

# policy

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BOARD OF EDUCATION  
LAKE SHORE PUBLIC SCHOOLS

ADMINISTRATION  
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## DISTRICT ORGANIZATION

The Superintendent shall continually monitor the effectiveness of the District organizational plan and recommend to the Board of Education such modifications in the plan which are in the best interests of the students, make wisest use of District resources, and serve the educational goals of the Board.

Modifications in the organizational plan of the schools may be made by the Board upon the recommendation of the Superintendent.

The Superintendent shall be the chief executive officer of the School District. The Superintendent shall define and recommend those administrative positions required to implement the educational system and program of learning established by the Board. In each case, the Board will approve the broad purpose and function of the position in harmony with State law and regulations.

Responsibility shall flow clearly from the Superintendent through the administrative staff to the operational personnel.

It shall be the responsibility of the Superintendent to determine the need for and define operational requirements sufficient to ensure the smooth functioning of the District.

It is the Board's intent to maintain an efficiently skilled staff with a high level of competence for the effective performance of the system.

On occasion, the Superintendent may find it necessary to recommend to the Board the employment of specialists or consultants to maintain or support programs implemented by the District in areas requiring specialized knowledge. These positions will be considered by the Board on the merits of their potential contribution to the school District and the specific conditions of the stated contract or agreement.

M.C.L.A. 380.1261, 380.1286

## CONFLICT OF INTEREST – PRIVATE PRACTICE

- A. The maintenance of unusually high standards of honesty, integrity, impartiality, and professional conduct by School District employees is essential to ensure the proper performance of school business as well as to earn and keep public confidence in the School District.

To accomplish this, the Board of Education has adopted the following guidelines to assure that conflicts of interest do not occur. These are not intended to be all inclusive, nor to substitute for good judgment on the part of all employees.

1. No employee shall engage in or have a financial interest, directly or indirectly, in any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system.
2. Employees shall not engage in business, private practice of their profession, the rendering of services, or the sale of goods of any type where advantage is taken of any professional relationship they may have with any student, client, or parents of such students or clients in the course of their employment with the School District.

Included, by way of illustration rather than limitation, are the following:

- a. the provision of any private lessons or services for a fee
  - b. the use, sale, or improper divulging of any privileged information about a student or client gained in the course of the employee's employment or through his/her access to School District records
  - c. the referral of any student or client for lessons or services to any private business or professional practitioner if there is any expectation of reciprocal referrals, sharing of fees, or other remuneration for such referrals
  - d. the requirement of students or clients to purchase any private goods or services provided by an employee or any business or professional practitioner with whom any employee has a financial relationship, as a condition of receiving any grades, credits, promotions, approvals, or recommendations
3. Employees shall not make use of materials, equipment, or facilities of the School District in private practice. Examples would be the use of facilities before, during, or after regular business hours for service to private practice clients, or the checking out of items from an instructional materials center for private practice.

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- B. Should exceptions to this policy be necessary in order to provide services to students or clients of the School District, all such exceptions will be made known to the employee's supervisor and will be disclosed and approved by the Superintendent before entering into any private relationship.

## BOARD – SUPERINTENDENT RELATIONSHIP

The Board of Education believes that, in general, it is the primary duty of the Board to establish policies and that of the Superintendent to administer such policies. Policy may be originated or changed upon the recommendation of the Superintendent. The Superintendent should be given the latitude to determine the best method of implementing the policies of the Board.

The Superintendent, as the chief administrative officer of the School District, is the primary professional advisor to the Board. S/He is responsible for the development, supervision, and operation of the school program and facilities. His/Her methods should be made known to the staff through the administrative guidelines of the District. The Board shall retain oversight supervision of such administrative guidelines.

The Superintendent and those administrators with District wide responsibilities shall attend all regular Board meetings, when feasible. Other administrators shall attend upon request of the President, Superintendent, or Board of Education. Administrative participation shall be by professional counsel, guidance, and recommendation - as distinct from deliberation, debate, and voting of Board members.

In order to expedite negotiation procedures, the Superintendent is appointed as chief representative of the Board for the purpose of determining negotiation strategies and members of negotiation teams for collective bargaining with recognized unions and employee units.

The Board is responsible for determining the success of the Superintendent in meeting the goals established by the Board through annual evaluations of the Superintendent's performance. The Board, in formulating its position with regard to the performance of the Superintendent, shall rely, whenever possible, on the objective outcomes of its evaluations rather than on subjective opinions.

## EMPLOYMENT OF THE SUPERINTENDENT

The Board of Education vests the primary responsibility for administration of this District in the Superintendent of Schools. The appointment of that officer is, therefore, one of the most important functions the Board can perform.

Whenever the position of Superintendent shall be vacant, the Board shall appoint a Superintendent of Schools as chief executive officer and fix his/her salary and term of office which shall be no more than five (5) years.

The Board shall actively seek the best qualified and most capable candidate for the position of District Superintendent.

All interviews of applicants by the Board or a committee of the Board shall be done in open meetings. At the time of application, the Board President shall ensure that each applicant has been informed that Michigan law may not permit the Board to protect his/her application from disclosure, and any interview must be open to the public.

A person who is employed as Superintendent by this Board is required to meet the certification requirements established by the State Board of Education. Any candidate's intentional misstatement of fact material to his/her qualification for employment or the determination of his/her salary shall be considered by this Board to constitute grounds for his/her dismissal.

M.C.L.A. 380.132, 380.247, 380.1246

## RESPONSIBILITIES OF THE SUPERINTENDENT

The Superintendent of Schools shall strive to achieve District goals by providing educational direction and supervision to the certified staff and supervision to the support staff and by acting as a proper model for staff and students both in and outside the District.

### Duties and Responsibilities

The Superintendent shall be directly responsible to the Board of Education for the performance of the following assigned duties and responsibilities:

- A. ensure that all aspects of District operation comply with State laws and regulations as well as Board contracts and policies
- B. ensure proper implementation of the current District-wide instructional plan as it applies to each building
- C. strive to increase the efficient use of District resources in the daily operations of the schools
- D. assign staff to achieve the maximum benefit toward the attainment of educational goals
- E. evaluate the progress of the professional and support staff toward the attainment of educational goals
- F. evaluate the results of instructional program development as it applies to the Board's educational goals
- G. recommend changes in instructional or staffing patterns based on an analysis of staff and program progress
- H. work with principals to assure that decisions made at the building level are created by means of a site-based, decision-making process that includes participation of the school's administration and staff, parents, students and others in the community
- I. work cooperatively with parents and community groups concerned with programs in the schools
- J. develop personal capabilities in personnel strategies and facility management
- K. work cooperatively with the Board and administrative staff
- L. suspend a teacher for cause, pending a Board hearing
- M. classify and control the advancement of students

## DEVELOPMENT OF ADMINISTRATIVE GUIDELINES

The Board of Education delegates to the Superintendent the function of designing and implementing the guidelines, required actions, and detailed arrangements under which the District will operate. These administrative guidelines shall be consistent with the policies adopted by the Board.

The Board itself will formulate and adopt administrative guidelines and rules only when required by law, and when the Superintendent recommends Board adoption.

The Superintendent may also issue such administrative and student handbooks as s/he may consider necessary for the effective administration of the schools and distribute them to employees and students and/or their parents.

As long as the provisions of these administrative guidelines and handbooks are consistent with Board policies, or with Federal/State law, they will be considered to be an extension of the policy manual and binding upon all employees and students.

M.C.L.A. 380.132, 380.248



## EVALUATION OF THE SUPERINTENDENT

The Board of Education believes it is essential that it evaluate the Superintendent's performance periodically in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the District with the best possible leadership.

As an outcome of the evaluation of the Superintendent's performance, the Board should be prepared to judge the advisability of retention of the Superintendent and be prepared better to:

- A. determine the Superintendent's salary;
- B. identify strengths and weaknesses in the operation of the District and determine means by which weaknesses can be reduced and strengths are maintained;
- C. establish specific objectives, the achievement of which will advance the District toward its goals;
- D. improve its own performance as the public body ultimately charged with the educational responsibility of this District.

## INCAPACITY OF THE SUPERINTENDENT

It is the legal duty of the Board of Education to appoint a Superintendent 'pro tempore' by a majority vote of the Board upon determination that the Superintendent is incapacitated in such a manner that s/he is unable to perform the duties of his/her office.

The Board shall fix the compensation of the Superintendent 'pro tempore' who shall serve until the Superintendent's incapacity is removed or until the expiration of the Superintendent's contract or term of office, whichever is sooner. S/He shall perform all of the duties and functions of the Superintendent, and may be removed at any time for cause by a two-thirds (2/3's) majority vote of the members of the Board.

The Board will exercise its authority under law to determine the incapacity of the Superintendent at the request of the Superintendent and with medical documentation and/or upon certification of a panel of three (3) physicians, one (1) selected and compensated by the Board, one (1) selected and compensated by the Superintendent, and the third selected by the two (2) physicians and compensated by the Board.

If the Board determines that the Superintendent is unable to perform the duties of his/her office, s/he may at his/her request, or the request of the Board, be placed on sick leave, with pay, not to exceed the amount of his/her accumulated but unused sick leave and any advancement of such sick leave which may be authorized by Board policy.

The foregoing leave shall not extend beyond the contract or term of office of the Superintendent.

In the event the Superintendent within any year of the contract is prevented from rendering services or performing his/her duties due to illness, incapacity, or injury for a period of 120 work days, the Board may terminate the contract.

The Superintendent shall, upon request to the President of the Board, be returned to active duty status, unless the Board denies the request within ten (10) days of receipt of the request. The Board may require the Superintendent to establish to its satisfaction that s/he is capable of resuming such duties on a full-time basis.

The Board may demand that the Superintendent return to active service, and upon medical documentation that the Superintendent is able to resume his/her duties, the Superintendent shall return to active service.

The Superintendent may request a hearing before the Board on any action taken under this policy.

## JOB DESCRIPTIONS

The Board of Education authorizes the Superintendent, or his/her designee, to maintain job descriptions which shall be brief, factual, and, wherever possible, generically descriptive of similar jobs.

The job description for the Superintendent shall be defined as a policy of the Board.

All other job descriptions shall be defined as administrative guidelines of the Superintendent.

Revisions to job descriptions shall be reviewed with the employees affected prior to their use.

Each employee will be provided with a copy of his/her job description at the time of employment and any revisions thereto.

Employees will be evaluated, at least in part, against their job descriptions.