



Executive Limitations

EL 1 Global Executive Constraint

The Superintendent shall not cause or allow any organizational practice, activity, decision or circumstance which is either unlawful, imprudent, unsafe, inequitable, or in violation of commonly accepted educational and professional ethics.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

C.R.S. 24-18-104 (government employee rules of conduct)

C.R.S. 24-18-109 (local government employee rules of conduct)

POLICY REFS.:

CBA/CBC, Qualifications/Powers and Responsibilities of Superintendent

GBEB, Staff Conduct

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

EL 2 Treatment of Students, Parents/Guardians and Community Members

With respect to current and prospective students, parents, guardians, and the community, the Superintendent shall not cause or allow organizational circumstances that are unsafe, unfair, inequitable, or undignified.

Accordingly, the Superintendent shall not:

1. Permit students to be without all reasonable protections against hazards or conditions that might threaten a safe, healthy, respectful, and secure learning environment.
 - 1.1. Permit students to be without adequate protection from bullying and harassment.
 - 1.2. Deliver education in a manner that is insensitive to students' race, gender identity, sexual orientation, religion, disability, or any other aspect of their identity.
 - 1.3. Allow inequitable access to educational curriculum, programs, and support services.
2. Permit parents and guardians to be without timely notification of information related to their child's health, well-being, academic progress and education, with HIPPA privacy protections.
 - 2.1. Permit parents/guardians to be without the opportunity to participate in key decisions involving the education of their children.
 - 2.2. Permit parents/guardians to be without clear, timely and responsive communications regarding progress and activity of their children.
 - 2.3. Permit parents/guardians to be without access to all educational records, as authorized by the federal Family Educational Rights and Privacy Act related to their child.
 - 2.4. Permit parents/guardians to be without access to transparent, easily understandable data about student, school, and District academic performance and well-being.
 - 2.5. Permit parents/guardians to be uniformed in a timely manner of threats to their child's safety, whether to the child individually or to the school or District as a whole.
 - 2.6. Permit parents/guardians to be without the opportunity to have their child diagnosed and served by the education system for any learn disability that may affect the child's educational outcomes.
3. Use any method of collecting, reviewing, transmitting, or storing information that fails to protect confidential information.
4. Prevent or inhibit students, families, and/or community members from pursuing all grievance remedies available to them by law or in District policies.
5. Permit students, families, and the community to be devalued, unsupported, and unsafe.

- 5.1. Neglect to provide and communicate clear, understandable, and accessible expectations to students and families regarding educational and other products and services offered by the District.
- 5.2. Neglect student, family, and/or community opinion on relevant issues.
- 5.3. Ignore or delay communicating relevant decisions to the community in a timely manner.
- 5.4. Permit student accomplishments to go unacknowledged and unreported.
- 5.5. Respond in an inadequate and untimely way to concerns raised by students, families, and community members.
- 5.6. Operate facilities in an unsafe manner.
- 5.7. Operate facilities without equitable internal and external accessibility to students, their families, and community members.
6. Establish District Administrative policies and procedures that do not comply with and meet all applicable federal and state laws.
7. Neglect to inform students, families, and the community of all District policies and procedures.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

20 U.S.C. 1232g (Family Educational Rights and Privacy Act)

20 U.S.C. 1232h (protection of pupil rights)

C.R.S. 22-32-109 (1)(b) (Board duty to adopt policies necessary and proper for the efficient administration of the District)

POLICY REFS.:

KB, Parent and Family Engagement Policy

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

EL 3 Treatment of Staff and Volunteers

With respect to treatment of staff and volunteers, the Superintendent shall not cause or allow organizational circumstances that are unlawful, unsafe, unethical, undignified, inequitable, disorganized, unclear, or in violation of policy.

Accordingly, the Superintendent shall not:

1. Operate without written personnel policies and/or procedures that comply with state and federal law and clarifies staff and volunteer rules and expectations, provides for effective handling of grievances, and protects against wrongful conditions.
 - 1.1. Permit staff to be without adequate protection from harassment.
 - 1.2. Prevent or inhibit staff and/or volunteers from pursuing all grievance remedies available to them at law or in District policies.
2. Utilize an employee performance evaluation system that does not comply with state law, is misaligned to the District's mission statement and belief system, and is unable to measure employee performance consistent with achieving the Board's Ends policies.
 - 2.1. Permit staff to be uninformed of the performance standards by which they will be assessed.
3. Permit staff to be without knowledge of the Superintendent's interpretation of their protections under this policy.
4. Allow conditions or practices that prevent a trusting, inclusive, safe, and collaborative working environment.
 - 4.1. Permit staff to be without reasonable opportunity for professional growth and development.
 - 4.2. Provide staff with inequitable access to employee benefits programs such as quality mental and/or behavioral health assistance.
 - 4.3. Operate facilities in an unsafe manner.
 - 4.4. Operate facilities without equitable internal and external accessibility to staff and volunteers.
 - 4.5. Neglect to provide and communicate clear, understandable, and accessible expectations to staff and volunteers regarding educational and other products and services offered by the District.
 - 4.6. Neglect staff and/or volunteer opinion on relevant issues.
 - 4.7. Neglect to communicate relevant decisions to staff and volunteers in a timely manner.

- 4.8. Permit staff and volunteer accomplishments to go unacknowledged and unreported.
5. Retaliate against any staff member for non-disruptive expression of dissent.
6. Permit staff to be unprepared to deal with emergency situations.
7. Permit staff to be without equitable access to employee benefits programs such as quality mental and/or behavioral health assistance.
8. Violate staff negotiated agreements, when applicable.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

- C.R.S. 22-2-119 (duty to make inquiries prior to hiring)
- C.R.S. 22-9-103 (1.5) (definition of licensed personnel)
- C.R.S. 22-12-101 et seq. (Teacher and School Administrator Protection Act)
- C.R.S. 22-32-109 (1) (Board of education-specific duties)
- C.R.S. 22-32-109.1 (Board of education-specific duties)
- C.R.S. 22-32-109.7 (inquiries prior to hiring)
- C.R.S. 22-32-110 (Board power to be exercised in its judgment to discharge personnel)
- C.R.S. 22-32-126 (employment and authority of principals)
- C.R.S. 22-60.5-101 (Colorado Educator Licensing Act)
- C.R.S. 22-60.5-114 (3) (State Board can waive some requirements for initial license applicants upon request of school District)
- C.R.S. 22-60.5-201 (licensure reciprocity for out-of-state applicants)
- C.R.S. 22-61-101 (discrimination in employment of teachers prohibited)
- C.R.S. 22-61-103 (teacher's oath)
- C.R.S. 22-63-201 (all teachers must hold a teacher's license or letter of authorization)
- C.R.S. 22-63-202 (teacher employment contracts)
- C.R.S. 24-10-102 et seq. (governmental immunity)
- C.R.S. 24-34-402 (1) (discriminatory or unfair employment practices)
- C.R.S. 24-72-202 (4.5) (definition of personnel file in open records law)

POLICY REFS.:

G Personnel Board and Superintendent File Policies

OTHER REFS:

DCSD Employee Guide

Adopted Date/Revision Dates: August 24, 2021 / NA

EL 4 Planning

The Superintendent shall not permit planning that allocates resources in a way that risks fiscal jeopardy or that is not aligned with achievement of the Board's Ends.

Accordingly, the Superintendent shall not:

1. Operate without succession plans to facilitate smooth operations during key personnel transitions and ensure competent operation of the organization over the long term.
 - 1.1. Operate with fewer than two (2) other executive staff members who are familiar with Board and Superintendent issues and processes and are capable of assuming Superintendent responsibilities on an interim basis.
 - 1.1.1. Have Designees serving the District in a position other than at an executive director level position or higher during the period of time when designated to serve for purposes of emergency superintendent succession.
2. Operate without written policies that are consistent with law and Board governance policy.
 - 2.1. Neglect to communicate to the Board when there is a need to draft or revise District policy, suggest new policy language or revisions, or address District policies that are inconsistent with current law or Board governance policy.
3. Manage the programs of the District permitting school environments to be negative, unsafe, not conducive to the learning process, and impacted by unnecessary disruption through the implementation of District policies and compliance with state and federal law.
 - 3.1. Operate without a comprehensive written student conduct and discipline code.
 - 3.1.1. Neglect to consult with representative groups of teachers, administrators, students, and the community, as appropriate, in developing the code.
 - 3.2. Operate with a written student conduct and discipline code that is inaccessible to students.
 - 3.3. Enforce the student conduct and discipline code and related Board governance and District policies inequitably, unfairly, and inconsistently.
 - 3.3.1. Leave students at risk for suspension or expulsion unidentified and without the necessary support services to help them avoid expulsion.
 - 3.3.1.1. Use the process of identification of students at risk for suspension or expulsion as a defense in suspension or expulsion proceedings.
 - 3.4. Establish procedures for the use of physical intervention for student interrogations, searches, and arrests that do not conform to state and federal law.
 - 3.5. Permit the organization to be without a written policy setting forth the District's attendance requirements in accordance with law.

- 3.6. Permit the organization to be without procedures which afford students, parents, and school personnel due process and clear procedures with regard to student conduct and discipline issues.
 - 3.6.1. Upon expelling a student, fail to distribute information to the student's parent/guardian, and the student, as appropriate, concerning the educational alternatives available to the student during the period of expulsion, including the right of parents to request that the District provide services during the expulsion.
 - 3.6.2. Permit the organization to be without procedures for written appeal to the Board from a decision of the Superintendent to expel or deny admission to a student.
 - 3.6.3. Establish enrollment/re-enrollment procedures that do not comply with state law that protects victims of previously expelled students.
 - 3.6.4. Permit teachers/counselors who have direct contact with the expelled student to be without appropriate disciplinary information.
 - 3.6.5. Neglect to take reasonable steps to discipline, suspend, or expel students when required by law or District policy.
- 3.7. Permit the organization to be without a policy that allows for the removal of disruptive students from the classroom in accordance with law.
- 3.8. Allow District staff to administer discipline of a student with disabilities in a manner inconsistent with the student's IEP or Section 504 plan, or if the disciplinary measure is not authorized by the student's IEP or Section 504 plan, implement it without consultation or input from appropriate special education administrators of the District.
4. Permit the Board to be without sufficient information to make fully informed decisions on the approval of instructional materials and textbook programs to be used in the District.
 - 4.1. Make recommendations to the Board regarding instructional materials without obtaining appropriate input from the following groups: teachers who will use the materials, administrators and other staff members who are involved in developing the educational program, and students, parents, guardians, and community members.
 - 4.2. Make recommendations to the Board regarding textbooks and instructional materials that are not in alignment with Board policies.
 - 4.3. Neglect to consider the needs of all learners when recommending textbooks and instructional materials.
 - 4.4. Exclude materials that are consistent with Board Governance Policy ADB, Educational Equity, insofar as possible.
 - 4.5. Deny the opportunity for inspection of materials or textbooks upon request by a parent/guardian.

- 4.6. Neglect to develop and implement appropriate policies governing access to and utilization of electronic means of communication.
5. Operate without a documented, multi-year strategy that can be expected to achieve a reasonable interpretation of the Ends.
 - 5.1. Permit planning that does not explain and justify assumptions, and identify relevant environmental factors.
6. Permit budgeting for any fiscal period or the remaining part of any fiscal period that is not derived from the multi-year plan.
7. Permit financial planning that omits credible projection of revenues and expenses, separation of capital expenditures and operational expenses, cash flow projections, and disclosure of planning assumptions.
8. Permit planning that risks incurring any situation or condition described as unacceptable in the “Financial Condition and Activities” policy.
9. Permit financial planning that does not provide the amount determined annually by the Board for the Board’s direct use during the year, such as costs of fiscal audit, Board development, Board and committee meetings, Board legal fees, and ownership linkage.
10. Permit planning that endangers the fiscal soundness of future years or ignores the building of organizational capability sufficient to achieve Ends in future years.
11. Permit the organization to be without sufficient organizational capacity and current information about Superintendent and Board issues and processes for the competent operation of the organization to continue in the event of sudden loss of Superintendent services.
 - 11.1. Permit the organization to be without a long-term plan for school renewal.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

C.R.S. 22-32-109 (1)(b) (Board duty to adopt policies necessary and proper for the efficient administration of the District)

Colo. Const. Art. IX, Sect. 15 (Board has control of instruction within the District)

C.R.S. 22-32-109 (Board duty to determine educational program and prescribe textbooks)

C.R.S. 22-32-110 (Board power to exclude immoral or pernicious materials and books)

C.R.S. 22-54-105 (budgeting for instructional supplies and materials)

POLICY REFS.:

BG, Policy Process

BG-E, Board Retention of Delegation of District Policy

IJ, Textbook and Instructional Materials Selection and Adoption IJA, Selection of Controversial Learning Resources
IJB, Instructional Use of Media Resources IJC, Instructional Resources
IJL, Library Materials Selection and Adoption IJ-R, Adoption Process
IJA-R, Selection of Controversial Learning Resources IJB-R, Instructional Use of Media Resources

Adopted Date/Revision Dates: TBD, 2024

DRAFT FOR INPUT

EL 5 Communication and Support to the Board

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

Accordingly, the Superintendent shall not:

1. Withhold, impede, or obscure information relevant to the Board's informed accomplishment of its job.
 - a. Allow the Board to be without sufficient timely and relevant decision information, including regular updates on the status of the Board's governance expenditures, environmental scanning data, and a risk assessment.
 - b. Neglect to submit timely monitoring data including interpretations of Board policies that provide the observable metrics or conditions that would demonstrate compliance, rationale for why the interpretations are reasonable and evidence of compliance.
 - c. Neglect to advise the Board of changes in assumptions upon which Board policy has been established and/or reasonable interpretations upon which staff Monitoring Reports have been developed.
 - d. Let the Board be unaware of any actual or anticipated non-compliance with any Ends or Executive Limitations policy, regardless of the Board's monitoring schedule.
 - e. Let the Board be unaware of any significant data submitted to the State Board of Education regarding accreditation, accountability, or safety.
 - f. Let the Board be unaware of any incidental information it requires, including anticipated media coverage, actual or anticipated legal actions, results of District-wide polls or surveys, contact information for the Superintendent when engaging in out of town travel, material or publicly visible internal changes or events, changes in senior personnel, student enrollment trends, and negative reactions from the community, families, staff, and/or students to actual, proposed, or anticipated decisions, circumstances, policies, procedures, or practices.
 - g. Neglect to advise the Board of significant transfers of moneys within funds, any single non-budgeted purchase or expenditure of greater than \$500,000 and any other change substantially affecting the District's financial condition (e.g. anticipated bond refunding opportunities or ratings changes), the District's ability to achieve its mission, or which is in violation of the Board's policies.
 - h. Allow the Board to be unaware that, in the Superintendent's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Superintendent Linkage, particularly in the case of Board behavior which is detrimental to the work relationship between the Board and the Superintendent.
 - i. Present information in unnecessarily complex or lengthy form, or in a form that does not clearly differentiate among monitoring, decision preparation, and general incidental or other information.

2. Allow the Board to be without reasonable administrative support for Board activities.
 - a. Allow the Board to be without a legal, workable, user-friendly mechanism for official Board, officer or Board committee communications.
 - b. Allow the Board to be without Assistant Board Secretary services that meet all legal requirements and ensure the integrity of the Board's documents.
3. Impede the Board's holism, misrepresent its processes and role, or impede its lawful obligations.
 - a. Interact with the Board in a way that favours or privileges certain Board members over others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.
 - b. Neglect to submit for the Board's approval all matters required by law or contract, and/or any material changes within the District's administrative policies, Section B, "School Board Governance and Operations," along with any related data necessary to keep the Board informed, to include the rationale for the Superintendent's recommendation.
 - c. Neglect to supply for the Consent agenda all items delegated to the Superintendent, yet required by law, regulation or contract to be Board-approved, along with the applicable monitoring information.
 - d. Send letters, surveys, or any communication under the Board name or on behalf of the Board without Board approval.
 - e. Neglect to fully and promptly implement any decision made by the Board.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REF:

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)

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

EL 6 Commitment to Accomplishment and Accountability

The Superintendent shall not permit any deviation from an effective accountability program.

Accordingly, the Superintendent shall not:

1. Permit an environment where the District Accountability Committee (DAC) and School Accountability Committees (SACs) are inoperable or unable to fulfill their purposes and functions as stated in law.
 - 1.1. Neglect to communicate to the DAC its responsibilities inherent in the Educational Accountability Act and the Educational Accreditation Act.
2. Permit meetings of the DAC and SACs to be unnoticed and unavailable to the public.
3. Neglect to report, consistent with state law and regulation, regarding the District's goals and objectives for the improvement of education in the District and the District's plan to improve educational achievement, maximize graduation rates, and increase each school's attainment of state-wide performance indicators and plan type assignments as recorded on school performance frameworks;
4. Fail to gather and accurately report data as required by law to the Colorado Department of Education for the state-generated accountability report;
5. Permit the organization to be without adequate policies and procedures that reasonably ensure the adequate collection and ethical use of data to inform and support the District's educational program.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS:

C.R.S. 22-2-117 (waivers from State Board of Education)

C.R.S. 22-11-402 (powers and duties of the school accountability committee)

POLICY REFS.:

AE, District Advisory Committee

KB, Parent and Family Engagement Policy

KB-R, Title I Parent and Family Engagement Policy

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

EL 7 Educational Program

The Superintendent shall not allow the organization to operate with an educational program that fails to align with the Colorado Academic Standards and excludes collaboration with students, parents, guardians, staff, and the community.

Accordingly, the Superintendent shall not:

1. Implement assessments that inadequately measure each student's progress toward achievement of the content standards;
2. Neglect to address the different learning styles and needs of students of various backgrounds and abilities, and fail to eliminate barriers to achieving equitable outcomes;
3. Exclude any legally required courses and programs; and
4. Neglect to seek waivers of state law and regulation that impede the District's progress toward achieving its mission.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

Colo. Const. Art. IX, Sec. 15 (school Board directors have control of instruction in District)

Colo. Const. Art. IX, Sect. 15 (Board has control of instruction within the District)

C.R.S. 22-7-1013 (adoption of academic standards; alignment of curriculum)

C.R.S. 22-20-101 et seq. (Exceptional Children's Educational Act)

C.R.S. 22-20-201 et seq. (education of gifted children)

C.R.S. 22-32-109 (Board duty to determine educational program and prescribe textbooks)

C.R.S. 22-32-110 (Board power to exclude immoral or pernicious materials and books)

POLICY REFS.:

IJ, Textbook and Instructional Materials Selection and Adoption

IJA, Selection of Controversial Learning Resources IJB, Instructional

Use of Media Resources

IJC, Instructional Resources

IJL, Library Materials Selection and Adoption IJ-R, Adoption

Process

IJA-R, Selection of Controversial Learning Resources

IJB-R, Instructional Use of Media Resources

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

EL 8 School Safety, Security, and Social-Emotional Wellness

The Superintendent shall not cause or allow any organizational circumstance that fails to equitably preserve, safeguard, and protect the physical, intellectual, and emotional safety, security, and wellness of students, staff, parents, guardians, volunteers, and community members.

Accordingly, the Superintendent shall not:

1. Operate the District without comprehensive safe schools plans (emergency response plans) to address safety, security, and/or social-emotional wellness-related incidents.
2. Allow any safety, security, and/or social-emotional wellness measures or practices that violate any local, state, or federal law, regulation, and/or the constitutional rights of students, staff, families, volunteers, and/or community members.
3. Permit an environment that fails to ensure the physical, intellectual, and social-emotional needs of students and staff are supported and maintained to promote safety and/or support wellness.
4. Permit the implementation and/or use of any safety, security, and/or social-emotional wellness measures that compromise privacy rights.
5. Neglect to protect District properties and assets.
6. Permit the organization to have inadequate protections for cyber-security in order to protect the District's digital infrastructure, data systems, and networks from unauthorized access, data breaches, and other cyber threats.
7. Permit staff members and volunteers to be without periodic education, training and/or guidance related to safety, security, and/or social-emotional wellness matters.
8. Permit the organization to have ineffective communication and collaboration with local law enforcement, emergency response agencies, mental health professionals, and other relevant external entities.
9. Allow the Board, appropriate authorities, and/or affected individuals, as required by law, to be unaware of deficiencies in safety, security, and social-emotional wellness programs.
10. Permit the organization to be without adequate and equitable financial, human, and technological resources to support the implementation and maintenance of safety, security, and/or social-emotional wellness measures.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

C.R.S. 9-1-101 through 9-1-106 (construction requirements, fire escapes)

C.R.S. 22-1-130 (6) (safe school plan must include parent notification of employee criminal charges)

C.R.S. 22-3-101 through 22-3-104 (eye protective devices)

C.R.S. 22-32-109.1 (safe schools plan)
C.R.S. 22-32-109.1 (8) (inquiries to Colorado Department of Education regarding employees)
C.R.S. 22-32-110 (1)(k) (power to adopt policies related to employee safety and official conduct)
C.R.S. 22-32-124 (2), (3) (building inspections)
C.R.S. 24-10-106.5 (duty of care)

POLICY REFS.:

ADD, Safe Schools

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

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EL 9 Staff Compensation and Benefits

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

Accordingly, the Superintendent shall not:

1. Change their own compensation and benefits.
2. Promise or imply permanent or guaranteed employment.
3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
4. Create obligations for a term in which revenues cannot be safely projected and or in which dedicated reserves are not created in alignment with statute.
5. Neglect efforts to develop and implement predictable salary schedules and pay plans for all employee groups that acknowledge experience/longevity, knowledge, and performance (e.g., skills, professional growth, responsibilities, and collaboration), other areas as derived by employee input processes, and in compliance with all requirements of state and federal law.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

C.R.S. 22-32-110 (5) (Board may not commit salaries/benefits in excess of one year unless agreement includes reopener provision)

C.R.S. 22-44-115.5 (2) (reductions in salary or alteration of work year due to fiscal emergency)

C.R.S. 22-63-202 (teacher employment contracts and RIF)

C.R.S. 22-63-401 through 403 (teacher employment, compensation, and dismissal)

C.R.S. 22-69-101 et seq. (grant program for alternative teacher compensation plans)

OTHER REFS.:

DCSD Employee Guide

<https://sites.google.com/view/dcsd-staff-wellness/home> (DCSD employee wellness website)

<https://www.dcsdk12.org/cms/one.aspx?pageId=5752008> (DCSD employee benefits information)

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

EL 10 Budgeting

With respect to the actual, ongoing financial conditions and activities, the Superintendent shall not cause or allow the development of fiscal jeopardy or actual expenditures that are not aligned with achievement of the Board's Ends policies.

Accordingly, the Superintendent shall not:

1. Neglect to include in the proposed annual budget:
 - A summary format understandable by the general public;
 - Guiding principles to consider when identifying budget recommendations;
 - Disclosure of planning assumptions;
 - Separation of capital and operational items;
 - Conservative projections of the revenues, expenses, and carryover funds;
 - Cash flow projections and significant balance sheet items; and
 - Sound rationale for resource allocation that results in equitable distribution of funds to ensure positive student outcomes
2. Create a budget that fails to comply with state and federal law.
3. Plan or budget in a manner that results in the inequitable allocation of resources.
4. Plan or budget in a manner that risks incurring those conditions described as unacceptable in *Financial Administration* (EL-15).
5. Provide inadequate resources for Board priorities as set forth in *Investment in Governance* (GP-X).

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

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

C.R.S. 22-11-302 (1)(a) (District accountability committee budget recommendations)

C.R.S. 22-11-402 (1)(a) (school level accountability committee budget recommendations)

C.R.S. 22-44-101 through 117 (school District budget law, Board shall cause a proposed budget to be prepared and shall adopt a budget for each fiscal year)

C.R.S. 22-44-105 (1.5)(a) (budget parameters regarding expenses not exceeding revenue and use of beginning fund balance)

C.R.S. 22-44-106 (operating reserve)

C.R.S. 22-44-301 et seq. (Public School Financial Transparency Act)

C.R.S. 22-45-103 (1)(c) (authorized expenditures from capital reserve fund)

C.R.S. 29-1-103 (3) (budget to reflect lease-purchase payment obligation)

POLICY REFS.:

DB, Annual Budget

DB-R, Annual Budget (Site Based Budgeting Model)

DFB, Reserving Policy for Douglas County School District Medical Fund

DFB-R, Reserving Policy for Douglas County School District Medical Fund Regulation

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

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EL 11 Financial Administration

With respect to the actual, ongoing financial conditions and activities, the Superintendent shall not cause or allow the development of fiscal jeopardy or actual expenditures that are not aligned with achievement of the Board's Ends.

Accordingly, the Superintendent shall not:

1. Neglect to follow federal, state, and local funding laws and regulations and operate without adhering to high moral and ethical standards.
2. Keep financial records that are incomplete, inaccurate, lacking transparency, and out of compliance with generally recognized principles of governmental accounting.
3. Neglect to maximize revenue to which the District is or may be entitled.
4. Maintain an Unassigned General Fund balance that is out of compliance with law and Board policies.
5. Expend funds beyond amounts set forth in the budget without the Board's approval, i.e., expending a larger amount of unassigned fund balance than was originally set forth in the budget.
6. Neglect to follow state law regarding indebtedting the organization, special elections for bonded indebtedness, expending contingency reserves, and transferring unencumbered monies from one fund to another.
7. Seek any loan without approval of the Board.
8. Allow the untimely payment of payroll, accounts, debts, and other fiscal obligations.
9. Allow tax payments or other government ordered payments or reports to be overdue or inaccurately filed.
10. Write off receivables without having first aggressively pursued payment after a reasonable grace period.
11. Dispose of surplus assets without exercising prudent judgment.
12. Neglect to arrange for the annual audit of all District funds and accounts following the close of the fiscal year in accordance with state law.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

Constitution of Colorado, Article X, Section 20

C.R.S. 22-2-113.8 (annual report required regarding additional local property tax revenues received and the amount distributed directly to the District's schools)

C.R.S. 22-44-105 (1.5)(b) (itemized reconciliation)

C.R.S. 22-44-301 et seq. (Public School Financial Transparency Act)

C.R.S. 22-45-102 (1)(b) (quarterly financial reports)

POLICY REFS.:

DFA, Cash Management and Investment Policy

DFA-R, Cash Management and Investment Regulation DFB, Reserving Policy for DCSD District Medical Fund

DFB-R, Reserving Policy for DCSD Medical Fund Regulation

DG, Banking Services Deposit of Funds Authorized Signatures and Check Writing DG-R, Banking Services (and Deposit of Funds) Regulation

DID, Capital Asset Reporting and Inventories

DIE, Annual Audit

DH, Bonded Employees and Officers

DK, Payment Procedures

DKA, Payroll Procedures-Schedules

DN, School Properties Disposal Procedure

DN-R, Property Disposal Procedure Regulation

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

EL 12 Asset Protection

The Superintendent shall not cause or allow District assets including tangible, intangible, and data assets, to be unprotected, inadequately maintained, inappropriately and/or inequitably used, or unnecessarily risked.

Accordingly, the Superintendent shall not:

1. Permit the organization to insure its property with inadequate valuation and limits and for damage due to an insufficient scope of perils.
 - 1.1. Neglect to obtain insurance coverage against theft, casualty losses, institutional liability, and Directors and Officers liability to at least 80% of replacement value and against liability losses to Board members, staff, or the District itself in an amount that is reasonable for school Districts of similar size and in accordance with law.
 - 1.2. Permit the Board members, staff, and individuals engaged in activities on behalf of the organization, or the organization itself, to have inadequate liability insurance.
2. Neglect to take reasonable steps to ensure that the facilities and equipment are not subject to improper wear and tear or insufficient maintenance.
3. Knowingly or recklessly expose the District, its Board, or staff to a substantial risk of legal liability.
4. Make purchases inconsistent with the requirements of Board Governance Policy DJ, including failing to request Board approval for purchases or expenditures over \$500,000.
5. Neglect to use a competitive bidding procedure for all contracted services and for all purchases of supplies, materials, and equipment in the amount of \$50,000 or more.
6. Neglect to administer measures to assure the protection of intellectual property, information, and files from loss or significant damage.
7. Neglect to preserve and dispose of all records related to the affairs or business of the District in accordance with state and federal law.
8. Receive, process, or disburse funds under controls which are insufficient under generally accepted accounting procedures.
9. Invest in securities that breach legal guidelines.
10. Acquire, encumber, or dispose of real property in a manner inconsistent with Board Governance Policies DN, DN-R, and DJ.
11. Knowingly or recklessly endanger the District's public image or credibility, thereby jeopardizing the District's ability to accomplish its mission.
12. Permit the District to enter into a contract in which a Board member has an interest unless one of the statutory exceptions applies.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

C.R.S. 22-32-109 (1)(b) (Board must have policy on competitive bidding)

C.R.S. 22-32-109 (1)(h) (employees with access to funds in excess of \$50 must be bonded)

C.R.S. 22-32-109 (m) (Board policy must ensure preservation of District records)

C.R.S. 24-18-201 and 202 (local government officials/employees may not have interest in contract made in their official capacity)

C.R.S. 24-75-601 et seq. (legal investments by public entities)

POLICY REFS.:

DJ, District Purchasing

DJ-R, Purchasing Procedures

DJA, Purchasing Authority

DJE, Bidding Procedures

DJG-DJGA, Vendor Relations, Sales Calls and Demonstrations

EI, Insurance Management

FEG, Construction Contracts Bidding and Awards – General Contractor

Adopted Date/Revision Dates: August 24, 2021 / TBD, 2024

EL 13 Student Accommodation

The Superintendent shall not make decisions regarding student accommodations that do not balance fiscal responsibility, adequacy of the learning environment, pedagogical soundness, and program viability.

Accordingly, the Superintendent shall not:

1. Recommend and/or make changes to student accommodation, including school closure, alterations or additions, boundary changes, or grade reconfigurations without first having provided opportunity for input from the staff and Board Committees, such as the Long Range Planning Committee.
2. Permit the stakeholders of the school in question to be uninformed after a school has met the criteria for a school review or grade reconfiguration process.
3. Permit any deviation from rigorous adherence to written administrative processes that ensure compliance with legislated requirements for the process of determining a school review, school closure or grade reconfiguration, or implementing the decision once made.
4. Permit the Board to be without sufficient information to make fully informed decisions regarding a school review, school closure, or grade reconfiguration.

Monitoring Method: Staff Monitoring Report

Monitoring Frequency: Annually (See *Agenda Planning Calendar*, GP-1.5)

LEGAL REFS.:

POLICY REFS.:

Adopted Date/Revision Dates: TBD, 2024