

Policy #	Policy Name	Date Adopted	Date Revised	Regulation
SECTION 2000 - GENERAL SCHOOL ADMINISTRATION				
2020	Administrative Organization	07/11/01	08/02/06	
2100	School Superintendent	07/11/01		
2120	Duties	07/11/01	08/02/06	
2130	Executive Succession & Transition	05/16/12		
2140	Appointment	07/11/01	08/02/06	
2250	Evaluation	07/11/01		
2310	Residency Right to Apply Definitions Non-Compliance	07/11/01	08/02/06	
2400	Administrative Personnel (Central Office and Building Level) <i>SN: For school management and supervisory personnel below District Superintendent level</i> Duties Recruitment	07/11/01		
2405	Individual Administrative Contracts Non-Renewal	07/11/01		
2450	Evaluation (Cf. 2250, 5520)	07/11/01		
2750	Administrative Rules Board Review and Approval Board Adoption Rules Review	07/11/01	06/02/10	
2800	Records (Cf. 8950)	07/11/01		
2810	Public Review and Inspection of Records Fees Appeals	07/11/01		X

The legal authority of the Board shall be transmitted through the Superintendent to other positions through an approved organizational structure.¹ The Superintendent shall develop an organizational chart that indicates the channels of authority and reporting relationships for school personnel. These channels should be followed, and no level should be by-passed except in unusual situations.

All employees who are covered by a collective bargaining agreement should follow the procedures set forth in their respective contracts for matters requiring administrative action.

Non-union employees should refer matters requiring administrative action to their immediate supervisor. The decision of the immediate supervisor may be appealed to the appropriate executive cabinet member who may consult with the Superintendent for a final decision.

Whenever possible, each employee should be responsible to only one immediate supervisor for purposes of evaluation. Where this is not possible, the division of responsibility must be clear.

Approved: July 11, 2001
Revised: August 2, 2006

¹ MCL 380. 623; 380.1229 The board of each local and intermediate school district, other than a district that operated as a primary district in 1995-1996, must employ a superintendent. Employment of additional administrators, such as assistant superintendents, principals, and guidance directors, by local school districts is permissive.

The Superintendent shall be the chief administrative head of the District and shall have, under the direction of the Board, general supervision of all of the public schools and of all the personnel and various personnel departments of the District. The Superintendent is responsible for the management of the schools under District policies and is accountable to the Board.

The Superintendent may delegate to other school personnel the exercise of any powers and the discharge of any duties imposed upon the Superintendent by these policies. The delegation of power or duty, however, shall not relieve the Superintendent of responsibility for the action taken under such delegation.

Accordingly, whenever the word “superintendent” or “principal” appears in these policies and rules, the words “or designated representative” shall be assumed to follow.

Approved: July 11, 2001

Reviewed:

The duties of the Superintendent listed below are by way of example and not limitation as the duties listed are not an exhaustive list of the duties and responsibilities performed by the Superintendent, additional duties and responsibilities may be assigned by the Board of Education.

Duties

1. To serve as administrative head of the entire District and chief executive officer of the Board, in charge of both educational and business functions;
2. To keep the Board continually informed on the progress and condition of the schools;
3. To carry out policies and rules of the District;
4. To initiate matters of educational policy and to make definite recommendations thereon;
5. To recommend the number and types of positions required to provide proper personnel for the operation of education programs;
6. To nominate for appointment, assignment, transfer or termination and to define the duties of all personnel;
7. Recommend, in writing, the teachers necessary for the schools; and
8. To administer the development and maintenance of a positive educational program designed to meet the needs of the community, to keep abreast of the best educational developments and to advise regarding changes in programs;
9. To supervise the preparation of the annual budget and to recommend it to the Board for consideration;

10. To advise and recommend in matters of business administration; to pass upon all proper requests for equipment and supplies, to point out possible economies and to supervise activities of the District;
11. To conduct a continuous study of the development and needs of the schools and to keep the public adequately informed concerning his/her findings;
12. To assure that District finances are credited with interest earned by tax money on deposit with the county treasurer by executing written agreement with the county treasurer;
13. Put into practice the educational policies of the District;
14. Supervise and direct the work of the teachers and other employees of the District;
15. Classify and control the promotion of students;
16. Recommend to the Board the best methods of arranging the courses of study;
17. Recommend to the Board the proper textbooks to be used;
18. Make written reports to the Board;
19. Make written reports to the state; and
20. Assist the Board in matters pertaining to the general welfare of the District.

Approved: July 11, 2001
Revised: August 2, 2006

LEGAL REF: MCL 380.1246

The Board is committed to be ready for a planned or unplanned change of the District's executive leadership. To that end, it is the policy of the Board of Education to establish and maintain a Succession Plan to ensure the orderly transition of leadership and the achievement of the District's mission and goals.

Leadership Succession Planning

It is also the policy of this Board periodically to assess the District's future leadership needs and to ensure continuity of leadership by the development and selection of qualified and capable successors to the Superintendent and those Administrators who report directly to the Superintendent ("key executive positions"). The Board recognizes the utility of the *Leadership Succession Matrix* as a tool for determining if the District is taking steps to identify, mentor and train current employees for key executive positions.

The Superintendent and Board (or appropriate committee) will periodically review *Leadership Succession Matrices* for key executive positions to determine where the District lacks qualified potential internal successors for key executive positions. In the event that the District lacks qualified potential internal successors for key executive positions, the Superintendent and Board will develop an executive development plan, including initiatives to identify, mentor and train current or prospective employees for key executive positions.

Superintendent Vacancies

When a vacancy in the Superintendent position occurs, the Board may recruit or hire a consultant in an effort to fill the position. The Board shall consider only those candidates who meet both state and local qualifications and who display the ability successfully to carry out the duties of the Superintendent.

The Board may solicit applications from qualified staff members and may list the vacancy with placement offices at selected educational institutions.

The Board shall screen applications for Superintendent, and interview those candidates who appear to be most promising. The Board retains discretion in the employment of a Superintendent, and may, as it deems appropriate, appoint a qualified person to be either an Interim Superintendent or Superintendent without soliciting applications.

Emergency Transition Plan

If the Superintendent is required temporarily to vacate his / her position for a significant (as determined by the Board) amount of time, the Board may name an Interim Superintendent.

The Board has the sole authority to name an Interim Superintendent. The Board may solicit an Interim Superintendent from the ranks of District Administrators, retired Superintendents or from other qualified personnel sources. The Superintendent may have, in advance, designated a recommended Administrator to become Interim Superintendent during the Superintendent's absence, subject to the Board's approval and appointment.

Once an Interim Superintendent is appointed, the Board shall follow one of two courses of action: (1) Reinstatement of the Superintendent with full authority; or, (2) Upon the Superintendent's retirement, resignation, death, or removal from office, follow the Succession Plan outlined in this Policy.

Announcement of Resignation / Retirement

When the Superintendent resigns, retires, dies or is otherwise removed from office, the Board will put the Succession Plan into effect.

Transition Team

The Board may appoint an Interim Superintendent during the search process. The President of the Board shall consult with the other Board members to determine if an outside consultant is necessary to conduct a search for a permanent Superintendent. Upon that

determination, the Board will decide how to carry out the selection and the timelines to be implemented.

The Board President may appoint a three-member Transition Team to manage the transition period. The Transition Team shall regularly communicate with the remaining Board members. All Board action must be taken in accord with the Board's Bylaws and state law.

Executive Search Program and Communication Plan

The Board will share the announcement of the Superintendent's resignation with the staff and community. The Board will announce the Succession Plan at the same time. Communication about the Superintendent's resignation, the Succession Plan, the transition period and the Superintendent search must be clear, consistent, and credible, must provide information the public needs to know, and must be repeated often and through multiple modalities, including the *Flint Journal*, the District web page, the District Parent Newsletter, and Board and other public meetings.

The official spokesperson representing the District in all media contacts and external inquiries will be the Board President, working in conjunction, if applicable, with the Interim Superintendent.

Candidate Profile and Search Assumptions

The Board shall make their determination based upon a range of criteria and will rank candidates from the most qualified / most desirable candidate to the least qualified / least desirable. Both internal and external candidates may be considered for the position.

The Board will seek a Superintendent who possesses the following characteristics and skills:

1. *Principles & Values; Conscientiousness* - Attributes of ethical behaviors, high personal standards, and sound work ethic.
2. *Team Orientation; Networking; Building Common Purpose* - Understanding the importance of relationships to enable effective teamwork. Modifying personal style, focusing on the needs of others, and listening effectively to ensure effective outcomes for group endeavors.
3. *Creating Accountability; Resource Allocation; Drive for Results* - Taking a dynamic approach to work characterized by initiating decisions and actions. Concentrating on achieving the outcomes of a process or project while adhering to the overall strategy of the organization. Creating a culture of accountability and performance.
4. *Achievement Orientation; Initiating Action; Energy; Self Confidence* - Initiating action with a drive to achieve and to be successful in whatever they attempt. High energy with a desire to stay busy and engaged.
5. *Decision Quality; Decision Timeliness; Risk Taking* - Making high quality decisions in a timely manner, usually with less data and analysis than might be desired.
6. *Cultural Awareness; Selecting & Deploying Talent; Succession Management* - Defining the talent required to deliver the business strategy and using effective methods to attract, select and deploy the needed talent. Assuring succession continuity in critical positions.
7. *Strategic Thinking; Vision Creation; Goal Alignment* - Defining and creating a compelling vision for the future and the implementation of strategies necessary for success.

8. *Business Savvy; Political Savvy; Influence* - Knowledge of general business practices as well as knowledge of the organization's functioning. An understanding of organizational culture and the ability to function effectively within its social structure.

Succession Plan Timelines

1. Upon Resignation / Retirement / Termination of Superintendent

First 30 Days

1. Announce termination to staff and community
2. Announce transition plan
3. Board decision on Interim Superintendent
4. Board decision on outside search consultant
5. Search Process begins

Second 30 Days

1. Interim Superintendent manages District, community relations, and communications
2. Consultant begins Superintendent search process:
 - a. Preparation of timelines
 - b. Recruitment/solicitation of applications
3. Board provides leadership and support
 - a. Screening of applicants
 - b. District visits by applicants

Third 30 Days

1. Search process continues

2. Interim Superintendent continues to manage District, community relations, and communications.
3. Board Communications:
 - a. Press releases on search process
 - b. Communications to staff

Fourth 30 Days

1. Board and Consultant finishes Superintendent search process
 2. Appoint new Superintendent
 3. Superintendent begins transition process
2. Transition Process After Candidate Assumes Office

First 30 Days

1. New Superintendent reports to the Board at a special meeting to discuss the transition plan, the current Vision Plan, District Goals, and the Strategic Plan of the District
2. Superintendent schedules individual Board member meetings
3. Superintendent meets with Business office to go over budgets
4. Superintendent reviews all Union Contracts
5. Superintendent schedules a series of meetings with union leaders
6. Superintendent meets with administrative team
7. Board and Superintendent develop a communication plan to inform the staff, public, community, and media on Superintendent transition and Vision Plan and District Goals

Second 30 Days

1. Superintendent begins meetings with union leadership, staff, and community leaders, state legislators, and other key persons
2. Superintendent develops draft Vision Plan and draft District Goals and periodically shares summaries and updates with Board

Third 30 Days

1. Superintendent refines the draft Vision Plan and District Goals, prepares it for organizational deployment, and shares it with the Board
2. Superintendent shares a summary report of feedback from the community and staff with the Board
3. Board begins review and amendment of the draft Vision Plan and District Goals to be finalized and approved at the annual Board Retreat
4. District continues dialogues with community leaders, state legislators, and other key persons

Approved: May 16, 2012
Reviewed:

All contract offers of employment, or continued employment, shall be made by the Board contingent upon review of the contract by the District's legal counsel and subject to final approval by the Board.

The Superintendent will be offered a written contract for a fixed term not to exceed five years.² Tenure shall not be awarded tenure to the Superintendent or to any other administrator in the District.

The Superintendent's contract shall be considered for renewal in accordance with the employment contract and law.³ It is the responsibility of the Board President to see that the Superintendent's contract is properly executed and signed. A copy of the contract shall be on file at the Board office. The contract shall contain a provision excluding the Superintendent from attaining tenure in the administrative position.⁴

Approved: July 11, 2001
Revised: August 2, 2006

LEGAL REF: MCL 380.1229; 380.1246; 38.91; 15.268(8f)

² MCL 380.1229 ("Employment of a superintendent shall be by written contract. The of the superintendent's contract shall be fixed by the board, not to exceed 5 years.")

³ *Id.* ("If written notice of nonrenewal of the contract of a superintendent is not given at least 90 days before the termination of the contract, the contract is renewed for an additional 1-year period.")

⁴ MCL 38.91 (7) ("If the controlling board provides in a contract of employment of a teacher employed other than as a classroom teacher, including but not limited to, a superintendent, assistant superintendent, principal, department head or director of curriculum, made with the teacher after the completion of the probationary period, that the teacher shall not be considered to be granted continuing tenure in that capacity by virtue of the contract of employment, then the teacher shall not be granted tenure in that other capacity, but shall be considered to have been granted continuing tenure as an active classroom teacher in the school district.")

The Board shall evaluate the Superintendent, at least annually, using the criteria and an evaluation process mutually agreed upon by the Board and Superintendent. If mutual agreement cannot be reached, the Board shall proceed with the Superintendent's evaluation using criteria that includes the District's attainment of the goals adopted by the Board, the Superintendent's completion of personal job goals that have been established, the manner in which day-to-day operations of the District are handled, Board-Superintendent relations, staff and community relations, and the degree to which the Superintendent fulfills the responsibilities set forth in the job description and duties for that position. The criteria and process adopted by the Board should be communicated in advance to the Superintendent.

Before the summary evaluation meeting, individual Board members shall complete their evaluation of the Superintendent for discussion purposes.⁵ The Board and Superintendent may meet in closed session, at the option of the Superintendent, for the summary evaluation.⁶ The Superintendent shall have an opportunity to respond to the Board's summary evaluation either orally or in writing at the Superintendent's discretion.

After the Board has prepared the Superintendent's summary evaluation, the Board shall adopt, by vote, the summary evaluation at an open meeting. After the Board's adoption, the Superintendent's summary evaluation shall be made available as provided under current law.⁷

⁵ *Herald Co, Inc v Kalamazoo Public Schools (No 97-3281 cz)*. If individual evaluations are part of a deliberative process and are intended to serve as preliminary and advisory information to help the board determine its final action in adapting a "consensus" evaluation, the individual evaluations will not be subject to disclosure under the Freedom of Information Act.

⁶ 1990 Mich. Op. Atty. Gen. No. 6668 A board of education may lawfully convene in closed session to review a superintendent's evaluation pursuant to 8(a) of the Open Meetings Act. However, any final decision regarding an employee must be made at a public meeting. In addition, a written evaluation of a superintendent may not be exempt from the Freedom of Information Act (FOIA), MCL 15.231 et. seq.; MSA 4. 1801 (1) et seq.

⁷ *Bradley v Saranac Community Schools Bd of Educ (1997) 565 N.W. 2d 650*. Exemption from Freedom of Information Act (FOIA) for medical, counseling or psychological evaluations which cannot be revealed if they would disclose individual's identity did not apply to parent/guardians' request for personnel records or public school teachers and principals, despite argument that performance evaluations contained in records were counseling evaluations, where definition of counseling did not include employment relationship, and exemption was meant to protect identities of parties which were already known.

The Superintendent's summary evaluation and any rebuttal thereto shall be retained in the Superintendent's personnel file as a matter of record.

The evaluation procedure shall be on file at the District office.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 15.268; 15.243(1)(m); AG Opinion #5262, #5608, #6668

All employees are encouraged to live in the District and participate in administrative, school, and community activities.

Right to Apply

No person shall be denied the right to apply for an administrative position or promotion to a higher position on account of residence.

Definitions

“Administrators” means all members of the Congress of Flint School Administrators bargaining unit and all employees assigned to other positions designated administrative positions by the Board.

“Residence” is the place an administrator establishes his or her home with the good faith intent to make it his or her true home, either permanently or for indefinite or limited time, as distinguished from an abode established for special or temporary purposes or to give the appearance of having completed with the provisions of this policy.

“School Year” begins July 1 and ends June 30 of the following year.

All personnel hired in an administrative capacity (or other employment capacity as currently specified), except those persons specifically exempted by law, shall be required to live within a 60 mile radius of the borders of the District as a condition of administrative employment. However, current administrative personnel hired before the adoption, of this revised residency policy shall not be subject to the requirements of this policy.

Non-Compliance

The employment of a non-resident administrator (newly appointed or adopted), except those specifically exempted by law, who fails to take up residence within a 60 mile radius of the District's boundaries within one year from the date of his or her appointment or, if an extension is granted, by the extended date, shall be terminated at the end of the first school year in which statutory and other required notices of termination of employment can be timely given.

Approved: July 11, 2001

Revised: August 2, 2006

LEGAL REF: MCL 15.601 *et seq.*, Act No. 212 of the Public Acts of 1999

The District shall employ such administrative personnel, as the needs of the District require.

Duties

When requested by the Board, the Superintendent shall develop, when appropriate, job descriptions illustrating key duties and functions for administrative positions in the District. Such documents, if developed, shall be filed in the central office.

Recruitment

The Superintendent is authorized to identify and recommend the appointment of qualified individuals to fill vacant administrative positions. The Board reserves the right to reject any and all recommendations and to proceed on its own initiative.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 380.1229; 38.91

All administrative personnel shall be compensated for their services in conformity with an administrative salary as determined by the Board.⁸

The Board will consider the Superintendent's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board no later than the March Board meeting.⁹

Non-Renewal¹⁰

If the Board is considering non-renewal of an administrator's contract, the Superintendent shall give the administrator written notice of the consideration of non-renewal at least 30 days before the Board meeting where non-renewal will be considered, along with the reasons for potential non-renewal. The Board shall give the administrator opportunity to meet with the Board before deciding not to renew the contract.

If the Board elects not to renew an administrator's contract, the Secretary shall provide written notice of non-renewal to the administrator at least 60 days before the expiration of the contract.¹¹

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 380.1229

⁸ MCL 380.1229(2) (“[E]mployment [of assistant superintendents, principals, assistant principals, guidance directors, and other administrators who do not assume tenure] shall be by written contract. The of the employment contract shall be fixed by the board, not to exceed 3 years.”)

⁹ State law does not address when salary issues should be presented to, or considered by, the board. The March deadline was chosen because the contract year is typically July 1-June 30 and districts need time to consider non-renewals and demotions before giving statutory notice. Alternatively, the policy could require that recommendations be presented “in a timely manner.”

¹⁰ MCL 380.1229(2)&(3)

¹¹ *Id.* (“If the board fails to provide for a meeting with the board, or if a court finds that the reason for nonrenewal is arbitrary or capricious, the affected person's contract is renewed for an additional 1-year period.”)

The Superintendent shall evaluate, as the need arises, the performance of District administrators, using standards and objectives developed cooperatively by the Superintendent and administrative personnel that are consistent with the District's mission and goal statements. Additionally, the evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

The Board shall not, as a practice, review the evaluations of administrators. However, if specific concern regarding an administrator is voiced by a majority of Board members, the Board shall then review the administrator's evaluation(s). Board discussion on an administrator's evaluation can be held in either a closed or open Board meeting as decided by the administrator.¹²

The administrator's evaluation shall be made available to those authorized by law when so requested.

Approved: July 11, 2001
Reviewed:

LEGAL REF: MCL 15.268

¹² MCL 15.268 (8) (a) A public body may meet in closed session "[t]o consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing."

The Board delegates to administration the function of specifying required actions and determining the detailed arrangements under which the schools will be operated. These detailed arrangements shall constitute the administrative regulations governing the schools. The administrative regulations must in every respect be consistent with the policies of the Board and the District.

Board Review and Approval

The Board retains the right to review and approve all administrative rules. Administrative rules shall not be effective until approved by the Board.

Board Adoption

The Board shall adopt administrative rules and regulations which are deemed to be appropriate or when required under law. The administration, through the Superintendent, may recommend administrative rules and regulations, or amendments to existing administrative rules and regulations, to the Board for adoption in accordance with the Board's bylaws.

Rules Review

In those instances where the Board has adopted administrative rules, they shall be subject to a planned review by the Board and the District's administrative staff.

Approved: July 11, 2001

Revised: June 2, 2010

The District shall establish and maintain a system of records as required by law and as necessary or pertinent to the performance of any function related to the operation of the District.

The Superintendent shall establish rules and procedures for the maintenance of District records.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 15.231 *et seq.*, Michigan Freedom of Information Act

The Superintendent shall establish and publish rules for public inspection and copying of records in accord with the Michigan Freedom of Information Act,¹³ and shall appoint a FOIA coordinator for the District. Copies of records that are not exempt from disclosure will be available on request.¹⁴

Fees¹⁵

The Superintendent shall charge a fee to cover actual costs of providing access to and/or copies of public records in accord with law.¹⁶

Appeals

If a request for disclosure of record(s) is denied, procedures for appeal of the decision shall be provided along with the denial.

Approved: July 11, 2001

Reviewed:

LEGAL REF: MCL 15.231 *et seq.*, Michigan Freedom of Information Act

¹³ MCL 15.231 *et. seq.*

¹⁴ The Michigan Supreme Court, in *Bradley v Board of Education of the Saranac Community Schools*, 455 Mich 285; 565 NW2d 650 (1997) recently held: 1. Personnel documents of teachers and principals are not exempt from disclosure pursuant to the Michigan Freedom of Information Act; 2. School districts cannot agree not to disclose certain documents in a collective bargaining agreement—the statute prevails over the collective bargaining agreement; 3. Redaction of records is appropriate only to remove names of individual students and other persons not employed by the school district.

¹⁵ The charging of fees for actual costs is optional, but must be included in policy if fees are to be charged. MASB recommends having a fee policy in place to protect the district from large costs associated with complex FOIA requests. Exempting groups from the fee is optional, but if desired must be included in policy and should not be done on a discretionary basis by school personnel. The groups listed are for example purposes only; Districts should consult legal counsel for wording to accurately reflect district intent with regard to exempt groups.

¹⁶ MCL 15.234 (1) (“A public body may charge a fee for a public record search, the necessary copying of a public record, or for providing a copy of a public record. Subject to subsections (3) and (4), the fee shall be limited to actual mailing costs, and to the actual incremental cost of duplication or publication including labor, the cost of search, examination, review, and the deletion and separation of exempt from nonexempt information as provided in section 14.”)