



# 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, unfair 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)

Adopted Date/Revision Dates: August 24, 2021 / September 24, 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 unlawful, imprudent, unsafe, inequitable, or unfair.

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, safety, well-being, academic progress and education, with all legal confidentiality protections.
  - 2.1. Permit parents/guardians to be without access to information about their rights to have their child diagnosed.
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. Neglect to provide and communicate clear, understandable, timely and accessible expectations to students and families regarding educational and other programs and services offered by the District.
  - 5.1. Neglect student, family, and/or community opinion on relevant issues.
6. Operate facilities without equitable internal and external accessibility to students, their families, and community members.
7. Neglect to solicit staff and/or volunteer opinion on issues relevant to their positions. Neglect to communicate relevant decisions to staff and volunteers in a timely manner.

Monitoring Method: Staff Monitoring Report

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

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

**Douglas County** School District

**Board of Education Policies**

### ***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, imprudent, unsafe, inequitable, unfair, 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 which provide for effective handling of grievances, and protects against harmful or unsafe conditions.
  - 1.1. Permit staff to be without adequate protection from harassment from any party related to their work environment.
  - 1.2. Prevent or inhibit staff and/or volunteers from pursuing 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 is unable to measure employee performance consistent with achieving the District's policies.
  - 2.1. Permit staff to be uninformed of the performance standards by which they will be assessed.
3. Allow conditions or practices that inhibit a trusting, inclusive, safe, and collaborative working environment.
4. Permit staff to be without reasonable opportunity for necessary professional growth and development.
5. Retaliate against any staff member for non-disruptive expression of dissent.
6. Permit staff to be without access to employee benefits programs.
7. Violate binding negotiated agreements which apply to staff.

Monitoring Method: Staff Monitoring Report

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

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

## ***EL 4 Succession***

The Superintendent shall not operate without a succession plan to facilitate smooth operations in the event the Superintendent is unable to perform his/her duties and ensure competent operation of the organization over the long term.

Accordingly, the Superintendent shall not:

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.
2. 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.

Monitoring Method: Staff Monitoring Report

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

Adopted Date/Revision Dates: September 24, 2024

## ***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.
  - 1.1 Allow the Board to be without sufficient, timely and relevant decision information, including regular updates on the status of the Board's governance expenditures, instructional program resources and the current educational landscape.
  - 1.2 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.
  - 1.3 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.
  - 1.4 Neglect to communicate to the Board actual or anticipated non-compliance with any Ends or Executive Limitations policy, regardless of the Board's monitoring schedule.
  - 1.5 Neglect to communicate to the Board significant data submitted to the State Board of Education regarding accreditation, accountability, or safety.
  - 1.6 Neglect to communicate to the Board 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 reactions from the community, families, staff, and/or students to significant, actual, or proposed changes.
  - 1.7 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.
2. Allow the Board to be without reasonable administrative support for Board activities.
  - 2.1 Allow the Board to be without a legal, workable, user-friendly mechanism for official Board, officer or Board committee communications.
  - 2.2 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.

- 3.1 Interact with the Board in a way that favours or privileges certain Board members over others.,
  - 3.2 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.
  - 3.3 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.
  - 3.4 Send letters, surveys, or any communication under the Board name or on behalf of the Board without Board approval.
4. Neglect to fully and promptly implement any decision made by the Board.
  5. Neglect to communicate to the Board when there is a need to draft or revise District policy that falls under the Board’s authority, suggest new policy language or revisions, or address District policies that are consistent with current law or Board governance policy.
  6. Operate without a documented, multi-year strategy that can be expected to achieve a reasonable interpretation of the Ends.

Monitoring Method: Staff Monitoring Report

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

Adopted Date/Revision Dates: August 24, 2021 / September 24, 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.
2. Neglect to develop and present to the Board a Unified Improvement Plan under the state's framework.
3. Fail to gather and accurately report data as required by law to the Colorado Department of Education for the state-generated accountability report;
4. 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)

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



## ***EL 7 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. Fail to develop, implement, and maintain comprehensive emergency response planes 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. Fail to ensure the physical, intellectual, and social-emotional needs of students, staff, and volunteers 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 to protect the District's digital infrastructure, data systems, and networks from unauthorized access, data breaches, and other cyber threats.
7. Fail to ensure all staff members receive annual education, training and/or guidance related to safety, security, and/or social-emotional wellness matters.
8. Fail to establish and maintain effective communication and collaboration with local law enforcement, emergency response agencies, mental health professionals, and other relevant external entities.
9. Fail to regularly monitor and evaluate the effectiveness of the District's safety, security, and/or social-emotional wellness programs. Deficiencies shall be promptly reported to the Board, appropriate authorities, and/or affected individuals as required by law.
10. Permit the organization to be without adequate and equitable financial, staffing, and technological resources to support the implementation and maintenance of safety, security, and/or social-emotional wellness measures.
11. Operate without comprehensive written student conduct and discipline code and reporting mechanism, which affords students, parents, and school personnel due process and clear procedures with regard to student conduct and discipline issues.
12. Establish procedures for the use of restraint, for student interrogations, searches and arrests that do not conform to state and federal law.

13. Permit the organization to be without a policy that allows for the removal of disruptive students from the classroom in accordance with law.
14. Allow District staff to administer discipline of a student with disabilities in a manner inconsistent with the student's IEP or Section 504 Plan.

Monitoring Method: Staff Monitoring Report

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

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

## ***EL 8 Staff Compensation and Benefits***

The Superintendent shall not cause or allow jeopardy to fiscal integrity or public image through employment, compensation, including pay and benefits, to employees, or independent contractors.

Accordingly, the Superintendent shall not:

1. Change their own compensation, outside of changes dictated by the Superintendent contract.
2. Promise or imply permanent or guaranteed employment.
3. Establish current compensation that deviates 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. Establish or change benefits so as to cause unpredictable or inequitable situations.
6. Employ or contract with any member of the Board.

Monitoring Method: Staff Monitoring Report

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

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

## ***EL 9 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 and complies with applicable law.

Accordingly, the Superintendent shall not:

1. Neglect to include reasonable projections of revenues, expenses, and carryover funds; separation of funds, capital, and operational items; cash flow and significant balance sheet items; and disclosure of planning assumptions.
2. Plan or budget in a manner that risks incurring those conditions described as unacceptable in *Financial Administration* (EL-10)
3. Provide inadequate resources for Board priorities as set forth in *Investment in Governance* (GP-1.9).

Monitoring Method: Staff Monitoring Report

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

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

## ***EL 10 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 that comply with applicable law.

Accordingly, the Superintendent shall not:

1. Keep financial records that are incomplete, inaccurate, lacking transparency, and out of compliance with generally recognized principles of governmental accounting.
2. Neglect to maximize revenue to which the District is or may be entitled.
3. Maintain an Unassigned General Fund balance that is out of compliance with law and Board policies.
4. 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.
5. 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.
6. Seek any loan without approval of the Board.
7. Allow the untimely payment of payroll, accounts, debts, and other fiscal obligations.
8. 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.
9. Permit planning that endangers the fiscal soundness of future years or ignores the building of organizational capability sufficient to achieve Ends in the future.
10. 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)

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

## ***EL 11 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. 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)

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

## ***EL 12 Student Accommodation***

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

Accordingly, the Superintendent shall not:

1. Recommend and/or make changes to student accommodation, which includes school consolidation, significant alterations or additions, boundary changes, or significant grade reconfigurations without first having provided opportunity for input from the staff and relevant Board Committees.
2. Permit the stakeholders of any school which may be considered for significant modification of accommodations to be uninformed as to the criteria for such a modification and the ability to provide appropriate feedback on that modification.
3. Permit any deviation from rigorous adherence to written processes that ensure compliance with legislated requirements for the process of determining a modification of student accommodation, or implementing the decision once made.
4. Permit the Board to be without sufficient information to make fully informed decisions regarding substantial modifications of student accommodations.
5. Allow use of student accommodations that do not comport with relevant statutes and regulations regarding access for all students.

Monitoring Method: Staff Monitoring Report

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

Adopted Date/Revision Dates: September 24, 2024