

HESPERIA UNIFIED SCHOOL DISTRICT
Hesperia, California

ARTICLE 2

ADMINISTRATION

Series 2000

			<u>Code</u>
0.	Concepts & Roles in Administration	2000	BP
1.	Administrative Staff Organization	2100	BP
2.	Organization Chart(s)..	2110	BP
3.	Superintendent Governance Standards	2111	BP
4.	Superintendent Recruitment And Selection.....	2120	BP
5.	Superintendent's And Other Senior Manager's Employment Contracts	2121	SEE OLD
6.	Superintendent's Job Description.....	2122	BP
		AR SEE OLD
a.	Evaluation of the Superintendent.....	2140	BP
7.	Administrative Leeway in Absence of Governing Board Policy	2210	BP
8.	Representative and Deliberative Groups	2230	BP
9.	Conflict of Interest Code: Designated Personnel x9270.....	2300	BP

Administration

Concepts and Roles in Administration

The general goal of the district's administration shall be to create and operate an environment in which students learn most effectively. This shall be accomplished through the implementation of Governing Board Policies under the direction of the Superintendent. The Board shall rely on its chief executive officer, the Superintendent, to provide the professional administrative leadership within the district.

The district's administrative organization shall be designed so that all divisions and departments of the central office and all schools are part of a single system. Principals and central office administrators are all expected to administer their units in accordance with Board Policy and the District Superintendent's rules and regulations.

The Board directs the Superintendent to develop mechanisms which shall ensure that administrative decisions are responsive to the specific needs of individual students and the school community.

The Superintendent, Assistant Superintendents, Principals, and all other administrators shall have the authority and responsibility necessary for their specific administrative assignment. Each shall likewise be accountable for the effectiveness with which the administrative assignment is carried out.

The Superintendent shall request the attendance of any administrative personnel at regular and special meetings of the Board, as he/she deems such attendance to be in the best interests of the school district.

The Superintendent may require reports from any of these personnel on such topics and at such time as it may serve the purpose of the school district.

The major goal of district administration shall be:

1. To manage the district's various departments, units, and programs effectively.

Legal Reference:

EDUCATION CODE

- 35020 Duties of employees fixed by governing board
- 35026 Employment of District superintendents by certain District
- 35028 Qualifications for employment
- 35029 Waiver of credential requirements
- 35031 Term of employment
- 35033 District superintendent for certain Districts

Administration

Concepts and Roles in Administration

Legal Reference (Continued)

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

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Human Resources, 1996

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

American Association of School Administrators: <http://www.aasa.org>

Administration

Administrative Staff Organization

The Governing Board shall employ, upon the recommendation of the Superintendent, such additional administrative and supervisory personnel as shall, in its judgment, seem necessary of the school district.

Administrative and supervisory personnel shall function in accordance with the organization and functional charts prepared by the Superintendent. The Superintendent shall reserve the right to make temporary or permanent adjustments in the responsibilities of administrative and supervisory personnel with consideration for the workload and/or the efficiency and capabilities of the affected administrator or supervisor.

Superintendent's Cabinet and Management Team

The Superintendent designates the following management and confidential positions and such other positions that may be designated as members of either the Superintendent's cabinet or management team.

(cf. 2230 - Representative and Deliberative Groups)

Superintendent's Cabinet

Superintendent
Assistant Superintendents

Management Team

Principals
District office administrators

Each employee holding a position identified above shall be a member of the District's management team, which is established for the purposes of:

1. Improving the management function of the District by bringing to bear more effective research on District problems.
2. Pooling technical knowledge in the improvement of District services.
3. Establishing a coordinated program for evaluation of District operations and personnel.
4. Providing good communications among all District personnel.

Administration

Administrative Staff Organization (continued)

5. Providing good communications with the community and, where appropriate, students.
6. Providing a strong commitment of District personnel to District services.
7. Providing refinement and delineation of District policies and regulations.

It must be clearly understood that the management team is not an administrative body; it is intended and must be advisory to the Superintendent, and through the Superintendent, to the Board.

In addition to the purposes enumerated, the management team may undertake such other activities and purposes as the Superintendent may direct.

Personnel policies affecting management personnel, other than the Superintendent, are found in the 4300 section of the personnel series of the policy manual.

Legal Reference:

EDUCATION CODE

35010 Control of District; prescription and enforcement of rules

35020 Duties of employees fixed by governing board

35035 Powers and duties of superintendent

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

ACSA: <http://www.acsa.org>

POLICY RE-ADOPTED: August 20, 2007

Administration

Organization Chart(s)

The administrative organization of the District shall be the basis for achieving the District's primary objective: an effective program of instruction.

The general administrative organization of the District shall be the single executive type of school administration with the Governing Board as the governing body and with all activities under the direction of the Superintendent.

Organization or function charts for the District shall be prepared by the Superintendent and approved by the Board and shall designate clearly the relationships of all employees within the District organization. The organization or function charts shall be kept up to date and changes shall be approved by the Board.

(cf. 2120 - Superintendent of Schools)

(cf. 2210 - Administrative Leeway in Absence of Board Policy)

Legal Reference:

EDUCATION CODE

35010 Control of District; prescription and enforcement of rules

35020 Duties of employees fixed by Governing Board

35035 Powers and duties of Superintendent

35160 Authority of Governing Board

35160.1 Broad authority of school districts

Administration

Superintendent Governance Standards

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~~ a diverse range of views informs 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 majority

Administration

Superintendent Governance Standards (Continued)

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

Management Resources:

CSBA PUBLICATIONS

Superintendent Governance Standards, 2001

CSBA Professional Governance Standards, 2000

AASA PUBLICATIONS

Professional Standards for the Superintendency, 1993

WEB SITES

CSBA: <http://www.csba.org>

ACSA: <http://www.acsa.org>

American Association of School Administrators: <http://www.aasa.org>

Administration

Superintendent Recruitment And Selection

The Superintendent shall be the chief executive officer of the school district under the direction of the Governing Board. The Superintendent is responsible for the management of the schools as authorized by the Board's policies and is accountable to the Board. He/she shall have general supervision of all personnel of the district.

The Board delegates to the Superintendent the power to make decisions concerning internal operations of the school District.

The Superintendent may, at his/her discretion, delegate to other school personnel any duties imposed upon him/her by the policies or vote of the Board as far as the law permits.

The Superintendent must play a key role in the collective bargaining process. He/she shall provide advice and leadership to the Board and the district's chief negotiator.

Professional Development

The Board encourages the Superintendent to pursue a course of professional development which will keep him/her informed on current educational thought and practices. Professional development within the district may include the reading of books, periodicals or other publications on the field of education. The Superintendent is encouraged to attend educational conferences, seminars, workshops, professional meetings and to visit other school systems in the interest of improving the district's instructional program and overall operation. The Superintendent shall keep the professional staff informed of new developments in the field of education.

Administration

Superintendent Recruitment And Selection (Continued)

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

Administration

Superintendent Recruitment And Selection (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)

Pursuant to Government Code 53262 and 54957, the Board may develop contract language in closed session for the Superintendent or any senior management employee who is or will be employed pursuant to a multi-year individual employment contract, however the contract shall be ratified in open session.

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

Administration

Superintendent Recruitment And Selection

Legal Reference: (Continued)

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 Leadership: Human Resources, 1996

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's Job Description

The Superintendent's job description shall be those duties and responsibilities as contained in the most recent job description approved by the Board.

Legal Reference:

EDUCATION CODE

35020 Duties of Employees set by Governing Board

POLICY ADOPTED: August 20, 2007

Administration

Evaluation Of The Superintendent

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 through the use of a Board-approved rubric.

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.

Legal Reference:

GOVERNMENT CODE

54957 Closed session, personnel matters

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Superintendent Evaluation, 2004

WEB SITES

Association of California School Administrators: <http://www.acsa.org>

CSBA, Single District Governance Services: <http://www.csba.org/sds>

POLICY ADOPTED: August 20, 2007

Administration

Administrative Leeway in Absence of Governing Board Policy

The Superintendent shall have the power to act in cases where emergency action must be taken and the Governing Board has not provided guidelines for administrative action. The Board shall review the Superintendent's decision at the next regular Board meeting.

It shall be the duty of the Superintendent to keep the Board president apprised of any action taken in emergency situations prior to the Boards' next regular meeting. The president shall use his/her discretion in informing the Board before its next regular meeting. If the action necessitates the addition or revision of policies, the Superintendent shall make the necessary recommendations to the Board.

(cf. 9320 - Emergency Special Meetings)

Legal Reference:

EDUCATION CODE

35035 Powers and duties of the superintendent

POLICY RE-ADOPTED: August 20, 2007

Administration

Representative & Deliberative Groups

The Governing Board authorizes the Superintendent to establish such permanent or temporary cabinets, committees or management teams as he/she deems necessary for proper administration of Board policies and for the improvement of the total educational program.

Any such group created by the Superintendent shall be for the purpose of obtaining the advice and counsel of administrative and supervisory personnel and to aid in District communication. Such groups may make recommendations for submission to the Board through the Superintendent in an advisory capacity but shall exercise no inherent authority. Authority for establishing policy remains with the Board and authority for implementing policy remains with the Superintendent.

The membership, composition, and responsibility of an administrative task force, cabinet, committee, or management team shall be defined by the Superintendent and may be changed at his/her discretion.

(cf. 1220 - Citizen Advisory Committees)

Administration

Conflict of Interest Code: Designated Personnel

Persons occupying the following positions are designated personnel. These persons shall adhere to the District Conflict of Interest Code adopted by the Governing Board in compliance with Government code 87300 et seq. Financial interest defined in the Conflict of Interest Code must be disclosed by these persons. See Bylaw 9270 for requirements pertaining to the filing of disclosure statements.

- Board Members
- Superintendent
- Coordinators
- Directors/Assistant Directors
- Assistant/Associate/Deputy Superintendent
- Assistant Principals
- Principals
- Program Specialists
- Purchasing Agent
- Supervisors
- Vice Principals

The Board expects each of the persons identified as designated employees to conform to the requirements of Bylaw 9270 for the position that each holds.

Legal Reference:

GOVERNMENT CODE:

- 1090 et seq. Prohibitions applicable to specified officers
- 82028 Definitions "Gift"
- 82030 Definitions "Income"
- 82033 Definitions "Interest in real property"
- 87100 et seq. Conflicts of interest
- 87200 et seq. Disclosure
- 87300 et seq. Conflict of interest code
- 91000 et seq. Enforcement