

CONCEPTS AND ROLES

The Board of Directors recognizes that Santa Clarita Valley School Food Services Agency (SCVSFSA) administration performs essential roles and functions in support of student learning, including the provision of instructional support and services to schools as well as the responsible management of noninstructional operations. The Chief Executive Officer (CEO) or designee may make decisions concerning SCVSFSA operations within the parameters of law and Board policy.

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 9310 - Board Policies)

The CEO shall provide leadership in developing administrative regulations and organizational structures, decision-making processes, and staff action plans that allow SCVSFSA to fulfill its vision and goals. The Board also expects the CEO to help shape the culture and environment of the SCVSFSA in a manner that focuses SCVSFSA operations on enhancing student achievement, encourages positive relationships within the community, and instills confidence in SCVSFSA.

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

(cf. 0500 - Accountability)

(cf. 2111 - Superintendent Governance Standards)

The Board and CEO shall work together as a team in the exercise of SCVSFSA governance. The Board and CEO shall establish protocols that describe how the governance team will operate, including, but not limited to, agreements regarding Board meeting operations and communications between the CEO and the Board.

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

Because the CEO is the only SCVSFSA employee who is directly selected and evaluated by the Board, the Board has a responsibility to ensure that the CEO possesses the skills and attributes that best meet the needs of the SCVSFSA.

(cf. 2120 - Superintendent Recruitment and Selection)

The Board and CEO shall agree upon a system for evaluating the CEO, including the evaluation criteria, method, evaluation instrument, process, and timeline.

(cf. 2140 - Evaluation of the Superintendent)

The CEO may delegate to other SCVSFSA staff any duties imposed upon him/her by the Board. This delegation shall not relieve the CEO of responsibility for actions taken by his/her designees.

CONCEPTS AND ROLES (continued)

- (cf. 1220 - Citizen Advisory Committees)*
- (cf. 2210 - Administrative Discretion Regarding Board Policy)*
- (cf. 2230 - Representative and Deliberative Groups)*
- (cf. 4300 - Administrative and Supervisory Personnel)*
- (cf. 4301 - Administrative Staff Organization)*

Legal Reference:

EDUCATION CODE

- 35020 Duties of employees fixed by governing board*
- 35026 Employment of district superintendent by certain district*
- 35028 Qualifications for employment*
- 35029 Waiver of credential requirements*
- 35031 Term of employment*
- 35033 District superintendent for certain districts*
- 35034 District superintendent of certain districts*
- 35035 Powers and duties of superintendent*
- 35160 Authority of governing boards*
- 35160.1 Broad authority of school districts*
- 35161 Powers and duties generally*

Management Resources:

CSBA PUBLICATIONS

- Maximizing School Board Governance: Superintendent Selection and Employment, 2006*
- Maximizing School Board Governance: Superintendent Evaluation, 2005*
- Superintendent Governance Standards, 2001*
- CSBA Professional Governance Standards, 2000*

WEB SITES

- CSBA: <http://www.csba.org>*
- American Association of School Administrators: <http://www.aasa.org>*
- Association of California School Administrators: <http://www.acsa.org>*

CHIEF EXECUTIVE OFFICER RESPONSIBILITIES AND DUTIES

The Board of Directors desires to establish a productive working relationship with the Chief Executive Officer (CEO) and to ensure that the work of the CEO is focused on the attainment of the Santa Clarita Valley School Food Services Agency's (SCVSFSA) vision and goals. The Board also desires to provide a fair basis for holding the CEO accountable. The responsibilities of the CEO are detailed in law, in the CEO's contract, and throughout Board policies and administrative regulations.

(cf. 0000 - Vision)
(cf. 2000 - Concepts and Roles)
(cf. 2111 - Superintendent Governance Standards)
(cf. 2121 - Superintendent's Contract)

The Board shall clarify expectations and goals for the CEO at the beginning of every evaluation year.

(cf. 2140 - Evaluation of the Superintendent)

As the chief executive officer of the SCVSFSA, the CEO shall implement all Board decisions and manage the operations of SCVSFSA. The CEO also serves as a member of the SCVSFSA's governance team and has responsibilities to support Board operations and decision making.

(cf. 2210 - Administrative Discretion Regarding Board Policy)
(cf. 9000 - Role of the Board)
(cf. 9122 - Secretary)

The CEO may delegate any of his/her responsibilities and duties to other SCVSFSA staff, but he/she remains accountable to the Board for all areas of operation under the CEO's authority.

(cf. 4301 - Administrative Staff Organization)

Legal Reference: (see next page)

CHIEF EXECUTIVE OFFICER RESPONSIBILITIES AND DUTIES (continued)

Legal Reference:

EDUCATION CODE

17604 Delegation of powers to agents

17605 Delegation of authority to purchase supplies, equipment and services

35020-35046 Powers and duties of superintendent

48900 Authority of superintendent to recommend suspension or expulsion

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance

Superintendent Governance Standards, 2001

WEB SITES

CSBA: <http://www.csba.org>

American Association of School Administrators: <http://www.aasa.org>

Association of California School Administrators: <http://www.acsa.org>

CHIEF EXECUTIVE OFFICER GOVERNANCE STANDARDS

The Board of Directors recognizes that effective Santa Clarita Valley School Food Services Agency (SCVSFSA) governance requires strong collaboration and teamwork with the Chief Executive Officer (CEO). Because the Board and CEO each have their unique roles and responsibilities, both contribute to the responsible governance of the SCVSFSA and the quality of education provided to the community's students.

(cf. 2000 - Concepts and Roles)

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

The CEO is expected to hold himself/herself to the highest standards of ethical conduct and professionalism.

To support the Board in the governance of the SCVSFSA, the CEO:

1. Values, advocates and supports public education and all stakeholders
2. Recognizes and respects the differences of perspective and style on the Board and among staff, students, parents/guardians and the community and ensures that the diverse range of views inform Board decisions
3. Acts with dignity, treats everyone with civility and respect, and understands the implications of demeanor and behavior
4. Serves as a model for the value of lifelong learning and supports the Board's continuous professional development

(cf. 9240 - Board Development)

5. Works with the Board as a "governance team" and assures collective responsibility for building a unity of purpose, communicating a common vision and creating a positive organizational culture

(cf. 0000 - Vision)

6. Recognizes that the Board/CEO governance relationship is supported by SCVSFSA management team
7. Understands the distinctions between Board and staff roles, and respects the role of the Board as the representative of the community
8. Understands that authority rests with the Board as a whole; provides guidance to the Board to assist in decision-making; and provides leadership based on the direction of the Board as a whole

CHIEF EXECUTIVE OFFICER GOVERNANCE STANDARDS (continued)

9. Communicates openly with trust and integrity, including providing all members of the Board with equal access to information and recognizing the importance of both responsive and anticipatory communications
10. Accepts leadership responsibility and accountability for implementing the vision, goals and policies of SCVSFSA

Legal Reference:

EDUCATION CODE

35020 Duties of employees set by governing board

Management Resources:

CSBA PUBLICATIONS

Superintendent Governance Standards, 2001

CSBA Professional Governance Standards, 2000

AASA PUBLICATIONS

Professional Standards for the Superintendency, 1993

WEB SITES

CSBA: <http://www.csba.org>

ACSA: <http://www.acsa.org>

American Association of School Administrators: <http://www.aasa.org>

CHIEF EXECUTIVE OFFICER RECRUITMENT AND SELECTION

The Board of Directors recognizes that it has a direct responsibility to select and employ the Chief Executive Officer (CEO). Whenever it becomes necessary for the Board to fill a vacancy in the position of CEO, the Board shall work diligently to employ a person whose management and leadership abilities are most closely aligned with Santa Clarita Valley School Food Services Agency (SCVSFSA) needs.

(cf. 2000 - Concepts and Roles)

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 2111 - Superintendent Governance Standards)

(cf. 9000 - Role of the Board)

The Board shall establish and implement a search and selection process that includes consideration of:

1. SCVSFSA's current and long-term needs, including a review of its vision and goals

(cf. 0000 - Vision)

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

2. The desired characteristics of a new CEO, including professional experience, educational qualifications, leadership characteristics, philosophy of education, and other management, technical, interpersonal and conceptual skills, as well as the priorities the Board wants to place on different abilities, traits and levels of knowledge
3. The scope of the search, including whether to promote from within SCVSFSA or broaden the search to include both internal and external candidates and, if external candidates will be considered, whether to conduct a statewide or nationwide search
4. The salary range and benefits to be offered
5. Basic elements to be included in the CEO's contract
6. Whether to hire a professional adviser to facilitate the process
7. How and when to involve the community in certain phases of the selection process

(cf. 1000 - Concepts and Roles)

(cf. 1220 - Citizen Advisory Committees)

8. The best methods for advertising the vacancy and recruiting qualified candidates
9. The process for screening applications and determining how the screener(s) will be selected

CHIEF EXECUTIVE OFFICER RECRUITMENT AND SELECTION (continued)

10. Interview questions, processes, and participants
11. How and when candidates' qualifications will be verified through reference checks
(cf. 4112.5/4312.5 - Criminal Record Check)
12. Other actions necessary to ensure a fair selection process and a smooth transition to new leadership

Even if a professional adviser is used to facilitate the process, the Board shall retain the right and responsibility to oversee the process and to review all applications if desired.

The Board shall select candidates to be interviewed based on recommendations of the screener(s) and the Board's own assessment of how candidates meet the criteria established by the Board.

The Board shall interview preliminary and final candidates in closed session and determine the most likely match for SCVSFSA. (Government Code 54957)

Before offering the position to the selected candidate or making any announcements, Board members may visit that candidate's current employment, as appropriate, to obtain verification of his/her qualifications.

The Board shall deliberate in closed session to affirm the selection of the candidate and shall report the selection in open session. (Government Code 54957)

(cf. 2121 - Superintendent's Contract)
(cf. 9321 - Closed Session Purposes and Agendas)
(cf. 9321.1 - Closed Session Actions and Reports)

The Board shall conduct these proceedings in accordance with legal and ethical obligations regarding confidentiality and equal opportunity.

(cf. 4030 - Nondiscrimination in Employment)
(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4111.2/4211.2/4311.2 - Legal Status Requirement)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

As necessary, the Board may appoint an interim CEO to manage the SCVSFSA during the selection process.

CHIEF EXECUTIVE OFFICER RECRUITMENT AND SELECTION (continued)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination
35026 Employment of superintendent by board
35028 Certification
35029-35029.1 Waiver of credential requirement
35031 Term of employment
44420-44440 Revocation and suspension of certification documents

GOVERNMENT CODE

11135 Unlawful discrimination
12900-12996 California Fair Employment and Housing Act
53260-53264 Employment contracts
54954 Time and place of regular meetings
54957 Closed session personnel matters
54957.1 Closed session, public report of action taken

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

UNITED STATES CODE, TITLE 29

794 Section 504 of the Vocational Education Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

106.9 Dissemination of nondiscrimination policy

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Superintendent Selection and Employment

WEB SITES

CSBA: <http://www.csba.org>

ACSA: <http://www.acsa.org>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

Office of Civil Rights: <http://www.ed.gov/offices/OCR>

Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

CHIEF EXECUTIVE OFFICER'S CONTRACT

In approving employment contracts with the Chief Executive Officer (CEO), the Board of Directors wishes to encourage the CEO's long-term commitment to the Santa Clarita Valley School Food Services Agency (SCVSFSA) and community while carefully considering the financial and legal implications of the contract in order to protect SCVSFSA from any potentially adverse obligations.

(cf. 2120 - Superintendent Recruitment and Selection)

(cf. 4312.1 - Contracts)

(cf. 9000 - Role of the Board)

The Board shall designate a representative to negotiate with the CEO on its behalf and shall consult legal counsel to draft the contract document.

The Board shall deliberate in closed session about the terms of the contract. (Government Code 54957)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

Terms of the contract shall remain confidential until the ratification process commences.

(cf. 9011 - Disclosure of Confidential/Privileged Information)

The Board shall ratify the CEO's contract in an open meeting, which shall be reflected in the Board's minutes. Copies of the contract shall be available to the public upon request. (Government Code 53262)

(cf. 3580 - District Records)

The contract shall include, but not be limited to, provisions for salary and benefits, annual evaluations, term of the contract, and conditions for termination of the contract. The contract should also include general responsibilities and duties of the CEO.

(cf. 2110 - Superintendent Responsibilities and Duties)

The term of the contract shall be for no more than four years. (Education Code 35031)

During the term of the contract, the Board may reemploy the CEO on those terms and conditions mutually agreed upon by the Board and CEO. (Education Code 35031)

The CEO's contract shall be extended only by Board action and subsequent to a satisfactory evaluation of the CEO's performance.

(cf. 2140 - Evaluation of the Superintendent)

CHIEF EXECUTIVE OFFICER'S CONTRACT (continued)

In the event that the Board determines not to reemploy the CEO, the Board shall provide written notice to the CEO at least 45 days in advance of the expiration of the term of the contract. (Education Code 35031)

The CEO's contract shall include a provision specifying the maximum cash settlement that the CEO may receive upon termination of the contract. However, if the unexpired term of the contract is greater than 18 months, the maximum cash settlement shall be no more than the CEO's monthly salary multiplied by 18. The cash settlement shall not include any noncash items other than health benefits, which may be continued for the unexpired term of the contract up to 18 months or until the CEO finds other employment, whichever occurs first. (Government Code 53260, 53261)

(cf. 4117.5/4217.5/4317.5 - Termination Agreements)

If the Board terminates the CEO's contract upon its belief and subsequent confirmation pursuant to an independent audit that the CEO has engaged in fraud, misappropriation of funds, or other illegal practices, the maximum settlement shall be within the limits prescribed by law, as determined by an administrative law judge. (Government Code 53260)

Legal Reference:

EDUCATION CODE

35031 *Term of employment*

41325-41329.3 *Conditions of emergency apportionment*

GOVERNMENT CODE

53260-53264 *Employment contracts*

54954 *Time and place of regular meetings*

54957 *Closed session personnel matters*

54957.1 *Closed session, public report of action taken*

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Superintendent Selection and Employment, 2004

WEB SITES

CSBA, *Single District Governance Services*: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

EVALUATION OF THE CHIEF EXECUTIVE OFFICER

The Board of Directors recognizes that, in order to effectively fulfill its responsibilities for setting direction, ensuring accountability, and providing community leadership for the Santa Clarita Valley School Food Services Agency (SCVSFSA), it must adopt measures for holding the Chief Executive Officer (CEO) accountable. At a minimum, the Board shall annually conduct a formal evaluation of the CEO's performance to assess his/her effectiveness in leading SCVSFSA toward established goals. In addition, the evaluation process may include opportunities during the year for review of the CEO's progress toward meeting the goals. The evaluation shall be in accordance with the provisions of the CEO's contract and any applicable Board policy.

(cf. 0000 - Vision)

(cf. 2121 - Superintendent's Contract)

(cf. 9000 - Role of the Board)

(cf. 9005 - Governance Standards)

Evaluation criteria shall be agreed upon by the Board and CEO prior to the evaluation and shall include, but not be limited to, SCVSFSA goals and success indicators; operational, management, and community leadership skills; and the CEO's professional relationship with the Board.

(cf. 2110 - Superintendent Responsibilities and Duties)

(cf. 2111 - Superintendent Governance Standards)

The Board and CEO shall jointly determine the evaluation method(s) and schedule that will best serve the SCVSFSA and the structure and format of the instrument to be used.

Prior to the evaluation, the CEO shall provide to the Board for its review a report of progress toward SCVSFSA goals, the CEO's self-appraisal of accomplishments and performance, and a statement of actions taken to address any Board recommendation from the previous evaluation.

Each Board member shall independently evaluate the CEO's performance. Based on these individual evaluations, the Board president shall produce a document that summarizes the individual evaluations. The Board shall then take action on this document and present it to the CEO for his/her response.

The evaluation shall provide commendations in areas of strength and achievement, provide recommendations for improving effectiveness in areas of concern and unsatisfactory performance, and serve as a basis for making decisions about salary increase and/or contract extension.

The Board shall meet in closed session with the CEO to discuss the evaluation. (Government Code 54957)

EVALUATION OF THE CHIEF EXECUTIVE OFFICER (continued)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

The CEO shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional evidence of his/her performance or SCVSFSA's progress.

After the Board and CEO have discussed the evaluation, the Board president and CEO shall sign the evaluation and it shall be placed in the CEO's personnel file.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)

At the open session after the CEO's evaluation or at a subsequent meeting, the Board and CEO shall jointly identify performance goals for the next year.

(cf. 9400 - Board Self-Evaluation)

Legal Reference:

GOVERNMENT CODE

53262 *Employment contracts, superintendent*

54957 *Closed session, personnel matters*

COURT DECISIONS

Duval v. Board of Trustees, (2001) 93 Cal.App.4th 902

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Governance: Superintendent Evaluation, 2006

WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org>

ADMINISTRATIVE DISCRETION REGARDING BOARD POLICY

Through the adoption of written policies, the Board of Directors conveys its expectations for actions that will be taken in the Santa Clarita Valley School Food Services Agency (SCVSFSA), clarifies roles and responsibilities of the Board and Chief Executive Officer (CEO), and communicates Board philosophy and direction. However, the Board recognizes that, at times, situations may arise in the implementation of SCVSFSA programs that are not addressed in Board policy or administrative regulation. When resolution of such a situation necessitates immediate action, the CEO or designee shall have the authority to act on behalf of SCVSFSA.

(cf. 2110 - Superintendent Responsibilities and Duties)
(cf. 9000 - Role of the Board)
(cf. 9310 - Board Policies)

If the situation or its resolution may affect the safety or security of staff or community members, involves an immediate significant impact on any SCVSFSA's program or activity, the CEO or designee shall notify the Board as soon as practicable after its occurrence. The Board president and the CEO shall schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions or revisions to Board policies, the CEO or designee shall make the necessary recommendations to the Board.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516.5 - Emergency Schedules)
(cf. 9322 - Agenda/Meeting Materials)

Legal Reference:

EDUCATION CODE

- 35010 Control of district, prescription and enforcement of rules
- 35035 Powers and duties of superintendent
- 35160 Authority of governing boards
- 35160.5 Annual review of school district policies
- 35163 Official actions, minutes and journal
- 42605 Tier 3 categorical flexibility

Management Resources:

CSBA PUBLICATIONS

Policy Implications of Categorical Program Flexibility, Policy Advisory, November 2009
Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams, Budget Advisory, March 2009

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

Fiscal Issues Relating to Budget Reductions and Flexibility Provisions, April 2009

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

REPRESENTATIVE AND DELIBERATIVE GROUPS

The Board of Directors believes that broad input on Santa Clarita Valley School Food Services Agency (SCVSFSA) operations and policy from staff, parents/guardians, and members of the public can provide the SCVSFSA with a diversity of viewpoints and expertise, and help enhance SCVSFSA efficiency. As desired, the Chief Executive Officer (CEO) or designee may establish a management team, administrative councils, task forces, cabinets or committees in accordance with law.

(cf. 1220 - Citizen Advisory Committees)
(cf. 4301 - Administrative Staff Organization)

The membership, composition and responsibilities of these groups shall be defined by the CEO or designee. The CEO or designee may establish, change, or dissolve these groups at his/her discretion.

Groups established by the CEO or designee shall act in an advisory capacity unless specifically authorized to act on behalf of the CEO or designee. Advisory groups shall submit their recommendations to the CEO or designee, who may report the recommendations to the Board as appropriate.

(cf. 9130 - Board Committees)

Expenses incurred for consulting services, materials, travel, or other related operations shall be approved by the CEO or designee in advance.

(cf. 3350 - Travel Expenses)

Legal Reference:

EDUCATION CODE

35160.1 *Broad authority of school districts*

45100.5 *Senior classified management positions*

45256.5 *Designation of certain senior classified management positions*

GOVERNMENT CODE

3540.1 *Definitions*

54952 *Legislative body, definition*