Series 4000: District Employment

4600 The Superintendent

4601 General

A. Employment

Except in limited circumstances as otherwise allowed by law, the Board will employ a Superintendent as the District's chief administrative officer who will report to the Board. The Superintendent's individual employment contract will not exceed 5 years. The Superintendent will maintain appropriate certification, as well as comply with continuing education requirements, as a condition of continued employment. The Superintendent must immediately notify the Board if his or her certification expires or is nullified or revoked.

B. Duties and Responsibilities

The Superintendent will regularly advise the Board on significant legal, educational, financial, and other school-related developments affecting the District and the Board and will demonstrate exemplary leadership and knowledge of contemporary educational philosophy and effective practices.

The Superintendent will ensure compliance with requirements imposed by federal and state law, Policy, and governmental authorities with jurisdiction over Michigan schools. The Board delegates to the Superintendent the general power and authority to do the following, within Board-approved Policy and budgetary parameters:

1. direct curriculum and take actions to maximize student safety, welfare, and educational opportunities;

2. Suspend students up to 59 days and expel students consistent with Policy 5206;

3. ensure compliance with student disciplinary standards and procedures;

4. accept all employee resignations on the Board's behalf;

5. make other employment decisions consistent with these Policies, specifically including the right to hire, recall, transfer, assign, direct, discipline, and recommend or impose termination, as applicable;

6. develop and implement recruitment, application, and selection procedures to fill vacancies for Non-Exempt Staff, Teaching Professionals, Non-Teaching Professionals, Administrators, Supervisors, and Directors and to make hiring recommendations to the Board for approval, if applicable;

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7. manage District grounds, buildings, property, and equipment and make determinations about their use, maintenance, improvements, purchases, and repairs in accordance with law;

8. temporarily close one or more of the District's schools or programs or alter the school day when the Superintendent determines that the action is necessary for the health and safety of students and staff;

9. maintain adequate supplies and materials for students and staff;

10. consult with outside advisors, attorneys, auditors, and others in the best interests of the District;

11. negotiate collective bargaining agreements and other contracts, subject to Board review and ratification;

12. serve as the Board's spokesperson and community liaison;

13. develop, recommend, and implement cooperative programs and services with other public and private entities that will promote attainment of District goals and objectives;

14. implement Board policies and supervise the District's day-to-day operations;

15. take action in circumstances not authorized by Board action or Policy when required to effectively run the District's day-to-day operations, to respond to a lawful order, or to implement rules to protect health and safety. The Superintendent should (1) inform the Board of the action taken and the need for expedited action; and (2) report the action to the Board during the first meeting following the action;

16. draft administrative guidelines and forms which are consistent with these Policies or the law to effectively run the District's operations; and

17. take action as permitted or required by law or as authorized by Board action or Policy.

C. Fiscal Management

The Superintendent, in consultation with other District personnel, will prepare and present to the Board a proposed annual District budget for the upcoming fiscal year. Budget adoption and amendments will be subject to Board approval. The Superintendent will furnish the Board with all information requested by the Board for proper consideration of the proposed budget. After the proposed budget is adopted by the Board at a public hearing held in compliance with the Budget Hearings of Local Government Act, the Superintendent, in consultation with the individual acting in the capacity of the District's business official, will oversee and control budget expenditures to ensure compliance with the budget adopted by the Board.

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Legal authority: MCL 141.411 et seq.; MCL 380.11a, 380.601a, 380.653, 380.654, 380.1229(1), 380.1229(4), 380.1246, 380.1536

Date adopted: June 25, 2025

Date revised:

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Series 4000: District Employment

4600 The Superintendent

4602 Hiring

The Board will determine and select the best candidate to serve as the Superintendent, based on qualifications, experience, demonstrated capabilities, and other relevant factors as determined by the Board. The Board may enlist professional consultants, employees, community members, or others to assist with the recruitment and selection process.

Qualified candidates will possess and maintain certifications, permits, and approvals required by federal and state law for the office of Superintendent. The hiring process will comply with the Michigan Open Meetings Act.

Before hiring the selected candidate, an offer of employment will be conditioned on successful completion of a background check as described in Policy 4205.

The Board should consult with legal counsel when drafting the Superintendent's employment contract.

The Superintendent's employment contract shall not exceed five years in duration. If a Superintendent vacates the position before a new Superintendent is selected, the Board shall appoint an interim Superintendent to oversee operations until a new Superintendent is selected. Hiring decisions shall be based on qualifications, skills, knowledge, abilities, education, certifications/licenses, experience, demeanor, and other criteria the Board may deem relevant.

Legal authority: MCL 15.261 et seq.; MCL 380.1229(1), 380.1536

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Series 4000: District Employment

4600 The Superintendent

4603 Performance Evaluation

Performance evaluations for the Superintendent are an essential element of providing quality educational services and measuring job performance and effectiveness. This Policy does not diminish the Board's authority or ability to either terminate the Superintendent's employment during the term of the Superintendent's employment contract or to non-renew the Superintendent's contract at its expiration.

The Board will ensure that the Superintendent is evaluated based on a performance evaluation system described in Revised School Code Sections 1249 and 1249b and the individual employment contract. The evaluation may include, where appropriate or required by law, the following components:

A. an annual evaluation process that meets statutory standards and is based on objective criteria;

B. an annual evaluation by the Board, unless the Superintendent qualifies for a biennial evaluation, provided that this does not limit the Board's right to conduct more frequent evaluations where deemed appropriate by the Board;

C. an improvement plan if the Superintendent is evaluated as developing or needing support, or otherwise at the Board's discretion;

D. student growth and assessment data or student learning objectives, as defined by Revised School Code Section 1249;

E. an evaluation and feedback provided in writing with an overall effectiveness rating of effective, developing, or needing support;

F. dismissal of a Superintendent rated ineffective or needing support on 3 consecutive evaluations;

G. a midyear progress report for each year that the Superintendent is evaluated that includes specific performance goals for the remainder of the year and any recommended training identified by the Board;

H. a tool approved by the MDE, a modified MDE tool, or a local evaluation tool adopted in compliance with Revised School Code Sections 1249 and 1249b;

I. opportunity for a Superintendent rated needing support to request a review consistent with the procedure for other administrators under Revised School Code 1249b;

J. website posting of required information pertaining to the evaluation tool;

K. providing appropriate training for Board members; and

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L. other components that the Board deems relevant, important, or in the District's best interests.

The Superintendent's individual employment contract will include an appeal process concerning the evaluation process and rating received.

The Board, in its discretion, may provide periodic scheduled feedback about the Superintendent's performance.

Legal authority: MCL 380.11a, 380.601a, 380.1249, 380.1249b

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Series 4000: District Employment

4600 The Superintendent

4604 Absence/Incapacity

If the Superintendent is physically or mentally incapacitated or if there is reason to believe that the Superintendent is unable to perform the duties of the position, pursuant to the Superintendent's individual employment contract and in accordance with federal and state law, the District may require the Superintendent to provide medical information or undergo a physical examination or psychological assessment to determine the Superintendent's ability to perform the duties of the position.

The Superintendent is a key employee as defined under the Family Medical Leave Act (FMLA), whose FMLA leave is limited to 12 weeks (60 work days). See Policy 4106.

If the Superintendent is incapacitated and has not requested leave or if there is reason to believe that the Superintendent cannot perform the duties of the position, the President, after consulting with legal counsel, may place the Superintendent on paid administrative leave pending review by the entire Board. The Superintendent's placement on paid administrative leave will be temporary while the Board determines appropriate action.

The President, subject to review and approval by the entire Board, may appoint a certified and qualified person as the acting Superintendent until the Superintendent can return or a successor is hired.

To promote accountability, where the Superintendent takes leave authorized by the Superintendent employment contract or District Policy, the Superintendent will notify the President and will maintain contemporaneous absence records.

Legal authority: 42 USC 12112; 29 CFR 825.312; MCL 380.1229

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Series 4000: District Employment

4600 The Superintendent

4605 Gifts and Donations

A. Accepting Gifts or Donations on Behalf of the District

The Superintendent or designee is authorized to accept donations on behalf of the Board in accordance with Policy 3303. Donations may not be accepted by a particular school or department without express permission from the Board or Superintendent or designee.

B. Accepting Personal Gifts

The Superintendent shall not solicit or accept anything of value for the Superintendent's direct or indirect personal benefit that may influence or reasonably be perceived to influence decision making or otherwise create an actual or perceived conflict of interest.

C. Gift Giving with Public Funds

Public funds may be used to purchase a plaque, medal, trophy, or other award for recognition of an employee, volunteer, or pupil if the purchase does not exceed statutory monetary limits; except, funds shall not be used to purchase alcoholic beverages, jewelry, fees for golf, or any item which is illegal, as consistent with and permitted by Policy 3205.

Legal authority: MCL 380.11a(3), 380.634, 380.1814

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Series 4000: District Employment

4600 The Superintendent

4606 Discipline and Termination

The Board may discipline or discharge the Superintendent in conformance with the procedures and standards set forth in the Superintendent's individual employment contract with the Board. Where there is reason to believe that the Superintendent has engaged in conduct, performance, or behavior that warrants discipline, the President has the authority to place the Superintendent on paid administrative leave after consultation with legal counsel and pending investigation and further Board action.

If the President receives a complaint against the Superintendent that warrants review at a Board meeting, the Board may convene in open session or closed session at the Superintendent's request, to consider the complaint.

When considering whether discharge or a long-term unpaid disciplinary suspension is appropriate, the Board will provide the Superintendent with advance written notice of disciplinary charges and an opportunity for a hearing at a Board meeting. The Superintendent may request closed session consideration of the complaint or charges. If the Board is considering discharge or a long-term unpaid disciplinary suspension of the Superintendent, and the Superintendent requests a hearing, the Superintendent has the right to bring legal counsel (at the Superintendent's expense) to hear and contest the evidence supporting the discharge or long-term suspension and to submit evidence opposing the discipline.

If the Board concludes, by a preponderance of the evidence, that discharge or a long-term unpaid disciplinary suspension is warranted, the Board may discharge or suspend the Superintendent so long as the basis follows the standards identified in the Superintendent's employment contract. If the Superintendent's individual employment contract does not include a discipline provision, the Board may implement discipline for any lawful reason. Written discipline will be placed in the Superintendent's personnel file.

A suspension without pay may be imposed as a disciplinary consequence, consistent with the FLSA, for infractions of safety rules of major significance or infractions of workplace conduct rules, such as rules prohibiting unlawful harassment, workplace violence, drug or alcohol use, or for infractions of state or federal laws. Disciplinary deductions may only be made in full-day increments and must be imposed pursuant to a written Policy applicable to all employees.

The Superintendent's discharge will not negate residual rights that the Superintendent may have acquired under the Teachers' Tenure Act. Tenure charges seeking the Superintendent's discharge may be issued if appropriate.

Evidence of substantiated unprofessional conduct cannot be suppressed or removed from a personnel file consistent with Revised School Code Section 1230b.

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If the Superintendent fails to comply with certification, permit, or continuing education standards as required by law, the Superintendent's contract terminates immediately.

Legal authority: 29 CFR 541.602(b)(5); MCL 15.268(a); MCL 380.11a(3)(d), 380.601a, 380.1230b

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Series 4000: District Employment

4600 The Superintendent

4607 Non-Renewal

The Board may, in its discretion, non-renew the Superintendent's individual employment contract effective at the end of the contract term. The Board must provide written notice of the non-renewal to the Superintendent at least 90 days before the contract expires, as provided by Revised School Code Section 1229(1). Failure to provide at least 90 days' advance written notice of non-renewal will result in extending the Superintendent's contract for an additional 1-year period.

Legal authority: MCL 380.1229(1)

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