

DOUGLAS COUNTY SCHOOL DISTRICT BOARD ITEM
BOE Meeting: October 8, 2024

Subject: Board-Superintendent Linkage policies self-evaluation.

Recommended Action: The Board of Education may submit comments, ask for clarification, and request additional information to assist the Board in the compliance ruling for these policies, which will occur October 4, 2024 as recommended by Director Kaylee Winegar, Douglas County School District Board of Education.

Pertaining to Governance Policies: BSL 1.0, BSL 1.1 Providing Direction and Delegation to the Superintendent, BSL 1.2 Unity of Control, BSL 1.3 Accountability of Superintendent, BSL 1.4 Monitoring Superintendent Performance. Complete BSL policy language (approved on September 24, 2024) is attached to this Board item as well.

Background: The Douglas County School Board performs a routine and systematic process of self-evaluation where it regularly reviews its Board-Superintendent Linkage and Board Process policies. The review is meant to be positive, constructive, and educational.

Rationale/Objective: The objective of monitoring Board-Superintendent Linkage is three-fold:

1. To ensure that Douglas County School District Board of Education is in compliance with this policy;
2. To hold itself accountable to the public for its performance; and,
3. To review policy wording.

Cost/Benefit Analysis: NA

Alternatives: The Board of Education may:

- a) Accept the report as is and adopt a resolution at the November 19, 2024 meeting, indicating that the Board is in compliance;
- b) Not accept the report and ask that changes to the report be made and brought back for further discussion; or,
- c) Accept the report as is and adopt a resolution at the November 19, 2024 meeting stating that the Board is out of compliance.

Date: October 4, 2024

Memorandum

TO: Board of Education
FROM: Director Kaylee Winegar, DCSD Board of Education
DATE: October 4, 2024
SUBJECT: Monitoring Report for Board-Superintendent Linkage 1.0 and 1.1 Providing Direction and Delegation

I certify that, to the best of my knowledge, this information is accurate as of October 4, 2024

Period Monitored: March 9, 2024 (most recent evaluation) through October 4, 2024

Monitoring Report Status: **Compliant**

Evidence: All evidence is available through the Board Secretary.

Evidence used in monitoring this policy is as follows:

- DCSD employs a [Superintendent](#)
- Memo from DCSD Superintendent Erin Kane
- [BoE Policies](#)
- [Ends policies](#) approved on Sept 24, 2024
- [Executive Limitations policies](#) approved on Sept 24, 2024

There is no indication that the Board is out of compliance with any section of this policy.

Conclusion: To the best of my knowledge this information is accurate as of October 4, 2024. This report should reflect that the Board is in compliance with Board-Superintendent Linkage 1.0 and 1.1 Providing Direction and Delegation.

Memorandum

TO: Board of Education
FROM: Director Kaylee Winegar, DCSD Board of Education
DATE: October 4, 2024
SUBJECT: Monitoring Report for Board-Superintendent Linkage 1.2 Unity of Control

I certify that, to the best of my knowledge, this information is accurate as of October 4, 2024

Period Monitored: March 9, 2024 (most recent evaluation) through October 4, 2024

Monitoring Report Status: **Compliant**

Evidence: All evidence is available through the Board Secretary.

Evidence used in monitoring this policy is as follows:

- Memo from DCSD Superintendent Erin Kane

There is no indication that the Board is out of compliance with any section of this policy.

Conclusion: To the best of my knowledge this information is accurate as of October 4, 2024. This report should reflect that the Board is in compliance with Board-Superintendent Linkage 1.2 Unity of Control.

Memorandum

TO: Board of Education
FROM: Director Kaylee Winegar, DCSD Board of Education
DATE: October 4, 2024
SUBJECT: Monitoring Report for Board-Superintendent Linkage 1.3 Accountability of Superintendent

I certify that, to the best of my knowledge, this information is accurate as of October 4, 2024

Period Monitored: March 9, 2024 (most recent evaluation) through October 4, 2024

Monitoring Report Status: **Partially Compliant**

Evidence: All evidence is available through the Board Secretary.

Evidence used in monitoring this policy is as follows:

- Memo from DCSD Superintendent Erin Kane
- Monitoring reports presented to Board during this period: [End2 – March 2024](#), [End4 – April 2024](#), [End3 – May 2024](#)
- [Superintendent evaluation](#) on June 18th, 2024

The Board is in compliance with not giving instruction to staff and not evaluating staff.

While the Board did receive monitoring reports from the superintendent, the Board also conducted a separate Superintendent review process in June 2024, therefore the Board is not in compliance with the section of the policy that states: *The Board will view Superintendent performance as identical to organizational performance as reflected in the monitoring reports, so that accomplishment of Ends and compliance with Executive Limitations will be viewed as successful Superintendent performance.*

The reason for this separate review is because the Superintendent contract has language that requires a review process: *6.1 The Board shall evaluate and assess in writing the performance of Superintendent at least once during the term of this Contract during each school year in which this Contract continues. This evaluation and assessment shall be based upon Superintendent's job description, and upon any goals and objectives with performance standards as agreed by the Board and Superintendent.*

The Board has consensually discussed that come time for Superintendent contract renewal, it would be best to remove section 6.1, in order to be in compliance with BSL policies.

Conclusion: To the best of my knowledge this information is accurate as of October 4, 2024. This report should reflect that the Board is partially compliant with Board-Superintendent Linkage 1.3 Accountability of Superintendent.

Memorandum

TO: Board of Education
FROM: Director Kaylee Winegar, DCSD Board of Education
DATE: October 4, 2024
SUBJECT: Monitoring Report for Board-Superintendent Linkage 1.4 Monitoring Superintendent Performance

I certify that, to the best of my knowledge, this information is accurate as of October 4, 2024

Period Monitored: March 9, 2024 (most recent evaluation) through October 4, 2024

Monitoring Report Status: Partially compliant

Evidence: All evidence is available through the Board Secretary.

Evidence used in monitoring this policy is as follows:

- Memo from DCSD Superintendent Erin Kane
- Monitoring reports presented to Board during this period: [End2 – March 2024](#), [End4 – April 2024](#), [End3 – May 2024](#)
- [Superintendent evaluation](#) on June 18th, 2024
- [Ends policies](#) and [Executive Limitations policies](#) approved on Sept 24, 2024

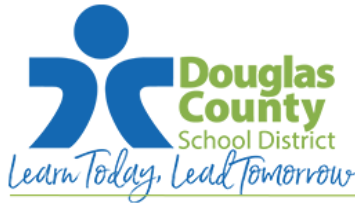
The data included in the monitoring reports presented to the Board during this period were in compliance with this policy.

As said in the previous BSL evaluation, the Board is not in compliance with using monitoring reports on the Ends as the sole evaluation for Superintendent performance. Due to the Superintendent contract requirements, the Board also conducted a separate review in June that included other criteria not mentioned in BSL policy. This should be remedied come time for Superintendent contract renewal in March.

There were no policy violations by the Superintendent during this period.

The 24/25 Monitoring Report Schedule was not determined by June of this year. This was due to plans to update the Board Ends and Executive Limitations which greatly affect the monitoring reports the Superintendent provides. The updated Ends and EL's were approved on September 24, 2024 and the Superintendent will provide a monitoring schedule by Jan 2025.

Conclusion: To the best of my knowledge this information is accurate as of October 4, 2024. This report should reflect that the Board is partially compliant with Board-Superintendent Linkage 1.4 Monitoring Superintendent Performance.



620 Wilcox Street
Castle Rock, Colorado 80104

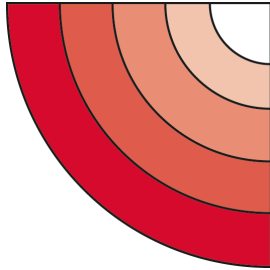
Memorandum

TO: Board of Education
FROM: Erin Kane, DCSD Superintendent
DATE: October 4, 2024
SUBJECT: Board-Superintendent Linkage Monitoring

The Board of Education followed a governance structure where, since the last evaluation on the BSLs (March 9, 2024 - October 4, 2024), current Board of Education members directed all matters related to the operational organization solely to me in my capacity as Superintendent. While I have the authority to designate other staff members for specific contact points, all communication ultimately flowed through me. [BSL 1.0]

Per our Board-Superintendent Linkage policies, the following statements are also true for the monitoring period:

- The Board has directed me through policy and resolutions. [BSL 1.0]
- There have been no decisions binding me that were not official decisions of the Board of Education. [BSL 1.2]
- There have been no instances where I took direction from individual board members. [BSL 1.2]
- There have been no requests from current members of the Board of Education that I deemed necessary to refuse due to the unreasonable or onerous nature of the request. [BSL 1.2]
- The Board has not issued instructions directly to employees reporting to me, upholding the designated chain of command. Furthermore, the Board has not conducted evaluations of my staff. This approach ensures compliance with the policy's provisions and maintains clear roles and responsibilities. [BSL 1.3]
- The Board has monitored and given feedback on the performance of the organization through regular monitoring reports, monitoring both the Ends and Executive Limitations, and has held me accountable for said performance. [BSL 1.3, 1.4]



Board-Superintendent Linkage

BSL 1.0

The Board's sole, official connection to the operational organization of the District, its achievement and conduct is through the District's chief executive officer (CEO), titled "Superintendent."

BSL 1.1 Providing Direction and Delegation to the Superintendent

The Board will instruct the Superintendent through written policies that prescribe the organizational Ends to be achieved and describe organizational situations and actions to be avoided, allowing the Superintendent to use any reasonable interpretation of these policies.

- 1.1.1 The Board will develop policies instructing the Superintendent to achieve certain results for certain recipients at a specified cost. These policies will be developed systematically from the broadest, most general level to more defined levels, and will be called Ends policies.
- 1.1.2 The Board will develop policies that limit the latitude the Superintendent may exercise in choosing the organizational means. These policies will be developed systematically from the broadest, most general level to more defined levels, and they will be called Executive Limitations policies.
- 1.1.3 As long as the Superintendent uses any reasonable interpretation of the Board's Ends and Executive Limitations policies, the Superintendent is authorized, within the powers and authority of the Board, to establish all further policies, make all decisions, take all actions, establish all practices, develop all activities, rules or procedures as necessary and/or desired, and recommend additional policies or policy revisions.
- 1.1.4 The Board may change its Ends and Executive Limitations policies in accordance with the Board's adopted procedures, thereby shifting the boundary between Board and Superintendent domains. By doing so, the Board changes the latitude of choice given to the Superintendent. However, as long as any specified delegation of authority is in place, the Board will respect and support the Superintendent's choices as long as they are a reasonable interpretation of its policies.
- 1.1.5 The Superintendent has no authority to direct the Board or any of its members, committees, or liaisons about Board means or to interpret Board Governance Process or Board-Superintendent Relationship policies.

BSL 1.2 Unity of Control

Only officially passed motions of the Board are binding on the Superintendent.

Accordingly:

- 1.2.1 Decisions or instructions of individual Board members, officers, or committees are not binding on the Superintendent except in rare instances when the Board has specifically authorized such exercise of authority.
- 1.2.2 While Board members or committees may request information or assistance without Board authorization, the Superintendent may refuse such requests that require, in his/her opinion, an inappropriate amount of staff time or funds or are disruptive.

BSL 1.3 Accountability of the Superintendent

The Board will hold the Superintendent accountable for all organizational operations of the District. All authority and accountability of staff, as far as the Board is concerned, is considered to be the authority and accountability of the Superintendent.

- 1.3.1 The Board will never give instructions to persons who report directly or indirectly to the Superintendent.
- 1.3.2 The Board will not evaluate, either formally or informally, any staff other than the Superintendent and the Board's secretary.
- 1.3.3 The Board will view Superintendent performance as identical to organizational performance as reflected in the monitoring reports, so that accomplishment of Ends and compliance with Executive Limitations will be viewed as successful Superintendent performance.

BSL 1.4 Monitoring Superintendent Performance

Systematic and rigorous monitoring of Superintendent job performance will be solely against the only expected Superintendent job outputs: accomplishment of Board policies on Ends and organizational operation within the boundaries established in Board policies on Executive Limitations.

Accordingly:

- 1.4.1 Monitoring is simply to determine the degree to which Board policies are being met. Data that do not do this will not be considered to be monitoring data.
- 1.4.2 The Board will acquire monitoring data by one or more of three methods:
 - 1.4.2.1 by internal report, in which the Superintendent discloses compliance information to the Board;
 - 1.4.2.2 by external report, in which an external, disinterested third party selected by the Board assesses compliance with Board policies; and
 - 1.4.2.3 by direct Board inspection, in which a designated member or members of the Board assess compliance with the appropriate policy criteria.
- 1.4.3 In every case, the standard for compliance shall be any reasonable Superintendent interpretation of the Board policy being monitored. The Board is the final arbiter of reasonableness but will always judge with a "reasonable person" test rather than with interpretations favored by Board members or even by the Board as a whole.
- 1.4.4 All policies that instruct the Superintendent will be monitored at a frequency and by a method chosen by the Board. The Board can monitor any policy at any time by any method but will ordinarily depend on a routine schedule.
- 1.4.5 In the event a Board member suspects the Superintendent has violated a policy; the Board will seek to resolve the matter by the following process:
 - 1.4.5.1 If a Board member believes a violation has occurred; he or she may inform the Superintendent directly.

1.4.5.2 Suspected substantial violations shall be brought before the entire Board to determine if direct Board inspection or policy revision is warranted.

1.4.6 Monitoring Report Schedule

Frequency and Report Date for monitoring Board End/Goal Statements and Executive limitations shall be determined annually by the Board of Education for the upcoming year, and no later than the last meeting in June each subsequent year.

Revised and Adopted September 24, 2024