

**CONCEPTS AND ROLES**

The Board of Trustees 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 noninstructional operations. The Superintendent or designee may make decisions concerning district operations within the parameters of law and Board policy.

*(cf. 2110 - Superintendent Responsibilities and Duties)*  
*(cf. 9310 - Board Policies)*

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.

*(cf. 0000 - Vision)*  
*(cf. 0100 - Philosophy)*  
*(cf. 0200 - Goals for the School District)*  
*(cf. 0500 - Accountability)*  
*(cf. 2111 - Superintendent Governance Standards)*

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.

*(cf. 9000 - Role of the Board)*  
*(cf. 9005 - Governance Standards)*

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.

*(cf. 2120 - Superintendent Recruitment and Selection)*

The Board and Superintendent shall agree upon a system for evaluating the Superintendent, including the evaluation criteria, method, evaluation instrument, process, and timeline.

*(cf. 2140 - Evaluation of the Superintendent)*

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.

## CONCEPTS AND ROLES (continued)

- (cf. 1220 - Citizen Advisory Committees)*
- (cf. 2210 - Administrative Discretion Regarding Board Policy)*
- (cf. 2230 - Representative and Deliberative Groups)*
- (cf. 4300 - Administrative and Supervisory Personnel)*
- (cf. 4301 - Administrative Staff Organization)*

### *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*

### *Management Resources:*

#### CSBA PUBLICATIONS

- Maximizing School Board Governance: Superintendent Selection and Employment, 2006*
- Maximizing School Board Governance: Superintendent Evaluation, 2005*
- Superintendent Governance Standards, 2001*
- CSBA Professional Governance Standards, 2000*

#### WEB SITES

- CSBA: <http://www.csba.org>*
- American Association of School Administrators: <http://www.aasa.org>*
- Association of California School Administrators: <http://www.acsa.org>*

**SUPERINTENDENT RESPONSIBILITIES AND DUTIES**

The Board of Trustees 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.

*(cf. 0000 - Vision)*  
*(cf. 2000 - Concepts and Roles)*  
*(cf. 2111 - Superintendent Governance Standards)*  
*(cf. 2121 - Superintendent's Contract)*

The Board shall clarify expectations and goals for the Superintendent at the beginning of every evaluation year.

*(cf. 2140 - Evaluation of the Superintendent)*

As the chief executive officer of the district, the Superintendent shall implement all Board decisions and manage the instructional and noninstructional 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.

*(cf. 2210 - Administrative Discretion Regarding Board Policy)*  
*(cf. 9000 - Role of the Board)*  
*(cf. 9122 - Secretary)*

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.

*(cf. 4301 - Administrative Staff Organization)*

*Legal Reference: (see next page)*

**SUPERINTENDENT RESPONSIBILITIES AND DUTIES** (continued)

*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*

*Management Resources:*

CSBA PUBLICATIONS

*Maximizing School Board Governance*

*Superintendent Governance Standards, 2001*

WEB SITES

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

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

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

**ORGANIZATION CHART**

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 executive type of school administration with the 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.

*Legal Reference:*

EDUCATION CODE

35020 Article 3 officers and agents

35035 Superintendent duties

**Administration**

E 2110.1

**PLEASE SEE DISTRICT MATERIAL IN DISTRICT OFFICE  
FOR  
EXHIBIT 2110.1  
ENTITLED  
"ORGANIZATION CHART"**

**SUPERINTENDENT GOVERNANCE STANDARDS**

The Board of Trustees 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.

*(cf. 2000 - Concepts and Roles)*

*(cf. 2110 - Superintendent Responsibilities and Duties)*

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

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

*(cf. 9240 - Board 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

*(cf. 0000 - Vision)*

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

**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>



**SUPERINTENDENT RECRUITMENT AND SELECTION**

The Board of Trustees 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.

*(cf. 2000 - Concepts and Roles)*  
*(cf. 2110 - Superintendent Responsibilities and Duties)*  
*(cf. 2111 - Superintendent Governance Standards)*  
*(cf. 9000 - Role of the Board)*

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

*(cf. 0000 - Vision)*  
*(cf. 0100 - Philosophy)*  
*(cf. 0200 - Goals for the School District)*

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

*(cf. 1000 - Concepts and Roles)*  
*(cf. 1220 - Citizen Advisory Committees)*

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

**SUPERINTENDENT RECRUITMENT AND SELECTION** (continued)

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

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)

*(cf. 2121 - Superintendent's Contract)*  
*(cf. 9321 - Closed Session Purposes and Agendas)*  
*(cf. 9321.1 - Closed Session Actions and Reports)*

The Board shall conduct these proceedings in accordance with legal and ethical obligations regarding confidentiality and equal opportunity.

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

**SUPERINTENDENT RECRUITMENT AND SELECTION** (continued)

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  
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>

**SUPERINTENDENT'S CONTRACT**

The Board of Trustees believes that the Superintendent's employment contract should outline the framework through which the Board and Superintendent are to work together to achieve district goals and objectives. When approving the Superintendent's employment contract, the Board shall consider the need for stability in district administration and shall ensure the best use of district resources.

*(cf. 0200 - Goals for the School District)*  
*(cf. 2120 - Superintendent Recruitment and Selection)*  
*(cf. 4312.1 - Contracts)*  
*(cf. 9000 - Role of the Board)*

The contract shall be reviewed by the district's legal counsel and may include the following:

1. Term of the contract, which shall be for no more than four years pursuant to Education Code 35031
2. Length of the work year and hours of work
3. Salary, health and welfare benefits, and other compensation for the position

*(cf. 4154/4254/4354 - Health and Welfare Benefits)*

4. Reimbursement of work-related expenses, including mileage reimbursement, consistent with Board policies, regulations, and guidelines applicable to other professional administrative staff

*(cf. 3350 - Travel Expenses)*

The contract may also address payment for professional dues and activities, the district's provision of cell phones or other technological devices, and the Superintendent's use of his/her personal vehicle.

*(cf. 4040 - Employee Use of Technology)*

5. Vacation, illness and injury leave, and personal leaves

*(cf. 4161/4261/4361 - Leaves)*  
*(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)*  
*(cf. 4161.2/4261.2/4361.2 - Personal Leaves)*  
*(cf. 4161.5/4261.5/4361.5 - Military Leave)*  
*(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)*

6. General duties and responsibilities of the position

*(cf. 2110 - Superintendent Responsibilities and Duties)*

**SUPERINTENDENT'S CONTRACT** (continued)

7. Criteria, process, and procedure for annual evaluation of the Superintendent

*(cf. 2140 - Evaluation of the Superintendent)*

8. A statement that any subsequent increase in the Superintendent's salary shall be at the sole discretion of the Board

9. A statement that there shall be no automatic renewal or extension of the contract, although the Board can enter into a new contract with the Superintendent prior to the expiration of the existing contract

10. Timeline for providing written notice to the Superintendent if the Board does not wish to enter into a new contract, which shall be at least 45 calendar days in advance of the expiration of the term of the contract pursuant to Education Code 35031, and the responsibility of the Superintendent to remind the Board in writing and in a timely manner of the requirement to give notice

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

11. Conditions and process for termination of the contract, including the maximum cash settlement that the Superintendent may receive if the contract is terminated prior to its expiration date

12. Matters related to liability and indemnification against demands, claims, suits, actions, and legal proceedings brought against the Superintendent in his/her official capacity in the performance of duties related to his/her employment

The Board may deliberate about terms of the contract in closed session at a regular meeting. However, discussions regarding the salary, salary schedule, or other compensation may occur in the closed session of a regular meeting only between the Board and its designated representative(s), as permitted under Government Code 54957.6 (the "labor exception"), for the purpose of reviewing the Board's position and/or instructing the designated representative(s) prior to or during bona fide negotiations with the current or prospective Superintendent. Such deliberations shall not be held during a special meeting. (Government Code 54956, 54957, 54957.6)

The Board may consult with district legal counsel prior to holding a closed session with the designated representative(s) to discuss compensation to be paid to the current or prospective Superintendent.

*(cf. 9320 - Meetings and Notices)*

*(cf. 9321 - Closed Session Purposes and Agendas)*

*(cf. 9321.1 - Closed Session Actions and Reports)*

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

**SUPERINTENDENT'S CONTRACT** (continued)

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

The Board shall take final action on the Superintendent's contract during an open session of a regularly scheduled Board meeting, and that action shall be reflected in the Board's minutes. At that meeting, prior to taking action, the Board shall orally report a summary of the recommendation for the final action on the Superintendent's salary or compensation in the form of fringe benefits. (Government Code 3511.1, 53262, 54953)

Copies of the contract and other public records created or received in the process of developing the recommendation related to the Superintendent's salary, benefits, and other compensation shall be available to the public upon request. (Government Code 53262, 54953, 54957.6)

*(cf. 1340 - Access to District Records)*

*(cf. 3580 - District Records)*

**Termination of Contract**

Prior to the expiration of the contract, the Board may terminate the Superintendent's employment contract in accordance with law and applicable contract provisions.

*(cf. 4117.5/4217.5/4317.5 - Termination Agreements)*

In such an event, any cash settlement that the Superintendent may receive upon termination of the contract shall not exceed his/her monthly salary multiplied by the number of months left on the contract or, if the unexpired term of the contract is more than 18 months and the contract was executed prior to January 1, 2016, no greater than the Superintendent's monthly salary multiplied by 18. For any contract executed on or after January 1, 2016, any cash settlement shall not exceed the Superintendent's monthly salary multiplied by 12. (Government Code 53260)

The cash settlement shall not include any noncash items other than health benefits, which may be continued for the same duration of time as covered in the settlement or until the Superintendent finds other employment, whichever occurs first. (Government Code 53260, 53261)

However, when the termination of the Superintendent's contract is based upon the Board's belief and subsequent confirmation through an independent audit that the Superintendent has engaged in fraud, misappropriation of funds, or other illegal fiscal practices, no cash or noncash settlement of any amount shall be provided. (Government Code 53260)

In addition, if the Superintendent is convicted of a crime involving an abuse of his/her office or position, he/she shall reimburse the district for payments he/she receives as paid leave salary pending investigation or as cash settlement upon his/her termination, and for any funds expended by the district in his/her defense against a crime involving his/her office or position. (Government Code 53243-53243.4, 53260)

**SUPERINTENDENT'S CONTRACT (continued)**

*Legal Reference:*

EDUCATION CODE

35031 *Term of employment*

41325-41329.3 *Conditions of emergency apportionment*

GOVERNMENT CODE

3511.1-3511.2 *Local agency executives*

6250-6270 *California Public Records Act*

53243-53243.4 *Abuse of office*

53260-53264 *Employment contracts*

54953 *Oral summary of recommended salary and benefits of superintendent*

54954 *Time and place of regular meetings*

54956 *Special meetings*

54957 *Closed session personnel matters*

54957.1 *Closed session, public report of action taken*

54957.6 *Closed sessions regarding employee matters*

UNITED STATES CODE, TITLE 26

105 *Self-insured medical reimbursement plan; definition of highly compensated individual*

UNITED STATES CODE, TITLE 42

300gg-16 *Group health plan; nondiscrimination in favor of highly compensated individuals*

CODE OF FEDERAL REGULATIONS

1.105-11 *Self-insured medical reimbursement plan*

COURT DECISIONS

*San Diego Union v. City Council, (1983) 146 Cal.App.3d 947*

ATTORNEY GENERAL OPINIONS

*57 Ops. Cal. Atty. Gen. 209 (1974)*

*Management Resources:*

CSBA PUBLICATIONS

*Superintendent Contract Template, 2015*

ATTORNEY GENERAL PUBLICATIONS

*The Brown Act: Open Meetings for Local Legislative Bodies, 2003*

WEB SITES

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

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

California Office of the Attorney General: <http://oag.ca.gov>

(12/15 6/16) 5/17

Policy

Adopted: January 4, 2012

Revised: May 2, 2012

Revised: March 2, 2016

Revised: June 29, 2016

Revised: June 27, 2017

**BIGGS UNIFIED SCHOOL DISTRICT**

Biggs, California

**SUPERINTENDENT JOB DESCRIPTION**

1. The Superintendent is the chief executive officer of the Board. (Education Code 35035)
2. The Superintendent shall act as secretary to the Board.
3. The Superintendent is responsible for carrying out all policies established by the Board.
4. In cases not specifically covered by Board policies, the Superintendent shall take appropriate action and report such action to the Board not later than the next Board meeting.
5. All individuals employed by the Board are responsible to the Superintendent.
6. The Superintendent shall establish such regulations and give such instruction to school employees as may be necessary to make the policies of the Board effective. Such delegation and assignments, however, shall not relieve the Superintendent of final responsibility for actions of subordinates.
7. The Superintendent shall be present at all meetings of the Board and its special committees except when matters pertaining to his/her re-employment are being considered by the Board. The Superintendent shall be advisor to the Board in all its deliberations.
8. The Superintendent shall be responsible for preparing and submitting the district budget to the Board for the ensuing fiscal year. He/she shall revise and take any other action concerning the budget as the Board may designate.
9. The Superintendent shall submit a quarterly financial and budgetary reports to the Board. The report shall include any outstanding obligations incurred by the school district. (Education Code 35035)
10. In accordance with policies of the Board, the Superintendent shall have power within the limits of major appropriations approved by the Board to approve and direct all purchases and expenditures.

The Superintendent shall have the power to enter into any contracts on behalf of the Board. (Education Code 35035) The Board shall delegate this power to the Superintendent by a majority vote. (Education Code 39656)

The Superintendent shall be personally liable for any district monies paid out as result of his/her misconduct in relation to any contracts made. (Education Code 39656)



**SUPERINTENDENT JOB DESCRIPTION** (continued)

11. The Superintendent shall submit, in writing, his/her recommendations in respect to all candidates for employment. The Board shall accept or reject such recommendations, but shall employ candidates only on the Superintendent's recommendation.
12. The Superintendent shall determine whether certificated employees have a valid certificate as required by law. (Education Code 35035)
13. The Superintendent shall formulate and recommend, for the consideration of the Board, personnel policies needed for efficient functioning of the district staff.

The Superintendent shall assign all certificated personnel within the district subject to Board approval.

The Superintendent shall have the power to transfer certificated employees from one school to another. His/her decision shall be based on the best interest of the district and be consistent with the adopted Board policy concerning transfers. (Education Code 35035)

*(cf. 4114 - Transfers/Reassignment)*

14. The Superintendent shall provide professional leadership for the education program of the schools. He/she shall formulate educationally sound policies and present them to the Board for consideration. The Superintendent shall regularly report to the Board on all aspects of the district's education program.
15. The Superintendent shall be responsible for the evaluation of each staff member and report his/her findings to the Board.
16. The Superintendent is responsible for the development of a plan for maintenance, improvement or expansion of building and site facilities.
17. The Superintendent is responsible for planning means of keeping the community informed about school matters. He/she shall serve as a representative of the schools before the public.
18. Within budget appropriations and travel policy set by the Board, the Superintendent is authorized to approve travel expenses for employees on official business.
19. The Superintendent shall submit to the Board an annual report on the operation of the school system as well as any special reports requested by the Board.
20. The Superintendent shall keep and regularly update an inventory of all property, furnishings, materials and supplies of the district.

**SUPERINTENDENT JOB DESCRIPTION** (continued)

21. The Superintendent shall formulate and administer a program of supervision for all schools.
22. The Superintendent shall recommend to the Board a student's suspension or expulsion under the appropriate circumstances. (Education Code 48900)
23. The Superintendent shall submit, by April, a school calendar for the ensuing school year to the Board for approval.

*Legal Reference:*

EDUCATION CODE

*35020 Duties of employees set by governing board*

*35026 Employment of district superintendent by certain districts*

*35028 Qualifications for employment*

*35029 Waiver of certification requirement for chief administrative office of the district*

*35031 Term of employment (up to four years)*

*35032 Salary increases*

*35033 District superintendent for certain unified school districts (on formation of district)*

*35034 District superintendent of certain unified school districts*

*35035 Additional powers and duties of superintendent*

*48900 Authority of superintendent to recommend suspension or expulsion*

**EVALUATION OF THE SUPERINTENDENT**

The Board of Trustees recognizes its responsibility to establish an evaluation system that enables a fair assessment of the Superintendent's effectiveness in leading the district toward established goals, serves to support his/her continued growth in leadership and management skills, and provides a basis for Board decisions regarding contract extension and compensation. The Board shall annually conduct a formal evaluation of the Superintendent's performance and may provide additional opportunities throughout the year to review the Superintendent's progress toward meeting established goals.

*(cf. [0000](#) - Vision)*  
*(cf. [0200](#) - Goals for the School District)*  
*(cf. [0500](#) - Accountability)*  
*(cf. [2121](#) - Superintendent's Contract)*  
*(cf. [9000](#) - Role of the Board)*  
*(cf. [9005](#) - Governance Standards)*

The Board shall determine, with the Superintendent's input, the criteria, schedule, method(s), and instrument(s) to be used for the Superintendent's evaluation. Evaluation criteria shall include, but are not limited to, district goals and success indicators; educational, management, and community leadership skills; and the Superintendent's professional relationship with the Board.

*(cf. [2110](#) - Superintendent Responsibilities and Duties)*  
*(cf. [2111](#) - Superintendent Governance Standards)*

Prior to the evaluation, the Superintendent shall provide to the Board for its review a report of progress toward district goals, the Superintendent's self-appraisal of accomplishments and performance, and a statement of actions taken to address any Board recommendations from the previous evaluation.

Each Board member shall independently evaluate the Superintendent's performance based upon the evaluation criteria, after which the Board shall produce a single document that integrates the individual evaluations and represents the consensus of the Board.

*(cf. [9121](#) - President)*

The evaluation shall provide commendations in areas of strength and achievement and recommendations for improving effectiveness in any areas of need, concern, or unsatisfactory performance.

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

*(cf. [9321](#) - Closed Session Purposes and Agendas)*  
*(cf. [9321.1](#) - Closed Session Actions and Reports)*

**EVALUATION OF THE SUPERINTENDENT** (continued)

At this meeting, the Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional information regarding his/her performance or district progress.

The discussion shall include the establishment of performance goals for the next year and may identify professional development opportunities for the Superintendent and/or the entire governance team to address areas of concern, strengthen the relationship between the Superintendent and Board, or enhance the Superintendent's knowledge of current educational issues and leadership and management skills.

(cf. [9240](#) - Board Training)

(cf. [9400](#) - Board Self-Evaluation)

After the Board and Superintendent have discussed the evaluation, the Board president and Superintendent shall sign the evaluation and it shall be placed in the Superintendent's personnel file. The evaluation, including personal performance goals, shall be confidential to the extent permitted by law.

(cf. [4112.6/4212.6/4312.6](#) - Personnel Files)

*Legal Reference:*

GOVERNMENT CODE

[6254.8](#) Public Records Act; employment contracts

[54957](#) Closed session, personnel matters

COURT DECISIONS

*Versaci v. Superior Court*, (2005) 127 Cal.App.4th 805

*Duval v. Board of Trustees*, (2001) 93 Cal.App.4th 902

*Management Resources:*

WEB SITES

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

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

(7/04 3/11) 7/17

**ADMINISTRATIVE DISCRETION REGARDING BOARD POLICY**

The Board of Trustees desires to be proactive in communicating its philosophy, priorities, and expectations for the district; clarifying the roles and responsibilities of the Board, Superintendent, and other senior administrators; and setting direction for the district through written policies. However, the Board recognizes that, in the course of operating district schools or implementing district programs, situations may arise which may not be addressed in written policies. In such situations, or when immediate action is necessary to avoid any risk to the safety or security of students, staff, or district property or to prevent disruption of school operations, the Superintendent or designee shall have the authority to act on behalf of the district in a manner that is consistent with law and Board policies.

*(cf. 0000 - Vision)*

*(cf. 0100 - Philosophy)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 2110 - Superintendent Responsibilities and Duties)*

*(cf. 2121 - Superintendent's Contract)*

*(cf. 3516.5 - Emergency Schedules)*

*(cf. 9000 - Role of the Board)*

*(cf. 9310 - Board Policies)*

As necessary, the Superintendent or designee shall consult with other district staff, including legal counsel and/or the chief business official, regarding the exercise of this authority.

Any exercise of administrative authority shall be nondiscriminatory and demonstrate the district's commitment to equity in district programs and activities.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 0415 - Equity)*

The Superintendent shall be accountable to the Board for all areas of operation under his/her authority. As appropriate, the Superintendent or designee shall notify the Board as soon as practicable after he/she exercises the authority granted under this policy. 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.

*(cf. 9320 - Meetings and Notices)*

*(cf. 9322 - Agenda/Meeting Materials)*

**ADMINISTRATIVE DISCRETION REGARDING BOARD POLICY** (continued)

*Legal Reference:*

EDUCATION CODE

35010 *Control of district, prescription and enforcement of rules*

35035 *Powers and duties of superintendent*

35160 *Authority of governing boards*

35161 *Powers and duties; authority to delegate*

35163 *Official actions, minutes and journal*

*Management Resources:*

WEB SITES

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

(7/11 12/13) 7/18

Policy  
adopted: January 4, 2012  
revised: April 2, 2014  
revised: August 1, 2018

**BIGGS UNIFIED SCHOOL DISTRICT**  
Biggs, California

**REPRESENTATIVE AND DELIBERATIVE GROUPS**

The Board of Trustees 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.

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 4301 - Administrative Staff Organization)*

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.

*(cf. 9130 - Board Committees)*

Expenses incurred for consulting services, materials, travel or other related operations shall be approved by the Superintendent or designee in advance.

*(cf. 3350 - Travel Expenses)*

*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*

**POLICY/REGULATION/BYLAWS DEVELOPMENT**

**Policy Manual**

The Superintendent shall establish an orderly plan to publish the Board of Trustees policies, regulations and bylaws in a manual and maintain them in current condition. The policy manual shall be distributed to the Board and to key district personnel. Students, members of the community and other staff members shall have access to the district policy manual.

**Policies**

Policies are written statements adopted by the Board which provide guides for discretionary action to the Superintendent and his/her staff. The Board may request the Superintendent to provide policy statements for its consideration or may initiate a committee from among its own members to develop policy.

*(cf. 9311 - Formulation, Adoption, Amendment of Policies)*

**Administrative Regulations**

The Superintendent shall develop regulations and procedures necessary to implement policy and operate the schools of the district. Rules and regulations shall not be in conflict with adopted Board policy, statutory provisions and State Department of Education rules and regulations.

The Board retains the right to review district rules and regulations to ensure that they are not in conflict with policy.

Regulations which apply to all schools of the district shall be included in the policy manual.

**Board Adopted Regulations**

The Board shall formally adopt or approve regulations when required to do so by law. The board may request the Superintendent to prepare and submit draft regulations for its consideration.

**Bylaws**

Bylaws are the rules governing the internal operations of the Board. When need for a new bylaw, or modification of an existing bylaw is recognized, the Superintendent will be directed to develop and present the Board with a new modified bylaw for consideration. The same procedure used for development of policies shall be used for development of bylaws.

*(cf. 9310 - Board Policies)*



**POLICY/REGULATION/BYLAW DEVELOPMENT** (continued)

**Maintenance of Policy Manual**

The Board recognizes that new development in education, changes in law and local community issues will have an impact on the operation of the school district and consequently the Board's policy manual. In order to respond to these carious needs in a timely manner the Board welcomes written recommendations for change from any source.

The Board expects the administration to keep abreast of changes in law, state regulations and court decisions and to make recommendations for that amendment of policies, regulations and bylaws or the development of new ones.

*(cf. 9300 et sep. - Governance)*

*Legal Reference:*

EDUCATION CODEU

35014 Adoption of rules by governing boards

35035 Powers and duties of superintendent

35161

35291 Rules (powers of governing board)

48657 Rules and regulations for management and government (adjustment schools)

GOVERNMENT CODE

3540-3549.3 Public educational employer-employee relations

Policy  
adopted: February 4, 1987  
reviewed: January 4, 2012

**BIGGS UNIFIED SCHOOL DISTRICT**  
Biggs, California