, or if necessary, the board can request the policy be brought back again.

## Strategic Plan

Strategy #1 – We will establish an effective internal and external communication system to keep all partners informed about our mission, objectives, strategies, policies, successes and strengths.

## Organization

Policies, regulations and bylaws are grouped according to nine general topic areas. Under the general topic areas are subheadings which are assigned numbers according to the Dewey Decimal System. The categories and numbers are:

### 0000 – Philosophy, Goals, Objectives and Comprehensive Plans

Policies in this series are usually generalized goals of the district that have implications for policies in other categories.

### 1000 – Community Relations

Sample topics: Communication with the Public, Participation by the Public, Advisory Committees, and Relations with other Agencies.

### 2000 – Administration

Sample topics: Administrative Staff Organization; Administrative Operations; Conflict of Interest Code.

### 3000 – Business and Noninstructional Operations

Sample topics: Budget System; Income; Expenditures; Accounting; Noninstructional Operations and Maintenance, Transportation, Food Services; and District Records.

### 4000 – Human Resources

Sample topics: Recruitment and Selection; Conditions of Employment; Assignment, Transfer and Reassignment; Separation and Disciplinary Action; Evaluations; and Compensation. The series is broken down into:

4100 – Certificated Personnel

4200 – Classified Personnel

4300 – Management, Supervisory and Confidential Personnel

Samples coded 4100/4200/4300 apply to all three categories of employees.

### 5000 – Students

This series deals with student issues not specifically related to instruction. Sample topics: Attendance, Progress and Records, Conduct, Dress Code, Safety, and Discipline.

### 6000 – Instruction

Sample Topics: Curriculum, Class Size, Homework, Graduation Requirements and Instructional Programs.

### 7000 – Facilities

Sample Topics: Planning; Construction; and Financing

### 8000 – Unused

### 9000 – Board Bylaws

Sample Topics: Organization; Term of Office; Policies; Meetings; Elections; and Conflict of Interest Code.

## History

In 2002, the district transitioned from its original policy structure and numbering system to align with the recommendations of the California School Boards Association (CSBA).

OLD SERIES	NEW SERIES
<b>1000</b> Board of Education	<b>9000</b> Board Bylaws
<b>2000</b> Administration	<b>2000</b> Administration
<b>3000</b> Business and Non-Instructional Operations	<b>3000</b> Business
<b>4000</b> Instruction	<b>4000</b> Human Resources
<b>5000</b> Unused	<b>5000</b> Students
<b>6000/6500/7000/7500</b> Certificated/Classified/Management Personnel	<b>6000</b> Instruction
<b>8000</b> Students	<b>8000</b> Unused
<b>9000</b> Community	<b>1000</b> Community Relations
	<b>7000</b> Facilities
	<b>0000</b> Philosophy Goals, Objectives and Comprehensive Plans

Since the transition in 2002, new policies have been proposed under the new CSBA structure, however, many policies still exist under the old series numbers.

During the 2009/10 school year, staff completed an extensive review of all existing board policies under the old series structure. Over 170 policies and regulations exist under the old series and must be revised.

## Proposal

With the goal of creating a single, comprehensive set of board policies that comply with state and federal law, district practices, and align to CSBA standards, the district is proposing that all policies contained in the old series be updated. This will require policies to be repealed or revised in each of the old series. To expedite the process, the district would like to present a series at a time to the board, first through board correspondence, and then presented for formal adoption.

This process will begin in August with the proposal of the 5000-Students series. Following the adoption of the 5000-Students series, a new series would be proposed on a monthly basis.

After the adoption process is completed, the district will have all policies available online on our district website, in both English and Spanish.



# BOARD POLICY AND ADMINISTRATIVE REGULATION RECOMMENDATIONS

## 2000 SERIES – ADMINISTRATION

PROPOSED BOARD POLICY / ADMINISTRATIVE REGULATION	EXISTING POLICY TO BE REPLACED	RECOMMENDATION	BEGINNING ON PAGE NUMBER
<b>2000 – Concepts and Roles</b>	1400 – Superintendent as Advisor to the Board 1405 – Superintendent as Representative to the Board 2030 – Acting Superintendent 2040 – District Administrative Organization 2050 – The Management Team 2060 - Superintendent’s Cabinet	Replace board policies 1400, 1405, 2030, 2040, 2050 and 2060 with revised and renumbered policy 2000 – Concepts and Roles.	7
<b>2110 – Superintendent Responsibilities and Duties</b>	1390 – Powers and Duties of the Superintendent 1395 – Delegation of Administrative Duties 2040 – District Administrative Organization 2050 – The Management Team 2060 - Superintendent’s Cabinet	Replace board policies 1390, 1395, 2040, 2050 and 2060 with revised and renumbered policy 2110 – Superintendent Responsibilities and Duties.	19
<b>2111 – Superintendent Governance Standards</b>	1350 – General Functions of the Board and Superintendent	Replace board policy 1350 with revised and renumbered policy 2111 – Superintendent Governance Standards.	29
<b>2120 – Superintendent Recruitment and Selection</b>	1285 – Appointment of the Superintendent 1430 – Selection of Superintendent	Replace board policies 1285 and 1430 with revised and renumbered policy 2120 – Superintendent Recruitment and Selection.	31
<b>2121 – Superintendent’s Contract</b>	1435 – Tenure of the Superintendent	Replace board policy 1435 with revised and renumbered policy 2121 – Superintendent’s Contract.	35
<b>2140 – Evaluation of the Superintendent</b>	1425 – Evaluating the Superintendent’s Work	Replace board policy 1425 with revised and renumbered policy 2140 – Evaluation of the Superintendent.	37
<b>2210 – Administrative Discretion Regarding Board Policy</b>	Not Applicable	Policy to be adopted as a new policy.	39
<b>2230 – Representative and Deliberative Groups</b>	2030 – Acting Superintendent 2040 – District Administrative Organization 2050 – The Management Team 2060 - Superintendent’s Cabinet	Replace board policies 2030, 2040, 2050 and 2060 with revised and renumbered policy 2230 – Representative and Deliberative Groups.	41

## BOARD POLICY AND ADMINISTRATIVE REGULATION RECOMMENDATIONS

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### 2000 SERIES – ADMINISTRATION

POLICIES RECOMMENDED FOR REPEAL PREVIOUS 2000 SERIES – ADMINISTRATION	RECOMMENDATION
<b>2020 – Conference Attendance – Administrative/Management Personnel</b>	Repeal policy, language is incorporated into BP 4331 -
<b>2070 – Residence of Administrators</b>	Repeal policy, practice no longer in effect.
<b>2080 – Compliance with Compulsory Education Requirements</b>	Repeal policy, language is incorporated into BP 5112.1

**CONCEPTS AND ROLES****BP 2000**

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 non-instructional 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.

Legal Reference:

**EDUCATION CODE**

*35020 Duties of employees fixed by governing board*

*35026 Employment of district superintendent by certain district*

*35028 Qualifications for employment*

*35029 Waiver of credential requirements*

*35031 Term of employment*

*35033 District superintendent for certain districts*

*35034 District superintendent of certain districts*

*35035 Powers and duties of superintendent*

*35160 Authority of governing boards*

*35160.1 Broad authority of school districts*

*35161 Powers and duties generally*

SUPERINTENDENT                      AS                      ADVISOR                      TO                      THE                      BOARD  
1400

The Superintendent shall be the professional advisor to the Board. By professional training and experience, he or she shall be acquainted with executive techniques for managing a school system and be familiar with the basic policies that should govern an educational program. The Board depends upon his or her study, experience and observation of policies used in other systems, and knowledge of basic principles of educational administration.

The Superintendent shall regularly report to the Board regarding educational matters. The Board encourages the practice of presenting demonstrations of teaching methods, curricular materials, samples of students work and presentations.

The Superintendent shall regularly make financial reports to the Board.

The Board encourages the Superintendent to delegate as much detail as possible so that appropriate time and thought may be given to the more important responsibilities of general administrative direction, educational leadership, and future planning for the District.

SUPERINTENDENT                      AS                      REPRESENTATIVE                      TO                      THE                      BOARD  
1405

The Superintendent shall serve as the representative of the Board in relationships with other school districts, with the profession as a whole, and with other divisions of local, county or state governments.

The Superintendent shall participate in state and regional professional activities as a representative of the District and the Board. The Board deems such participation necessary if the Superintendent is to be well informed about present educational practices, programs in other school districts, and anticipated future professional developments.

Conventions which the Board expressly authorizes the Superintendent to attend as its representative are the annual convention of the Association of California School Administrators, the annual convention of the California Association of School Business Officials, and the annual convention of the California School Boards Association. The Board may request attendance at other meetings and conventions.

The Board will expect other members of the administrative staff to attend conventions which are deemed appropriate by the Superintendent and which are included in the regular budget appropriations.



ACTING SUPERINTENDENT

2030

In the absence of the Superintendent, one of the Assistant Superintendents shall be designated by the Superintendent as the responsible agent for the operation of the District in order to legally carry on the functions of the District.

DISTRICT ADMINISTRATIVE ORGANIZATION

2040

It shall be the duty of the Superintendent to organize the administrative staff and all other personnel in such a manner that the greatest possible return shall be realized on the District's investment in professional leadership. The Superintendent shall establish necessary lines of authority to represent and control the delegation of power and shall effect working relationships whereby the professional staff of the District may regard each other as co-workers.

The Board recognizes that the administrative staff exists to serve teachers and students and desires that administrative functions be performed in such a manner that the maximum efficiency of teaching personnel and students be realized.

It is the desire of the Board that cooperative relationships be maintained among the personnel of the administrative staff. To this end, the Board encourages the function of an administrative cabinet and other similar organizations which promote democratic working relationships. An administrative cabinet should be deliberative and advisory to the Superintendent and should (1) enable the Superintendent to transmit to the Board the best professional judgment of the District's administrative staff, and (2) enable the staff to know and understand the administrative policies necessary for the operation of the District.

The Superintendent in administering this policy shall be guided by the knowledge that the Board values the freest possible interchange of ideas outside the established framework of direct responsibility as preeminently desirable in the schools of the District. Nothing provided herein shall be interpreted as intended to interrupt the free and open flow of ideas and assistance among personnel at every level.

DISTRICT ADMINISTRATIVE ORGANIZATION - Continued

2040

1. General Operations

The following principles shall govern the administrative operation of the school system:

- a. Responsibility shall flow simply and clearly from students through teachers, principals and the Superintendent to the Board of Education.
- b. Each member of the staff shall be told to whom he or she is responsible and for what functions.
- c. Whenever possible, each member of the staff shall be made responsible to only one immediate superior for any one function.
- d. Each staff member shall be told to whom he or she may go for help.

2. Line of Responsibility

Each employee in the District, except the auditor and special consultants employed to advise the Board on particular matters, shall be responsible to the Board through the Superintendent.

All personnel shall refer matters requiring administrative action to the administrative officer immediately in charge of the area in which the problem arises.

Administrative officers shall refer such matters to the next higher authority when necessary.

All employees shall have the right to appeal any decision made by an administrative officer to the next higher authority and through appropriate successive steps to the Board of Education.

THE MANAGEMENT TEAM

2050

1. Purpose

The Governing Board recognizes the importance of establishing a Management Team System for the purpose of fulfilling its legal responsibility for the management of public education. The specific purposes of the Management Team System are:

- a. To strengthen the administration and the educational program of the District.
- b. To establish and improve communications, decision-making, conflict resolution, and other relationships among the members of the team and with the staff.

While the Management Team System places emphasis upon shared responsibility and authority, nothing in this policy intends to limit the responsibility and authority of the Governing Board ultimately to make decisions as prescribed by law.

2. Definition

For the purposes of this policy the terms herein shall have the following definitions:

- a. Management Team System is a means whereby educational policies and administrative procedures that define the District's programs and administrative operations are developed by shared responsibility and authority.
- b. Management Team is a group of individuals composed of the Superintendent, administrative, and support personnel who have significant responsibilities for recommending formulation of District policies or administering District programs and in addition, recommend employment, promotion, transfer, suspension, discharge, and evaluation of employees; adjudicate grievances; direct and supervise other employees.

3. Authority

The objectives of the District's Management Team are:

- a. To provide input into all policy development related to the educational goals and objectives of the District.

THE MANAGEMENT TEAM - Continued

2050

- b. To provide input and or recommendation into all policies that directly affect employees in the management of the District and may include but not be limited to:
  - (1) Providing open and frequent communications.
  - (2) Applying all available knowledge to the improvement of District services.
  - (3) Evaluating proposals made by other employees and making recommendations on the District's response.
- c. To provide a means whereby economic and welfare concerns of Management Team employees can be addressed.

These concerns may include but are not limited to:

- (1) Position descriptions
- (2) Evaluation
- (3) Salaries and fringe benefits
- (4) Promotion
- (5) Assignment and transfer

4. Delegation of Responsibility

In order for this policy to achieve its objectives, the Superintendent shall prepare administrative regulations or procedures for the operation of the Management Team. Such regulations shall provide:

- a. That the Management Team meetings will include all representatives of the Management Team outlined in 2-b.
- b. That the Management Team shall address itself to:
  - (1) Appropriate concerns identified by the Superintendent.
  - (2) Appropriate concerns identified by any member of the Management Team.
  - (3) Appropriate concerns mutually identified by members of the Management Team.

THE MANAGEMENT TEAM - Continued

2050

- c. That these concerns will include but not be limited to:
  - (1) The District budget
  - (2) The District curriculum
  - (3) Personnel management
  - (4) Welfare of Management employees
  - (5) Operation of the schools
- d. That regular meeting times shall be prescribed.
- e. That actions of all members of the Management Team be consistent with professional and ethical standards.

5. Implementation

- a. To establish a plan by which members of the Management Team will have ample opportunity to make recommendations about policies and procedures without interfering with the Superintendent's legal right or responsibility.
- b. Flow Chart

Board of Education

Superintendent

Committee

Management Team

Idea

THE MANAGEMENT TEAM - Continued

2050

- c. The intent of the implementation process is to allow specific ideas coming from individuals or committees to be brought to the Superintendent who then has the responsibility to follow one of several options:
- (1) To take the ideas directly to the Board of Education for information or action.
  - (2) To send the ideas to committee or task force for development to be returned to the Superintendent.
  - (3) To take the ideas to the Management Team for one of the following:
    - (a) Information only
    - (b) The opinion of the Management Team with the decision being made by the Superintendent
    - (c) For discussion and democratic decision by the Management Team.

SUPERINTENDENT'S CABINET

2060

1. Purpose

A Superintendent's Cabinet shall be established to assist the Superintendent in the interpretation of Board decisions for application throughout the District, and for generally assisting and advising the Superintendent on District management.

2. Authority and Responsibility

The authority of the Superintendent's Cabinet is limited to advisory and coordinative functions related to the above-stated purposes of the Cabinet. It shall serve as an advisory committee to the Superintendent, and as such does not have management or supervisory responsibilities.

3. Functions

The major functions of the Superintendent's Cabinet shall be as follows:

- a. Evaluating the effectiveness of day-to-day operations in the District.
- b. Evaluating and deciding upon proposed changes in the educational program which do not involve policy change, and working out methods of introducing these changes into the operating system.
- c. Allocating resources in situations where there are competing demands for limited funds.
- d. Advising the Superintendent in carrying out the policy decisions of the Board and giving leadership to the educational development of the District.

4. Procedures

Discussion held and consensus taken by the Superintendent's Cabinet on items brought before it shall be for the purpose of giving the Superintendent guidance.

Communication from the Superintendent's Cabinet shall be through the Superintendent.



SUPERINTENDENT'S CABINET -- Continued

2060

5. Membership

The Superintendent shall be the Chairman. Other members shall be the Assistant Superintendents, the Directors of Pupil Personnel Services, Curriculum and Instruction, Administrative Services, and others as invited by the Superintendent.

The Superintendent's Cabinet will generally meet on a schedule to be provided by the Superintendent.



SUPERINTENDENT RESPONSIBILITIES AND DUTIES

BP 2110

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 non-instructional 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.

Legal Reference:

EDUCATION CODE

*17604 Delegation of powers to agents*

*17605 Delegation of authority to purchase supplies, equipment and services*

*35020-35046 Powers and duties of superintendent*

*48900 Authority of superintendent to recommend suspension or expulsion*

POWERS                      AND                      DUTIES                      OF                      THE                      SUPERINTENDENT  
1390

The Superintendent shall be the executive head of the District and is recognized as the educational leader of the District. The Superintendent is delegated authority commensurate with the responsibilities of the position. The Superintendent shall make administrative rules and regulations to carry out the policies of the Board of Education.

DELEGATION    OF    ADMINISTRATIVE    DUTIES  
1395

The Superintendent may delegate to associates any of the powers and duties which the Board has assigned. However, the Superintendent shall continue to be responsible to the Board for the execution of the power or duty delegated.

DISTRICT ADMINISTRATIVE ORGANIZATION

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It shall be the duty of the Superintendent to organize the administrative staff and all other personnel in such a manner that the greatest possible return shall be realized on the District's investment in professional leadership. The Superintendent shall establish necessary lines of authority to represent and control the delegation of power and shall effect working relationships whereby the professional staff of the District may regard each other as co-workers.

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Administrative officers shall refer such matters to the next higher authority when necessary.

All employees shall have the right to appeal any decision made by an administrative officer to the next higher authority and through appropriate successive steps to the Board of Education.

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THE MANAGEMENT TEAM - Continued

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- b. To provide input and or recommendation into all policies that directly affect employees in the management of the District and may include but not be limited to:
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THE MANAGEMENT TEAM - Continued

2050

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- b. Evaluating and deciding upon proposed changes in the educational program which do not involve policy change, and working out methods of introducing these changes into the operating system.
- c. Allocating resources in situations where there are competing demands for limited funds.
- d. Advising the Superintendent in carrying out the policy decisions of the Board and giving leadership to the educational development of the District.

4. Procedures

Discussion held and consensus taken by the Superintendent's Cabinet on items brought before it shall be for the purpose of giving the Superintendent guidance.

Communication from the Superintendent's Cabinet shall be through the Superintendent.

SUPERINTENDENT'S CABINET -- Continued

2060

5. Membership

The Superintendent shall be the Chairman. Other members shall be the Assistant Superintendents, the Directors of Pupil Personnel Services, Curriculum and Instruction, Administrative Services, and others as invited by the Superintendent.

The Superintendent's Cabinet will generally meet on a schedule to be provided by the Superintendent.

SUPERINTENDENT GOVERNANCE STANDARDS

BP 2111

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

Legal Reference:

EDUCATION CODE

*35020 Duties of employees set by governing board*

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GENERAL FUNCTIONS OF BOARD AND SUPERINTENDENT  
1350

Board: Subject to any limitations imposed by collective bargaining, the Board legislates and establishes general policies, such as the scope of the educational offerings to be maintained from pre-school through adult school, sets length of school year and vacations, decides upon extent of expenditures to make for education, decides upon buildings to be provided; employs a Superintendent to administer the schools, and evaluates and appraises his or her services.

Superintendent: The Superintendent is responsible for the school system as the Board's chief executive officer; he or she considers the work of the Administrative Staff; executes the policies of the Board or assumes responsibility for seeing that they are executed; and recommends policies for the Board to consider in improving the system and its educational services to the students and the community. With staff, the Superintendent determines the methods by which policies of the Board are carried out.

SUPERINTENDENT RECRUITMENT AND SELECTION

BP 2120

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

SUPERINTENDENT RECRUITMENT AND SELECTION, continued

BP 2120

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.

## Legal Reference:

## EDUCATION CODE

*220 Prohibition of discrimination**35026 Employment of superintendent by board**35028 Certification**35029-35029.1 Waiver of credential requirement**35031 Term of employment**44420-44440 Revocation and suspension of certification documents*

## GOVERNMENT CODE

*11135 Unlawful discrimination**12900-12996 California Fair Employment and Housing Act**53260-53264 Employment contracts**54954 Time and place of regular meetings*



APPOINTMENT OF SUPERINTENDENT

1285

The Board of Education shall appoint a Superintendent to serve as the chief executive officer of the Board and to provide educational leadership in the District. (Ed. Code 35035)

SELECTION

OF

SUPERINTENDENT

1430

The Board recognizes that the selection of a Superintendent is one of the most important tasks with which it may be confronted. The Board may seek competent professional advice in making this decision.

SUPERINTENDENT'S CONTRACT

BP 2121

In approving employment contracts with the Superintendent, the Governing Board wishes to encourage the Superintendent's long-term commitment to the district and community while carefully considering the financial and legal implications of the contract in order to protect the district from any potentially adverse obligations.

The Board shall designate a representative to negotiate with the Superintendent on its behalf and shall consult legal counsel to draft the contract document.

The Board shall deliberate in closed session about the terms of the contract. (Government Code 54957)

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

The Board shall ratify the Superintendent's contract in an open meeting, which shall be reflected in the Board's minutes. Copies of the contract shall be available to the public upon request. (Government Code 53262)

The contract shall include, but not be limited to, provisions for salary and benefits, annual evaluations, term of the contract, and conditions for termination of the contract. The contract should also include general responsibilities and duties of the Superintendent.

The term of the contract shall be for no more than four years. (Education Code 35031)

During the term of the contract, the Board may reemploy the Superintendent on those terms and conditions mutually agreed upon by the Board and Superintendent. (Education Code 35031)

The Superintendent's contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the Superintendent's performance.

In the event that the Board determines not to reemploy the Superintendent, the Board shall provide written notice to the Superintendent at least 45 days in advance of the expiration of the term of the contract. (Education Code 35031)

The Superintendent's contract shall include a provision specifying the maximum cash settlement that the Superintendent may receive upon termination of the contract. However, if the unexpired term of the contract is greater than 18 months, the maximum cash settlement shall be no more than the Superintendent's monthly salary multiplied by 18. The cash settlement shall not include any noncash items other than health benefits, which may be continued for the unexpired term of the contract up to 18 months or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

If the Board terminates the Superintendent's contract upon its belief and subsequent confirmation pursuant to an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal practices, the maximum settlement shall be within the limits prescribed by law, as determined by an administrative law judge. (Government Code 53260)

Legal Reference:

EDUCATION CODE

*35031 Term of employment*

*41325-41329.3 Conditions of emergency apportionment*

EVALUATING  
1435

TENURE

OF

THE

SUPERINTENDENT

In conformity with the Provisions of the California Education Code relating to unified school districts, the Superintendent may be appointed for a term of up to but not to exceed four years.

1-44

EVALUATION OF THE SUPERINTENDENT

BP 2140

The Governing Board shall annually conduct a formal evaluation of the Superintendent's performance in order to assess his/her effectiveness in leading the district toward established goals. The Board and Superintendent shall establish an appropriate schedule for the annual evaluation process.

Evaluation criteria shall be based on district goals and success indicators agreed upon by the Board and Superintendent prior to the evaluation. The evaluation shall provide commendations in areas of strength, provide recommendations for improving effectiveness, and serve as a basis for making decisions about salary increases and/or contract extension.

The Board and Superintendent shall annually consider what evaluation method(s) will best serve the district and agree on the specific written instrument to be used.

Prior to the evaluation, the Superintendent shall be responsible for preparing and distributing to the Board for its review a report of progress toward district goals, the Superintendent's self-appraisal of accomplishments and performance, and a review of action taken to address any Board recommendations from the previous evaluation. The Board shall also review the Superintendent's current contract and any relevant Board policies.

Each Board member shall independently evaluate the Superintendent's performance. The Board shall determine who will summarize and combine the individual evaluations to create a consensus document and how that consensus document will be formatted. The evaluation shall be a composite of individual Board members' opinions, but there shall be only one final evaluation representing the Board's collective judgment. This final evaluation shall be provided to the Superintendent for his/her response.

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

The Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional evidence of his/her performance or district progress.

The Board president and Superintendent shall sign the evaluation as evidence that the evaluation has been discussed. The Superintendent shall place the evaluation in his/her personnel file.

After each evaluation has been completed, the Board shall meet in open session to give the Board and Superintendent an opportunity to jointly identify performance goals for the next year.

Legal Reference:  
GOVERNMENT CODE  
*54957 Closed session, personnel matters*

EVALUATING  
1425

THE

SUPERINTENDENT'S

WORK

The Board has the responsibility for evaluating the Superintendent.

1-44

ADMINISTRATIVE DISCRETION REGARDING BOARD POLICY

BP 2210

Through the adoption of written policies, the Governing Board conveys its expectations for actions that will be taken in the district, clarifies roles and responsibilities of the Board and Superintendent, and communicates Board philosophy and direction. However, the Board recognizes that, at times, issues may arise in the operation of district schools that are not addressed in Board policy or administrative regulation. When resolution of such issues necessitates immediate action, the Superintendent or designee shall have the authority to act on behalf of the district.

If the matter involves a policy decision where controversy is foreseeable, or a matter that has a significant impact on student learning or safety, the Superintendent or designee shall notify the Board as soon as practicable after its occurrence. 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.

Tier 3 Categorical Flexibility

The Board has determined that it is in the best interest of the district to utilize the categorical program flexibility authorized by Education Code 42605. In accordance with Education Code 42605, for the 2008-09 through 2012-13 fiscal years, the Superintendent may suspend statutory or regulatory program and funding requirements for Tier 3 categorical programs reflected in any of the district's Board policies, administrative regulations, bylaws, or exhibits to the extent that such suspension does not affect the terms of any existing district contract or bargaining agreement. He/she may also suspend any such language reflected in any district procedure, rule, plan, or employee or student handbook. As necessary, the Superintendent or designee shall consult with other staff, district legal counsel, and/or the chief business official regarding the district's exercise of this flexibility.

The Superintendent or designee shall regularly report to the Board regarding how the district is exercising the flexibility and whether the desired results are being achieved.

## Legal Reference:

## EDUCATION CODE

*35010 Control of district, prescription and enforcement of rules**35035 Powers and duties of superintendent**35160 Authority of governing boards**35160.5 Annual review of school district policies**35163 Official actions, minutes and journal**42605 Tier 3 categorical flexibility*





REPRESENTATIVE AND DELIBERATIVE GROUPS

BP 2230

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.

## Legal Reference:

## EDUCATION CODE

*35160.1 Broad authority of school districts**45100.5 Senior classified management positions**45256.5 Designation of certain senior classified management positions*

## GOVERNMENT CODE

*3540.1 Definitions**54952 Legislative body, definition*

ACTING SUPERINTENDENT

2030

In the absence of the Superintendent, one of the Assistant Superintendents shall be designated by the Superintendent as the responsible agent for the operation of the District in order to legally carry on the functions of the District.

DISTRICT ADMINISTRATIVE ORGANIZATION

2040

It shall be the duty of the Superintendent to organize the administrative staff and all other personnel in such a manner that the greatest possible return shall be realized on the District's investment in professional leadership. The Superintendent shall establish necessary lines of authority to represent and control the delegation of power and shall effect working relationships whereby the professional staff of the District may regard each other as co-workers.

The Board recognizes that the administrative staff exists to serve teachers and students and desires that administrative functions be performed in such a manner that the maximum efficiency of teaching personnel and students be realized.

It is the desire of the Board that cooperative relationships be maintained among the personnel of the administrative staff. To this end, the Board encourages the function of an administrative cabinet and other similar organizations which promote democratic working relationships. An administrative cabinet should be deliberative and advisory to the Superintendent and should (1) enable the Superintendent to transmit to the Board the best professional judgment of the District's administrative staff, and (2) enable the staff to know and understand the administrative policies necessary for the operation of the District.

The Superintendent in administering this policy shall be guided by the knowledge that the Board values the freest possible interchange of ideas outside the established framework of direct responsibility as preeminently desirable in the schools of the District. Nothing provided herein shall be interpreted as intended to interrupt the free and open flow of ideas and assistance among personnel at every level.

DISTRICT ADMINISTRATIVE ORGANIZATION - Continued

2040

1. General Operations

The following principles shall govern the administrative operation of the school system:

- a. Responsibility shall flow simply and clearly from students through teachers, principals and the Superintendent to the Board of Education.
- b. Each member of the staff shall be told to whom he or she is responsible and for what functions.
- c. Whenever possible, each member of the staff shall be made responsible to only one immediate superior for any one function.
- d. Each staff member shall be told to whom he or she may go for help.

2. Line of Responsibility

Each employee in the District, except the auditor and special consultants employed to advise the Board on particular matters, shall be responsible to the Board through the Superintendent.

All personnel shall refer matters requiring administrative action to the administrative officer immediately in charge of the area in which the problem arises.

Administrative officers shall refer such matters to the next higher authority when necessary.

All employees shall have the right to appeal any decision made by an administrative officer to the next higher authority and through appropriate successive steps to the Board of Education.

THE MANAGEMENT TEAM

2050

1. Purpose

The Governing Board recognizes the importance of establishing a Management Team System for the purpose of fulfilling its legal responsibility for the management of public education. The specific purposes of the Management Team System are:

- a. To strengthen the administration and the educational program of the District.
- b. To establish and improve communications, decision-making, conflict resolution, and other relationships among the members of the team and with the staff.

While the Management Team System places emphasis upon shared responsibility and authority, nothing in this policy intends to limit the responsibility and authority of the Governing Board ultimately to make decisions as prescribed by law.

2. Definition

For the purposes of this policy the terms herein shall have the following definitions:

- a. Management Team System is a means whereby educational policies and administrative procedures that define the District's programs and administrative operations are developed by shared responsibility and authority.
- b. Management Team is a group of individuals composed of the Superintendent, administrative, and support personnel who have significant responsibilities for recommending formulation of District policies or administering District programs and in addition, recommend employment, promotion, transfer, suspension, discharge, and evaluation of employees; adjudicate grievances; direct and supervise other employees.

3. Authority

The objectives of the District's Management Team are:

- a. To provide input into all policy development related to the educational goals and objectives of the District.

THE MANAGEMENT TEAM - Continued

2050

- b. To provide input and or recommendation into all policies that directly affect employees in the management of the District and may include but not be limited to:
  - (1) Providing open and frequent communications.
  - (2) Applying all available knowledge to the improvement of District services.
  - (3) Evaluating proposals made by other employees and making recommendations on the District's response.
  
- c. To provide a means whereby economic and welfare concerns of Management Team employees can be addressed.

These concerns may include but are not limited to:

- (1) Position descriptions
- (2) Evaluation
- (3) Salaries and fringe benefits
- (4) Promotion
- (5) Assignment and transfer

4. Delegation of Responsibility

In order for this policy to achieve its objectives, the Superintendent shall prepare administrative regulations or procedures for the operation of the Management Team. Such regulations shall provide:

- a. That the Management Team meetings will include all representatives of the Management Team outlined in 2-b.
  
- b. That the Management Team shall address itself to:
  - (1) Appropriate concerns identified by the Superintendent.
  - (2) Appropriate concerns identified by any member of the Management Team.
  - (3) Appropriate concerns mutually identified by members of the Management Team.

THE MANAGEMENT TEAM - Continued

2050

- c. That these concerns will include but not be limited to:
  - (1) The District budget
  - (2) The District curriculum
  - (3) Personnel management
  - (4) Welfare of Management employees
  - (5) Operation of the schools
- d. That regular meeting times shall be prescribed.
- e. That actions of all members of the Management Team be consistent with professional and ethical standards.

5. Implementation

- a. To establish a plan by which members of the Management Team will have ample opportunity to make recommendations about policies and procedures without interfering with the Superintendent's legal right or responsibility.
- b. Flow Chart

Board of Education

Superintendent

Committee

Management Team

Idea

THE MANAGEMENT TEAM - Continued

2050

- c. The intent of the implementation process is to allow specific ideas coming from individuals or committees to be brought to the Superintendent who then has the responsibility to follow one of several options:
- (1) To take the ideas directly to the Board of Education for information or action.
  - (2) To send the ideas to committee or task force for development to be returned to the Superintendent.
  - (3) To take the ideas to the Management Team for one of the following:
    - (a) Information only
    - (b) The opinion of the Management Team with the decision being made by the Superintendent
    - (c) For discussion and democratic decision by the Management Team.



SUPERINTENDENT'S CABINET

2060

1. Purpose

A Superintendent's Cabinet shall be established to assist the Superintendent in the interpretation of Board decisions for application throughout the District, and for generally assisting and advising the Superintendent on District management.

2. Authority and Responsibility

The authority of the Superintendent's Cabinet is limited to advisory and coordinative functions related to the above-stated purposes of the Cabinet. It shall serve as an advisory committee to the Superintendent, and as such does not have management or supervisory responsibilities.

3. Functions

The major functions of the Superintendent's Cabinet shall be as follows:

- a. Evaluating the effectiveness of day-to-day operations in the District.
- b. Evaluating and deciding upon proposed changes in the educational program which do not involve policy change, and working out methods of introducing these changes into the operating system.
- c. Allocating resources in situations where there are competing demands for limited funds.
- d. Advising the Superintendent in carrying out the policy decisions of the Board and giving leadership to the educational development of the District.

4. Procedures

Discussion held and consensus taken by the Superintendent's Cabinet on items brought before it shall be for the purpose of giving the Superintendent guidance.

Communication from the Superintendent's Cabinet shall be through the Superintendent.

SUPERINTENDENT'S CABINET -- Continued

2060

5. Membership

The Superintendent shall be the Chairman. Other members shall be the Assistant Superintendents, the Directors of Pupil Personnel Services, Curriculum and Instruction, Administrative Services, and others as invited by the Superintendent.

The Superintendent's Cabinet will generally meet on a schedule to be provided by the Superintendent.

CONFERENCE ATTENDANCE - ADMINISTRATIVE / MANAGEMENT PERSONNEL

2020

The Board of Education shall authorize conference and professional meeting attendance for Administrative/Management Personnel, in accordance with the following:

1. Personnel may attend meetings upon the authorization of the Superintendent. Expenses of registration, meals and travel shall be allowed. Reimbursement shall be at the rate prescribed by the Board of Education. No transportation reimbursement shall be allowed where adequate school transportation is available.
2. Reimbursement of actual and necessary expenses for authorized conference attendance:
  - a. Reimbursement for travel expense shall be on the basis of whichever is the least costly; i.e., if tourist air fare is less expensive than travel by personal automobile, reimbursement would be at the tourist air fare rate. However, if several persons travel together in a personal car, reimbursement would be made to one person only at the Board-adopted mileage rate.

If District transportation is provided, a credit card may be furnished and no other transportation costs allowed.

- b. Persons authorized to attend conferences, conventions, or to travel in the performance of service for the Board shall be required to file an expense form with certain receipts attached in order to be reimbursed. A receipt for lodging is mandatory and must clearly indicate the single room rate (in the event a spouse has accompanied an employee). Also, attach receipts for plane fare (if paid in advance by the employee) and conference registration fee. If personal automobile is used, an accurate mileage record according to speedometer readings must be kept.

Expense forms should be completed in duplicate and submitted to the Business Office within 30 days after the completion of the authorized activity.

CONFERENCE ATTENDANCE - ADMINISTRATIVE / MANAGEMENT PERSONNEL - Continued

2020

## 3. Reimbursement of Expense for School Business

The District will pay all necessary and actual expenses incurred on District-authorized business trips, pursuant to Education Code 44032 and 35172, except for those items that are not legally reimbursable.

## 4. Reimbursement for Expense for In-service Conference or Convention Attendance

a. The Superintendent is delegated by the Board to authorize all necessary and actual expenses for employee attendance at in-service conferences or conventions for professional development purposes, pursuant to Education Code 44032, up to \$300, including transportation, registration, and special materials, substitute time, and except for those items that are not legally reimbursable. All employee attendance must be authorized by the Superintendent prior to the in-service conference or convention.

(1) Any request exceeding \$300 will require Board authorization.

(2) Requests for overnight attendance must be specifically approved by the Board of Education.

RESIDENCE OF ADMINISTRATORS

2070

It is desirable that residency be within the District for personnel appointed to any administrative positions.



COMPLIANCE WITH COMPULSORY EDUCATION REQUIREMENTS

2080

In accordance with Education Code Section 48273 the appropriate officers and employees of the District shall for each school year compile and report, as herein specified, data relative to the following provisions:

1. Compulsory attendance between ages 6 and 18
2. Severance from attendance
3. Supervision of attendance
4. Investigation and filing of complaints with D.A. against parents failing to send children to school
5. Referrals to local SARB (Truancy)
6. Petition District Attorney on behalf of minors whose parents will not send them to school
7. Issue work permits

The Governing Board will report the required information to the Office of the San Bernardino County Superintendent of Schools on or before August 15 of each year on forms provided by the Superintendent of Public Instruction.

