

SUPERINTENDENT RECRUITMENT AND APPOINTMENT**Recruitment**

The Board shall develop a list of qualifications for the new superintendent, and a job description. The Board will establish a salary range for the position and determine the method of advertising the vacancy. The Board may actively seek qualified applicants from within and outside of the District. The Board may appoint a screening committee or hire a consultant to assist in the search. However, the final selection will rest with the Board.

Advertising

When advertising externally for a superintendent vacancy, the advertisement should include a statement that applicants are eligible for Veterans' Preference and shall include a statement that the District is an Equal Opportunity Employer. The advertisement should include a closing date, minimum qualification requirements, and instructions regarding access to the job description, and other application material

Qualification Screening

The Board shall make available to each applicant the job description and list of qualifications. As part of the qualifications screening, candidates is required to consent to a criminal history record check. The Board President or designee shall be charged with reviewing the criminal history record of superintendent candidates and shall report to the Board on whether or not a candidate is eligible based on the criminal history record check, without revealing the details of this confidential record.

The Board shall narrow the pool of candidates based on an assessment of each candidate's qualifications. All qualified applicants must be screened through the competitive personnel system described below.

Competitive Personnel System

The Board uses a competitive personnel system to screen all qualified superintendent applicants. This system consists of the following components: phone interviews or face-to-face interviews. Under this system, the Board scores applicants eligible for Veterans' Preference in accordance with NDCC 37-19.1-02. The Board or its designee shall develop a rubric for scoring superintendent applicants under the competitive personnel system and for defining the threshold for a passing score.

The District may further investigate the qualifications of applicants who received a passing score under the competitive personnel system by checking sources such as, references, employment history, and background check databases, etc.

Interviews at Open Meetings

Interviews with superintendent candidates must be conducted at an open meeting with the Board or its designated screening committee in attendance.

Selection

The Board shall select for hire the most qualified superintendent applicant remaining after all screening steps are complete.

Voting Requirements for Selection

A simple majority vote of the board members at a meeting is required for the employment of a superintendent.

Complementing Documents

- BCAD, Executive Session
- CAAA-E, Superintendent Job Description
- DBAC, Recruitment & Hiring Teachers
- DBAA-AR, Background Check Screening Procedure

End of McClusky School District #19 Policy CAAA Adopted: July 24, 2017

[03/17]

SUPERINTENDENT JOB DESCRIPTION

QUALIFICATIONS

- **Education and licensure:**
 - North Dakota Teacher License and Superintendent Credential
 - MA or PhD in Education Administration/Leadership
 - Per Board discretion, the Board may employ a Superintendent that does not currently hold an MA or PhD, but still meets the licensure and credentialing requirements of the state of North Dakota and may require the Superintendent to obtain an MA or PhD within a timeline established by the Board as a condition of future employment.
- **Experience:** The Board prefers a minimum of three years of experience working in a school setting as a teacher, principal, assistant superintendent, or superintendent.
- **Core competencies:**
 - Ability to help school board set a data-informed vision and goals for the district in collaboration with key district stakeholders
 - Ability to support and assist board in remaining vision oriented and goal focused
 - Ability to manage and motivate school personnel in a manner that supports the district's vision and accomplishes its goals
 - Ability to strategically reallocate resources and manage operations in a manner that supports goals and complies with law
 - Ability to implement and oversee systems for monitoring progress toward goals and systems of continuous improvement specifically targeted at student achievement and instruction

REPORTS TO

McClusky School District #19 School Board

SUPERVISES

Directly or indirectly, every district employee excluding the business manager

EVALUATION

By Board in accordance with North Dakota Century Code and district policy

JOB EXPECTATIONS

- Assists the board with data-informed goal development and takes actions necessary to accomplish these goals.
- Competently carries out roles and responsibilities as assigned by the board and takes steps to assist the board with understanding and executing its role.
- Oversees qualified, high-quality district staff and maintains positive and professional working relationships with them.

- Oversees the development, review, and implementation of academic and support programming that fosters the growth and success of all district students.
- Is engaged in the community and takes steps necessary to ensure the community is engaged in district schools.
- Efficiently and prudently oversees school district finances and facilities, equipment, and supplies; operational decisions are aligned with the district's goals and strategic plan.

Performance Responsibilities

1. Goal and Vision Setting

- a. Assists board with developing or updating a district-wide strategic plan that is based on district data, the district's mission, and other identified district needs; the plan outlines both short- and long-term goals.
- b. Provides for regular reports to the board on steps taken to accomplish short- and long-term goals and demonstrates progress toward accomplishing district goals.

2. Board Relations

- a. Works with the board president to set the board agenda; makes sure agenda contains more "big picture" items than minutia and that each month at least some agenda items relate to district's goals and strategic plan.
- b. Executes all roles and responsibilities in the job description and in policy and reports to board on policy implementation and amendments as needed.
- c. Ensures that board packets contain information necessary for board decision making and submits meeting packets to board at least three days prior to board meetings.
- d. Answers board questions in a timely manner.
- e. Provides accurate information to the board, staff and public.
- f. Communicates with the board throughout the month via updates - not just at monthly board meetings.
- g. Complies with state and federal law.
- h. Complies with district policies.
- i. Upholds the ESPB Professional Code of Conduct.
- j. Makes all administrative decisions necessary for the proper function of the District that do not need review or reconsideration by the Board.
- k. Takes final responsibility for execution of any duties that are delegated.

3. Human Resource Management

- a. Ensures development of job descriptions for district staff; ensures hiring policies, procedures, and laws are followed to select and retain qualified employees.

- b. Makes infrequent recommendations to the board to nonrenew for cause, discharge licensed staff, or dismiss ancillary staff, typically after efforts to help the employee improve.
- c. Plans and executes staff training/professional development as evidenced by reports to the board, including reports on the outcome of staff training/professional development.
- d. Manages the personnel evaluation system including developing and reviewing personnel evaluation forms and ensuring completion of evaluations by applicable deadlines in law and/or district policy.
- e. Oversees system of employee remediation including ensuring that professional development is provided to teachers and principals who need to improve their instructional performance or administrative skills; reports to board on impact of coaching programs without referencing specific staff members.
- f. Ensures that district administrators hold orientation for new staff to familiarize them with policies, procedures, and job duties.
- g. Recommends to the board programs to recognize outstanding staff members and to encourage staff engagement.
- h. Recommends to the board policies and negotiated agreement amendments designed to promote a fair, equitable, safe, and productive workplace, including policies on employee conduct, benefits, safety, and workload distribution.
- i. Seeks input from and regularly communicates with staff on district goals, needs, issues, and changes to programs/policies/procedures.
- j. Encourages and empowers principals to make decisions on behalf of their buildings and to implement innovative programs and services in their buildings.

4. Curriculum and Student Support Services

- a. Presents the board with data on indicators of student achievement and post-secondary preparation (e.g., graduation rates, remedial coursework, enrollment trends, college acceptance rates, grade remediation trends, number of scholarship recipients, etc.) to help identify curricular needs and inform the district's strategic plan.
- b. Brings curriculum changes to the board for approval as needed, explaining how these changes support the district's mission, strategic plan, and goals.
- c. Meets or corresponds regularly with building administrators to discuss implementation of curriculum, including instructional strategies and challenges associated with implementation; the superintendent shares these discussions with the curriculum committee.
- d. Recommends to the board for approval programs that allow for research-based instruction and course offerings; such programs include plans of implementation.
- e. Ensures that all school buildings have and use intervention programs to identify students in need of additional assistance academically, socially, and emotionally.

- f. Recommends to the board for adoption policies and programs designed to make the overall educational environment safe and to encourage student engagement including policies and programs on safety, conduct, recognition programs, and extracurricular activities.
- g. Schedules annual board review of district policies on student support services for special categories of students including disabled, migrant, English Language Learners, and homeless students to ensure these policies are meeting these students' needs.
- h. Completes state assessments in accordance with law, and required data are reported in Powerschool at the time and in the manner required by law.
- i. Reports aggregated student assessment results and other student achievement indicators to board, staff, and community as available.

5. Community Relations

- a. Attends the meetings of, or is involved in the activities of, community and civic organizations as directed by the Board.
- b. Oversees implementation of a community communication plan, which includes a district newsletter issued to parents; regularly speaks to the news media about school activities, successes, and events; and uploads information about district schools and initiatives on the district's website and social media.
- c. Works with key community stakeholders to help further the district's mission and support district schools (e.g., law enforcement and social service agencies).
- d. Recommends to the board, as needed, public hearings to receive input on district issues.
- e. Identifies ways to invite the community into district schools for programs, activities, and events.

6. Operations and Resource Management

- a. Makes budget recommendations to the board that take into account ending fund balance requirements in NDCC 15.1-07-29 and 15.1-27-35.3.
- b. Ensures that the special reserve fund does not exceed limitations in NDCC 57-15-14.2; assists the business manager to ensure that these funds are invested in accordance with restrictions in law and in a manner meant to maximize return.
- c. Explains to the board how the budget supports the district's strategic plan and goals.
- d. Makes mill levy recommendations to the board based on actual needs as clearly explained to the board during budget discussions.
- e. Makes building levy recommendations to the board that are based on justified needs, including long-term demographic information and/or a deferred maintenance plan.

- f. Assists the business manager and board with ensuring that the budget is approved, and mill levies are certified in accordance with deadlines in laws.
- g. Oversees a district-wide system of purchasing that helps the district stay on budget and brings cost-savings recommendations to the board.
- h. Seeks and recommends to the board new sources of revenue (e.g., grants, loans, donor contributions) appropriate for the district.
- i. Ensures that school buildings, grounds, and equipment are well maintained and typically in proper working order.
- j. Ensures that the insurance carrier has up-to-date information on all district-owned buildings, equipment, and supplies, and insurance coverage is adequate to cover potential loss.
- k. Develops or assists the business manager with developing a deferred maintenance plan for school buildings and a transportation replacement plan for the school fleet, which is discussed with the board.
- l. Establishes a process for administrators to request needed equipment and supplies and developed timelines for submitting these requests consistent with budget cycles.
- m. Performs or requires building administrators to perform a risk management assessment to determine facilities and equipment that need repair.

End of McClusky School District #19 Exhibit FFI-E

[08/17]

SUPERINTENDENT EVALUATION PROCEDURE

Format of Evaluation Instrument

The Board shall approve a superintendent evaluation instrument that is reasonably related to the superintendent's job description and the goals and objectives of the District (see CAAB-E1). The evaluation instrument shall require board members to rate the superintendent's performance as either satisfactory or unsatisfactory in each area of performance identified in the job description. If a board member rates the Superintendent as unsatisfactory in any area. The member shall provide an explanation and recommendations for improvement in the evaluation. The Board shall not assign an overall performance rating to the superintendent's evaluation.

Evaluation Process

Each month, as part of the regular school board meeting, board members should complete a superintendent evaluation worksheet to track the superintendent's performance and to assist with completing the March 15 and November 15 evaluations required by state law (see CAAB-E2).

The Board shall evaluate and assess the performance of the Superintendent according to state law.

Twice a year, the Board President shall schedule a board meeting to discuss and approve the superintendent's evaluations on or before the deadlines for evaluation completion established by law. The Board President shall disseminate the evaluation instrument to individual board members prior to such meetings, set a deadline for their return, and collect and combine the completed evaluations prior to the meeting.

The Board President shall tally and combine all ratings and comments contained on individual board member's evaluations onto one document (see CAAB-E3) and should provide a copy of this document to all board members prior to the meeting in which the superintendent's evaluation will be discussed and approved (see CAAB-E4). Any discrepancies among board members about the superintendent's rating in any of the performance areas evaluated must be discussed and a decision reached through a roll call vote of a simple majority of the Board, at the open meeting, when the evaluation is discussed. For any performance area rated as unsatisfactory, the Board, through a roll call vote, shall approve all comments explaining this rating and all recommendations for improvement. All board-approved comments and recommendations must be included on the evaluation that the Board provides to the Superintendent.

Post-Approval Procedures

Upon approval of the evaluation, the Board shall discuss the evaluation with the Superintendent. The Board President shall present a copy of the approved evaluation to the Superintendent and place a copy of the approved evaluation in the superintendent's personnel file. Superintendent evaluations must be retained for six years after the Superintendent separates from district employment.

Complementing Documents

- CAAA-E, Superintendent Job Descriptions
- CAAB-E1, Superintendent Evaluation Template
- CAAB-E2, Superintendent Evaluation Worksheet
- CAAB-E3, Superintendent Evaluation Summary
- CAAB-E4, Sample Motion for Superintendent Evaluation

End of McClusky School District #19 Policy CAAB Adopted: July 24, 2017

[03/17]

SUPERINTENDENT EVALUATION MOTIONS

Instructions: A motion and roll call vote is required for each of the ten performance areas on the superintendent evaluation. **School boards should not vote on an overall evaluation rating.**

When board members have unanimously agreed on the superintendent's rating, board presidents should read the following:

1. *Upon review of the individual evaluations, all board members have rated the superintendent as **satisfactory/unsatisfactory** for the performance area of **(list performance area)**. Given this consensus, do I have a motion and a second to approve this performance area as **satisfactory/unsatisfactory**? Is there any discussion? I will have the business manager call roll once discussion is complete.*
2. *The Superintendent has been rated as **satisfactory/unsatisfactory** for the performance area of **(list performance area)**.*
 - a. **Read when the rating is satisfactory:** *I have numbered all individual board comments. Are there any comments from the individual evaluations that the board would like to include on the board-approved evaluation? If the board would like to include any comments, I will need a motion and a second to include comments by number. Is there any discussion? I will have the business manager call roll once discussion is complete.*
 - b. **Read when the rating is unsatisfactory:** *Per state law, when the board rates the superintendent as unsatisfactory, the board is required to detail its findings and make recommendations. I have numbered the comments and recommendations for you. Please review them to determine which you would like include on the board-approved evaluation. I will then need a motion and a second to include comments and recommendations by number. Is there any discussion? I will have the business manager call roll once discussion is complete.*

When board members disagree on the superintendent's rating, board presidents should read the following:

3. *Upon review of the individual evaluations, a majority of board members has rated the superintendent as **satisfactory/unsatisfactory** for the performance area of **(list performance area)** and a minority of board members has rated the superintendent as **satisfactory/unsatisfactory**. Based on the majority's preliminary ratings, do I have a motion and a second to approve this performance area as **satisfactory/unsatisfactory**? We will now discuss the discrepancy in individual ratings following which I will have the business manager call roll. This discussion and vote provide an opportunity for board members to reconfirm or change their original ratings.*

4. After item three is complete, read the language in either 2a or 2b to finalize comments and recommendations for the performance area.

End of McClusky School District #19 Exhibit CAAB-E

SUPERINTENDENT EVALUATION MOTIONS

Instructions: A motion and roll call vote is required for each of the six performance areas on the superintendent evaluation. **School boards should not vote on an overall evaluation rating.**

When board members have unanimously agreed on the superintendent's rating, board presidents should read the following:

1. *Upon review of the individual evaluations, all board members have rated the superintendent as **[satisfactory] [unsatisfactory]** for the performance area of **[list performance area]**. Given this consensus, do I have a motion and a second to approve this performance area as **[satisfactory] [unsatisfactory]**? Is there any discussion? I will have the business manager call roll once discussion is complete.*
2. *The Superintendent has been rated as **[satisfactory] [unsatisfactory]** for the performance area of **[list performance area]**.*
 - a. **Read when the rating is satisfactory:** *I have numbered all individual board comments. Are there any comments from the individual evaluations that the board would like to include on the board-approved evaluation? If the board would like to include any comments, I will need a motion and a second to include comments by number. Is there any discussion? I will have the business manager call roll once discussion is complete.*
 - b. **Read when the rating is unsatisfactory:** *Per state law, when the board rates the superintendent as unsatisfactory, the board is required to detail its findings and make recommendations. I have numbered the comments and recommendations for you. Please review them to determine which you would like include on the board-approved evaluation. I will then need a motion and a second to include comments and recommendations by number. Is there any discussion? I will have the business manager call roll once discussion is complete.*

When board members disagree on the superintendent's rating, board presidents should read the following:

3. *Upon review of the individual evaluations, a majority of board members has rated the superintendent as **[satisfactory] [unsatisfactory]** for the performance area of **[list performance area]** and a minority of board members has rated the superintendent as **[satisfactory] [unsatisfactory]**. Based on the majority's preliminary ratings, do I have a motion and a second to approve this performance area as **[satisfactory] [unsatisfactory]**? We will now discuss the discrepancy in individual ratings following which I will have the business manager call roll. This discussion and vote provide an opportunity for board members to reconfirm or change their original ratings.*
4. *After item three is complete, read the language in either 2a or 2b to finalize comments and recommendations for the performance area.*

**CREATION AND ELIMINATION OF
ADMINISTRATIVE PERSONNEL POSITIONS**

The Board shall establish all administrative and supervisory positions in the District. Although positions may remain temporarily unfilled, only the Board may abolish a position.

In each case, the Board will approve the broad purpose and function of the position in harmony with state laws and regulations, approve a statement of job requirements as recommended by the Superintendent, and delegate to the Superintendent the task of writing a job description for the position.

The job description shall set forth the broad purpose and function of the position, the qualifications necessary, and a detailed list of responsibilities and duties. The Superintendent will maintain a comprehensive, coordinated set of job descriptions for all such positions so as to promote accountability, efficiency, and economy in the staff's operations.

End of McClusky School District #19 Policy CABAAdopted: June 20, 2017

HIRING ADMINISTRATIVE STAFF**Definitions**

For the purposes of this policy, administrative positions include principals. The definition does not include the Superintendent.

Advertising

When the Board declares an administrative position open, the Superintendent shall advertise the opening within the District and may advertise through appropriate channels outside the District. Prior to advertising, the Board and Superintendent should review and, if necessary, update the position's job description and, if necessary, modify the competitive personnel system. A current district employee is not eligible for Veterans' Preference if applying for a different job within the District.

All advertising for administrative positions may include a statement that applicants are eligible for Veterans' Preference and shall include a statement that the District is an Equal Opportunity Employer. The advertisement should include a closing date.

Screening

A hiring committee shall investigate the qualifications of applicants for administrative positions. As part of this qualification investigation, applicants shall be required to submit to a criminal history record check. The Superintendent or designee shall adjudicate criminal history records. In order to qualify for an administrative position, an applicant must receive satisfactory adjudication of the criminal history record and possess the necessary education, qualifications, and experience as determined by the hiring committee using standards contained in the job description.

Competitive Personnel System

Applicants deemed to be qualified shall advance to the next stage of the screening process, which consists of completion of requirements under the competitive personnel system. This system consists of the following components: phone interviews or face-to-face interviews. Under this system, the hiring committee scores applicants eligible for Veterans' Preference in accordance with NDCC 37-19.1-02. The hiring committee shall develop a rubric for scoring administrative applicants under the competitive personnel system and for defining the threshold for a passing score.

The District may further investigate the qualifications of applicants who received a passing score under the competitive personnel system by conducting follow-up interviews and/or checking sources such as, but not limited to, references, employment history, and background check databases.

Hiring Authority

A hiring committee shall bring hiring recommendations for administrative positions to the Board. The Board shall make final hiring decisions for all administrative positions.

Complementing Documents

- DBAC, Recruitment, Hiring, & Background Checks for New Instructional Personnel
- DBAA-AR, Background Check Screening Procedure

End of McClusky School District #19 Policy CABBAdopted: June 20, 2017

ADMINISTRATIVE REDUCTION IN FORCE

Should a reduction in administrative positions occur due to declining enrollments, program changes, or other factors determined by the Board, the Superintendent shall recommend a reassignment of administrative duties. Administrative employees not reassigned may be considered for vacancies in other professional positions for which they are qualified. If the administrator is not recommended for another position, or if any reassignment results in a reduction in salary for curricular duties, a nonrenewal hearing shall be conducted in accordance with North Dakota law.

End of McClusky School District #19 Policy CABAdopted: June 20, 2017

ADMINISTRATIVE REGULATIONS

The Superintendent shall prepare and disseminate administrative rules necessary to implement board policy and shall review such rules periodically to determine their effectiveness in carrying out policies. These rules shall constitute the school district's administrative regulations.

The Board shall not approve administrative regulations. However, the Board reserves the right to review and veto any administrative regulation should it, in the board's judgment, be inconsistent with the policies adopted by the Board.

Complementing Documents

- BDA, Procedure for Adopting Board Policy

End of McClusky School District #19 Policy CBAA Adopted: May 9, 2017

ADMINISTRATION IN POLICY ABSENCE

The Superintendent shall have the power to implement action within the school system if an emergency situation should develop for which the Board has provided no policy. However, the superintendent's decision shall be subject to review by the Board at its next regular meeting. It is the superintendent's duty to inform the Board of any such action and of the need for an official policy.

Complementing Documents

- BDA, Procedure for Adopting Board Policy

End of McClusky School District #19 Policy CBABAdopted: June 20, 2017

SUPERINTENDENT'S CONSULTING ACTIVITIES

The Board expects the Superintendent to devote his or her undiminished attention and energy to the concerns of the District. The Superintendent shall not be engaged in any other employment or in long-term consulting assignments. However, the Board recognizes the superintendent's obligation to contribute to the profession of school administration and to the cause of public education generally. The Board, therefore, does not prohibit the Superintendent from undertaking occasional consulting which does not conflict with obligations to the District.

Preconditions

Any such task that requires the superintendent's absence for two or more days must have prior approval of the Board. If the Superintendent will receive a stipend for the consulting it shall be done outside of school hours or the Superintendent shall reimburse the District for the amount of school time spent on the task.

End of McClusky School District #19 Policy CBBAdopted: June 20, 2017

TRANSFER OF ADMINISTRATIVE PERSONNEL

The Superintendent shall make recommendations to the Board when s/he believes a transfer or reassignment of administrative staff is in the best interest of the District. The Board reserves the right to accept or reject all transfer and appointment recommendations.

The Board shall ensure that the superintendent's transfer/reassignment recommendations comply with law and the administrator's contract before approving or denying the recommendation.

End of McClusky School District #19 Policy CBCAdopted: June 20, 2017

SUPERINTENDENT'S ROLE IN NEGOTIATIONS

The Superintendent shall serve as a resource person and shall serve as advisor to the Board in both budgetary and philosophical considerations during negotiations.

End of McClusky School District #19 Policy CBDAdopted: June 20, 2017

SUPERINTENDENT & OTHER ADMINISTRATIVE PROFESSIONAL DEVELOPMENT¹

The Superintendent and administrators shall comply with all professional development requirements contained in law and established by the district along with licensure and credential renewal requirements established by the Department of Public of Instruction and the Education Standards and Practices Board.

Superintendent Professional Development

The Board shall pay for the superintendent's membership in the following associations: North Dakota Association of School Administrators (NDASA), North Dakota Council of Educational Leaders (NDCEL) and American Association of School Administrators (AASA).

The Superintendent is authorized to take eight days for professional development each school year². However, the Superintendent shall avoid absences that will be detrimental to district operations. The Superintendent shall notify the Board and receive approval prior to attending any professional development training lasting more than four sequential business days. The District shall reimburse the Superintendent for registration/participation fees and travel, lodging, and meals at state reimbursement rates, provided participation was approved by the Board through policy or board action.

Professional Development for Other Administrative Staff

The Board shall pay for the administrative staff's membership in the following associations: North Dakota Council of Educational Leaders (NDCEL), North Dakota Association of Secondary School Principals (NDASSP), North Dakota Association of Elementary School Principals (NDAESP), National Association of Secondary School Principals (NASSP) and National Association of Elementary School Principals (NAESP). For the purposes of this policy, "administrative staff" means school principal(s).

Administrative staff may take eight days for professional development each school year³. However, administrative staff shall avoid absences that will be detrimental to district operations. Administrative staff shall notify the Superintendent and receive approval prior to attending any professional development training lasting more than four sequential business days. The District shall reimburse administrative staff for registration/participation fees and travel, lodging, and meals at state reimbursement rates, provided participation was approved by the Board through policy or board action.

Long-Term Professional Development Leave

The Board may grant unpaid or paid long-term professional development leave to the Superintendent or administrative staff for graduate study. The granting or denial of a request for professional development leave and determination that it be with or without pay is at the sole discretion of the Board.

The Board shall make this determination based on the following criteria:

¹ Boards should review the superintendent and administrators' contract prior to adopting this policy. Do not adopt any portion of this policy covered by these contracts.

² For purposes of this section, "school year" means the period beginning July 1 and ending June 30.

³ For purposes of this section, "school year" means the period beginning July 1 and ending June 30.

RECOMMENDED

Descriptor Code: CCA

1. Needs of the District (e.g., whether the training will assist the District with achieving its goals, the degree to which the individual's service is needed during the requested period of leave, etc.)
2. Appropriateness of the course of study;
3. Number of past leave requests made by the individual and the number that have been granted by the Board;
4. Number of years the individual has been employed by the District;
5. Length of the leave request and the time of year the employee will be absent;
6. Whether or not the individual has unused vacation, personal, or other applicable paid leave available.

Requests for leave must occur four months prior to the commencement date of the requested leave. The request must state the leave dates and specify programs to be pursued.

If the Board grants long-term professional leave to a member of the administrative staff during the school year, the individual must be notified that they have a right to return to a similar position but there is no guarantee of returning to the same school or the same position. The individual shall agree to this stipulation as a condition of receiving approval.

End of McClusky School District #19 Policy CCAAdopted: June 19, 2018

[08/17]

SUPERINTENDENT GRIEVANCE PROCEDURE

The purpose of this policy is to provide a step-by-step procedure that guarantees the right of the Superintendent to administrative "due process" to assure fairness and equity. The Board shall not discriminate against, coerce, or interfere with the Superintendent, witness, or representative for his/her/their involvement in the presentation or adjudication of any grievance.

No action taken under this procedure shall in any way be construed as forfeiting the right to seek redress through the courts.

If any provision of this procedure is or shall at any time become contrary to law, then such provision shall not be applicable or performed or enforced, except to the extent permitted by law.

Definitions

- *Grievance* is an allegation by the Superintendent that s/he has been subject to a personal loss or injury because of a violation, misinterpretation, or misapplication of a specific article, section, or paragraph of the superintendent's contract.
- *Day* as used herein shall be considered a school day and the time limits set shall be considered a maximum.

Time Limit

A grievance must be initiated within 30 days after the Superintendent knew or should have known the term or condition giving rise to the grievance existed. Failure to timely present the grievance in writing shall be deemed a waiver of the grievance.

Conditions

Failure of the Superintendent to meet any of the deadlines contained in this procedure shall terminate the grievance. Failure of the Board President to respond to the grievance within specified deadlines shall be deemed a denial of the grievance and shall allow the Superintendent to advance the grievance to the next step.

Procedure

Meetings held under this procedure shall generally be conducted on non-school time at a place that will afford a fair and reasonable opportunity for all persons proper to be present.

Each step in this procedure is intended to give bona fide consideration to the grievance and is to be a separate review of the facts. Each official and governing body to whom the grievance is presented shall issue a decision.

Informal Process

The Board encourages the resolution of grievances as near the point of origin as possible. Therefore, the Superintendent shall first discuss a grievance with the Board President. However, should such informal process fail to satisfy the Superintendent, then a grievance may be processed as follows.

Formal Process

The Superintendent may be represented and accompanied by a representative of his/her choosing at any step in this process. The Superintendent must be present at each step in this procedure.

1. The Superintendent shall prepare a written statement containing his/her name, the specific contract provision being grieved and why, and the requested remedy. The written grievance must be signed and dated by the Superintendent.
2. The Superintendent shall present the written grievance to the Board President by the deadline contained in the "Time Limit" section of this procedure. The Board President shall make every effort to resolve the grievance and shall, within ten days of the filing of the grievance, render a written answer on the grievance.
3. If no agreement is reached or the time limit outlined above elapses without answer, the Superintendent may present the written grievance to the Board. This step must be initiated within four days of the board president's written decision, or within 14 days of the filing of the grievance in the event the Board President fails to provide a written answer. The Board shall consider the grievance at a board meeting held in accordance with law. The board's decision is final, subject to court review if the Superintendent files suit.

End of McClusky School District #19 Policy CCBAdopted: June 20, 2017