EL4-Communication and Counsel to the Board

Policy Type: Executive Limitations

Communication and Counsel to the Board

With respect to providing information and counsel to the Board, the Superintendent shall not fail to give the Board as much information as is necessary to allow Board members to be adequately informed.

Accordingly, the Superintendent shall not fail to:

General

1. Advise the Board in a timely manner of relevant trends, facts, and information, including:
   1. The rationale behind any Superintendent decision;
   2. Information regarding any serious student discipline or safety matter or crisis situation;
   3. Information regarding the cancellation of school or any important event, including the scheduling of remote days as a result of disruption of in-person learning or maintenance;
   4. Best practices and trends in K-12 education;
   5. Information regarding any matter that may expose the district to significant legal liability; and

2. Present information in language that is easy to understand;

3. Advise the Board of changes in assumptions upon which Board policy has been established; and

4. Provide the Board with internal and external points of view and opinions in order to inform Board decisions.

Financial condition

The Superintendent shall not fail to make recommendations for Board approval of any single non-budgeted purchase or expenditure of greater than $1,000,000 and any other changes substantially affecting the district’s financial condition, the district’s ability to achieve its mission, or which is in violation of the Board’s policies.

Media coverage

1. Advise the Board of anticipated or potential adverse media coverage or significant negative citizen or employee reaction to actual, proposed or anticipated decisions, circumstances, Administration policies, procedures or practices; and

2. Advise the Board of anticipated positive media coverage when knowledge of the coverage occurs within sufficient time to include in the Superintendent’s regular communications with the Board.

3. Guard against the knowing or reckless endangerment of the district’s public image or credibility, which thereby jeopardizing the district’s ability to accomplish its mission; and
Monitoring

Submit monitoring data required by the Board in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored;

1. [Note: the Board should consider whether it believes this is an appropriate duty to place on the Superintendent]. With the understanding that it is primarily the Board’s responsibility to monitor its own compliance, advise the Board if, in the Superintendent’s opinion, the Board is not in compliance with its own policies on Governance Process and Board-Superintendent Relationship; and
2. Report in a timely manner any actual or anticipated noncompliance with any Board Ends or Executive Limitations policy or policies.

Board communications

1. Provide a mechanism for official Board, officer, or committee communications; and
2. Work with the Board as a whole on Board governance, with the exception that the Superintendent can:
   - Fulfill individual requests for information that do not require a material amount of staff time or resources and are not disruptive;
   - Work with officers or committees duly charged by the Board; or
   - Communicate with the Board President and Vice President with the purpose of sharing information with Board colleagues for review.

Consent agenda

Supply all items delegated to the Superintendent that are required by law or contract to be Board-approved for the consent agenda, along with the minimum amount of supporting data necessary to keep the Board informed and a rationale for the Superintendent’s decision.

Required Approvals agenda

Supply all items delegated to the Superintendent that are required by law and are operational in nature but are to be Board-approved for the Required Approvals agenda. Any item on a Required Approvals Agenda is accompanied by a special form of monitoring report which provides evidence of compliance with all criteria in all board policies related to the specific item on the agenda. There may be more than one item on the Required Approvals Agenda. If the board accepts the monitoring report(s), then the board uses a single item to approve all items. If there is a legislative or regulatory reason that requires a record of specific items approved, the minutes can enumerate the items that were included in the omnibus motion.

As with the Consent Agenda, an item can be removed from the Required Approval Agenda but only by agreement of the majority of the board. The only reason to remove an item from a Required Approvals Agenda is if there is non-compliance with policy criteria. If the board is satisfied with the monitoring report, the Board then adopts the entire Required Approvals Agenda with one motion, and on discussion.

State reporting

Provide a summary to the Board of any significant data submitted to the State Board of Education regarding accreditation, accountability, or safety.
Add the Required Approvals Agenda text

**Personnel decisions**

*As permitted by law, and upon request*, provide, as soon as possible after decisions are made, information to the Board regarding the nature of and the reason for the personnel decision and information regarding how the decision impacts the district’s ability to operate and to achieve the Board’s Ends.

Adopted: [October 21, 2021]

LEGAL REFS.:

C.R.S. 22-11-101 et seq. (state accreditation)

C.R.S. 24-6-201 et seq. (Colorado Sunshine Act - public official disclosure law)

**Monitoring Method:** Internal Report

**Monitoring Data:**

**Monitoring Frequency:** Annually in January