

DCSD Executive Limitations

EL 1.0 General Executive Constraint

The Superintendent shall not cause or allow any practice, activity, decision, or organizational circumstance that is unlawful, imprudent or in violation of commonly accepted business and professional ethics.

EL 1.1 Treatment of Students, Parents, Public, and Community

With respect to treatment of students or those applying to enroll as students, the Superintendent shall not cause or allow conditions which are unfair, unsafe, undignified, or fail to provide appropriate confidentiality and privacy.

With respect to the District's interactions with student, parents, public, and community constituents or any of their organizations, the Superintendent shall not cause or allow procedures or decisions that are unfair, undignified, or unresponsive.

Accordingly, the Superintendent shall not:

- 1.1.1 Neglect community opinion on relevant issues including new choice/options and facilities;
- 1.1.2 Fail to communicate relevant decisions to the community in a timely manner; or
- 1.1.3 Be disorganized or unclear with respect to interactions with the District Advisory Committee and School Accountability Councils.

EL 1.2 Treatment of Faculty and Staff

With respect to treatment of faculty and staff, the Superintendent shall not cause or allow conditions or procedures that are unsafe, disorganized, unclear, or undignified.

Accordingly, the Superintendent shall not:

- 1.2.1 Operate without written personnel policies and/or procedures, approved by legal counsel, which clarify personnel rules for faculty and staff, provide for effective handling of grievances, and protect against wrongful conditions.
- 1.2.2 Retaliate against any faculty or staff member for non-disruptive internal expressions of dissent.
- 1.2.3 Prevent faculty and staff from using established grievance and/or due process procedures.
- 1.2.4 Prevent faculty and staff from bringing a grievance to the Board when
 - i) internal grievance procedures have been exhausted *and*
 - ii) the individual alleges that Board policy has been violated.
- 1.2.5 Fail to acquaint faculty and staff with their rights under this policy.

EL 1.3 Emergency Succession

In order to protect the Board in the event of sudden loss of Superintendent services, the Superintendent shall assure that no fewer than two other executive staff members are familiar with Board and Superintendent issues and processes and are capable of assuming Superintendent responsibilities on an emergency basis.

EL 1.4 Compensation/Benefits/Employment

With respect to employment and benefits for employees, consultants and contract workers, the Superintendent shall not cause or allow jeopardy to the fiscal integrity or public image of the District.

EL 1.5 Financial Planning and Budgeting

Financial planning may not deviate materially from the Board's Ends priorities, risk financial jeopardy, or fail to be derived from a plan projecting at least five years.

Accordingly, the Superintendent shall not:

- 1.5.1 Present an annual budget that risks incurring those situations or conditions described as unacceptable in Executive Limitation 1.6 "Fiscal Management and Controls."
- 1.5.2 Present an annual budget with too little information to enable credible projection of revenues and expenses, separation of capital and operational items, cash flow projections, and disclosure of planning assumptions.

EL 1.6 Fiscal Management and Controls

The Superintendent shall not cause or allow fiscal jeopardy or any fiscal condition that is inconsistent with achieving the priorities established in the Board's Ends policies.

The Superintendent shall not:

- 1.6.1 Maintain insufficient general fund, capital reserve fund, and insurance reserve fund fiscal year-end balances of less than five percent of current fiscal year revenues.
- 1.6.2 Pay District obligations in an untimely manner or outside of the ordinary course of business.
- 1.6.3 Obligate the District to a single purchase greater than \$750,000.
- 1.6.4 Make any purchase or contract: (a) of more than a minimal amount wherein normally prudent protection has not been given against conflict of interest; (b) of over \$100,000 without having obtained competitive prices and comparative quality unless inappropriate for the circumstances; and (c) of over \$250,000 without a stringent method of assuring a favorable balance of long-term quality and cost. Splitting orders to avoid these requirements is not allowed.
- 1.6.5 Exercise inadequate internal controls over disbursements or allow material dissipation of assets.
- 1.6.6 Compromise the independence of the Board's audit or other external monitoring or advice.
- 1.6.7 Accept revenues from sources that are not, in fact and appearance, consistent with Ends.

EL 1.7 Protection of Assets

The Superintendent shall not allow assets of the District to be unprotected, inadequately maintained, inappropriately used, or unnecessarily risked.

Accordingly, the Superintendent shall not:

- 1.7.1 Allow there to be inadequate insurance to protect the District's assets, including but not limited to coverage for theft and casualty, institutional liability and Directors and Officers liability.
- 1.7.2 Allow unbonded personnel access to material amounts of funds, or fail to provide adequate insurance to protect against employee dishonesty and theft.

- 1.7.3 Subject facilities and equipment to improper wear and tear or insufficient maintenance.
- 1.7.4 Expose the District, its Board, or staff to unnecessary or excessive claims of liability.
- 1.7.5 Fail to protect intellectual property, information and files from misuse, loss or significant damage, including intellectual property developed using District resources.
- 1.7.6 Endanger the District's public image, its credibility, or its ability to accomplish Ends.

EL 1.8 Communication with and Support of the Board

The Superintendent shall not cause or allow the Board to be uninformed or unsupported in its work.

Accordingly, the Superintendent shall not:

- 1.8.1 Fail to adequately plan for short and long-term capital or facility needs in a manner that does not align with the bond cycle.
- 1.8.2 Fail to report in a timely manner an actual or anticipated noncompliance with any policy of the Board.
- 1.8.3 Fail to advise the Board if, in the Superintendent's opinion, the Board, ~~or~~ its committees, or its liaisons are not in compliance with its own policies on Governance Process and Board Superintendent Linkage.
- 1.8.4 Neglect to submit monitoring data required by the Board (see policy on Monitoring Superintendent Performance in *Board-Superintendent Linkage*) in a timely, accurate and understandable fashion, directly addressing provisions of Board policies being monitored.
- 1.8.5 Let the Board be unaware of significant incidental information, such as student performance data, graduation rates, anticipated adverse media coverage, threatened or pending lawsuits, results of District-wide polls or surveys (financed by the District), anticipated bond refunding opportunities or ratings changes, resolutions of significant grievances or complaints, or material external and internal changes. When feasible, the Board is to be notified of material internal changes in advance.
- 1.8.6 Fail to provide a mechanism for official Board, officer, or committee communications.
- 1.8.7 Send letters or surveys or share communication under the Board name or on behalf of the Board prior to the Board's review.
- 1.8.8 Fail, when addressing official Board business, to deal with the Board as a whole except when fulfilling individual requests for information, or responding to officers or committees duly charged by the Board.
- 1.8.9 Inadequately support the Board in its responsibility to favorably impact legislation. Accordingly, the Superintendent may not allow the Board, legislators, or other governmental officials to be unaware of potential consequences to the District posed by pending legislation or regulation.