

Administration

SUPERINTENDENT OF SCHOOLS

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
(cf. 4112.5/4312.5 - Criminal Record Check)
12. Other actions necessary to ensure a fair selection process and a smooth transition to new leadership

SUPERINTENDENT OF SCHOOLS (continued)

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.

(cf. 2000 - Concepts and Roles)

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 2111 - Superintendent Governance Standards)

(cf. 9000 - Role of the Board)

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. 1000 - Concepts and Roles)

(cf. 1220 - Citizen Advisory Committees)

(cf. 2121 - Superintendent's Contract)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)

SUPERINTENDENT OF SCHOOLS (continued)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

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
- 54957 Closed session personnel matters
- 54957.1 Closed session, public report of action taken

CODE OF REGULATIONS, TITLE 2

- 7287.6 Terms, conditions and privileges of employment

UNITED STATES CODE, TITLE 29

- 794 Section 504 of the Vocational Education Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

- 2000d-2000d-7 Title VI, Civil Rights Act of 1964
- 2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
- 2000h-2000h-6 Title IX, 1972 Education Act Amendments
- 12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

- 35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

- 100.6 Compliance information
- 106.9 Dissemination of nondiscrimination policy

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Superintendent Selection and Employment

WEB SITES

- CSBA: <http://www.csba.org>
- ACSA: <http://www.acsa.org>
- Equal Employment Opportunity Commission: <http://www.eeoc.gov>
- Office of Civil Rights: <http://www.ed.gov/offices/OCR>
- Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Administration

SUPERINTENDENT OF SCHOOLS

The Superintendent is directly responsible to the Governing Board, serves as chief executive of the Board, and supervises all district operations in accordance with Board policies. Although the Superintendent may delegate appropriate powers and duties so that operational decisions can be made at various administrative levels, he/she is responsible for the execution of these powers and duties and will establish administrative regulations as needed to manage the district.

Duties Related to the Board

The Superintendent:

1. Advises the Board on the need for new and/or revised policies and makes policy recommendations based on data and input from staff and advisory committees. Submits to the Board recommendations relative to all matters requiring Board action, together with the materials needed for informed decisions.
2. Submits to the Board recommendations relative to all matters requiring board action, together with the materials needed for informed decisions.
3. Reports periodically on all district operations.
4. Conducts special studies requested by the Board.
5. Secures legal opinions when needed.
6. Submits staff members' communications to the Board or to Board committees at regular Board meetings, with or without recommendations.
7. Provides advice and leadership to the Board and to the district's chief negotiator during the collective bargaining process.
8. As secretary to the Board, prepares the agenda and minutes of Board meetings, handles Board correspondence, and maintains all Board records, contracts, securities and other documents.

Duties Related to Staff

The Superintendent:

1. Coordinates the work of all schools and departments.
2. Directs the employment and assignment of administrative staff and coordinates administrative staff activities.

SUPERINTENDENT OF SCHOOLS (continued)

3. Selects and recommends to the Board the best qualified and most competent candidates for employment, in accordance with nondiscrimination policy and affirmative action plans.
4. Advises the Board regarding the leave, classification, retirement, resignation, promotion, suspension or dismissal of district employees.
5. Advises personnel within the district in accordance with Board policy and the collective bargaining agreements.
6. Arranges for the evaluation of each staff member and identifies appropriate opportunities for continued professional development.
7. Maintains appropriate channels of communication within the district and ensures that staff is informed about relevant federal, state, and county laws, district policies, regulations and procedures, and matters related to the improvement and welfare of the schools.

Duties Related to Students and the Education Program

The Superintendent:

1. Enforces compulsory attendance laws.
2. Continuously observes the instructional program in schools and provides the Board with regular evaluations of district programs and student progress.
3. Together with staff, studies the curriculum and makes recommendations to the Board regarding the course of study, major changes in texts and time schedules, and potentially sound innovative programs.
4. Apprises the Board of contemporary educational practices and related legislative issues which he/she discovers by reading, attendance professional conferences, and visiting other school systems.
5. Under appropriate circumstances, recommends to the Board a student's suspension or expulsion.

Duties Related to Noninstructional Operations

The Superintendent:

1. Seeks and identifies sources of income and funding.
2. Maintains and updates adequate census and scholastic records, business and property records, and personnel records.
3. Submits to the Board periodic financial and budgetary reports which identify the district's outstanding obligations.

SUPERINTENDENT OF SCHOOLS (continued)

4. Annually prepares and submits to the Board the district budget for the upcoming year; revises this budget or takes other related action as the Board designates.
5. Approves all expenditures in accordance with Board policy and within Board approved appropriation limits.
6. Makes recommendations to the Board regarding the maintenance, safety, improvement and/or expansion of school facilities, sites, equipment, and transportation services.
7. Develops instruction and regulations governing the use and care of school properties for school purposes.

Duties Related to the Community

The Superintendent:

1. Represents and advocates for the Board in relationships with city, county and state governments, private agencies, and the school community.
2. Sees that the community is informed about school matters through the school accountability report card and other informational materials.
3. Participates in appropriate community organizations and functions to obtain support for the attainment of district goals.
4. Heard complaints against the schools and resolves controversies between employees or between employees and students or parents/guardians.
5. Convenes committees to provide input on district issues.