

Policy Type: Executive Limitations

Global Executive Constraint

The Superintendent shall ensure that practices, activities, decisions or organizational circumstances are lawful, ethical, safe, respectful, prudent, commonly accepted business and professional ethics, and in accordance with Board policy, as further defined in these policies.

Adopted: [Insert policy adoption date]

LEGAL REFS: C.R.S. 24-18-104 (government employee rules of conduct)
C.R.S. 24-18-109 (local government employee rules of conduct)

POLICY REFS: CBC - Qualifications/Powers and Responsibilities of Superintendent

First Rea

Policy Type: Executive Limitations

Emergency Superintendent Succession

In order to protect the Board in the event of sudden loss of Superintendent services, the Superintendent will assure that no fewer than two (2) other executive staff members are familiar with Board and Superintendent issues and processes and is capable of assuming Superintendent responsibilities on an interim basis.

Adopted: [Insert policy adoption date]

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

First Reading Draft

Policy Type: Executive Limitations**Development of Administration Policy**

The Superintendent will only operate with written policies that are consistent with law and Board policy and ensure reasonable progress toward achieving the Board's *Ends*.

Accordingly the Superintendent will develop and promulgate administration policies that:

1. Are designed to achieve the Board's *Ends*;
2. Are consistent with constraints set forth in the Board's *Executive Limitations* policies;
3. Are consistent with federal and state law; and
4. Contain all legally required and recommended policies;

The Superintendent will communicate to the Board regarding:

1. Circumstances which indicate the need to draft new administration policy or revise existing administration policy;
2. Suggestions from other recognized education policy experts regarding new policy language or revisions to existing policy; and
3. Administration policies that are inconsistent with current law or Board policy.

The Superintendent will consult, when appropriate and at his or her discretion, with staff, students, parents, and other community members in the development of administration policy.

The Superintendent will make available copies of all newly promulgated or revised administration policies to the Board and all administrators with instructions to make available to staff, students, parents, guardians and community members.

POLICY REFS: BG Policy Process
BG-E Board Retention of Delegation of District Policy

Policy Type: Executive Limitations

Communication to the Board

With respect to providing information to the Board, the Superintendent will give the Board as much information as necessary to allow Board members to be adequately informed and supported in its work.

Accordingly, the Superintendent will:

General

1. Advise the Board in a timely manner of relevant trends, facts and information, including:
 - a. The rationale behind any Superintendent recommendation;
 - b. Student performance data and graduation rates;
 - c. Information regarding any serious student discipline or safety matter or crisis situation;
 - d. Information regarding the cancellation of school or any important event;
 - e. Best practices in K-12 education;
 - f. Information regarding any matter that may expose the district to legal liability including threatened or pending lawsuits;
 - g. Resolutions of significant grievances or complaints
 - h. Results of District-wide polls or surveys
 - i. The Superintendent's out of town travel; and
 - j. Plans for short and long-term capital or facility needs in a manner that aligns with the bond cycle.
2. Present information in language that is easy to understand;
3. Advise the Board of changes in assumptions or noncompliance upon which Board policy has been established;
4. Provide for the Board as many staff and external points of view and opinions as needed for fully informed Board choices;
5. Send letters, surveys or share communication under the Board name or on behalf of the Board only when receiving Board approval;
6. When addressing official Board business, deal with the Board as a whole except when fulfilling individual requests for information (responses are to be shared with all Board members), or responding to officers or committees duly charged by the Board; and
7. Support the Board in its responsibility to favorably impact legislation. Accordingly, the Superintendent is to inform the Board, legislators, or other governmental

officials to be aware of potential consequences to the District posed by pending legislation or regulation.

Financial condition

Advise the Board of significant transfers of moneys within funds, any single non-budgeted purchase or expenditure of greater than \$500,000 and any other change substantially affecting the district's financial condition (e.g. anticipated bond refunding opportunities or ratings changes), the district's ability to achieve its mission, or which is in violation of the Board's policies.

Media coverage

1. Advise the Board of anticipated or potential adverse media coverage or negative citizen or employee reaction to actual, proposed or anticipated decisions, circumstances, policies, procedures or practices; and
2. Advise the Board of anticipated positive media coverage when knowledge of the coverage occurs within sufficient time to include in the Superintendent's regular communications with the Board.
3. When feasible, the Board is to be notified of material or external changes in advance.

Monitoring

1. Submit monitoring data required by the Board in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored;
2. With the understanding that it is primarily the Board's responsibility to monitor its own compliance, advise the Board if, in the Superintendent's opinion, the Board, or its committees, are not in compliance with its own policies on *Governance Process and Board-Superintendent Relationship*; and
3. Report in a timely manner any actual or anticipated noncompliance with any Board *Ends* or *Executive Limitations* policy or policies.

Board communications

1. Provide a mechanism for official Board, officer, or committee communications; and
2. Work with the Board as a whole on Board policy issues except when:
 - a. Fulfilling individual requests for information as long as such requests do not require a material amount of staff time or resources, are not disruptive, and responses are conveyed to all Board members; Working with officers or committees duly charged by the Board; or

- b. Communicating with the president on emergency circumstances conveyed to other Board members as soon as possible.

Consent agenda

Supply for the consent agenda all items delegated to the Superintendent that are required by law or contract to be Board-approved, along with the minimum amount of supporting data necessary to keep the Board informed and a rationale for the superintendent's decision.

State reporting

Provide a summary to the Board of any significant data submitted to the State Board of Education regarding accreditation, accountability, or safety.

Personnel decisions

As permitted by law, provide, as soon as possible after decisions are made, information to the Board regarding the nature of and the reason for the personnel decision and information regarding how the decision impacts the district's ability to operate and to achieve the Board's *Ends*.

Adopted: [Insert policy adoption date]

LEGAL REFS.:

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

C.R.S. 24-6-201 *et seq.* (Colorado Sunshine Act - public official disclosure law)

POLICY REFS:

Policy Type: Executive Limitations

Commitment to Accomplishment and Accountability

The Superintendent will take reasonable steps to maintain an effective accountability program.

Accordingly, the Superintendent will:

1. Take reasonable steps to ensure school-level accountability committees:
 - a. Serve the purposes and functions stated in law for the school accountability committee;
 - b. Adopt building goals/objectives for the improvement of education in the building;
 - c. Adopt a plan to improve educational achievement, maximize graduation rates and increase the ratings for the school's accreditation category;
 - d. Discuss the means for determining whether decisions affecting the educational process are advancing or impeding student achievement in the school;
 - e. Discuss reporting educational performance of the school and providing data for appraising such performance to students, parents, Board members and educators;
 - f. Prior to Board's adoption of the annual budget provide feedback to the district accountability committee regarding prioritization of expenditures of district moneys;
 - g. **[Under Review by Director of Safety & Security]** Discuss safety issues related to the school environment and develop, revise and implement a safe school plan for the school consistent with the district's safe school plan and policies; and
2. Ensure that district accountability committees make efforts to fulfill the responsibilities inherent in the Educational Accountability Act and the Educational Accreditation Act;
3. Take reasonable steps so that accountability committee meetings are open to the public and that meeting notices are posted in the same place and manner as notices of Board meetings and in school buildings, as appropriate, one week in advance and sent to the local news media;
4. By October 1st each year, report to the public the district's goals and objectives for the improvement of education in the district and the district's plan to improve educational achievement, maximize graduation rates, and increase each school's attainment of state-wide performance indicators and plan type assignments as recorded on school performance frameworks.
5. Gather and accurately report data, as required by law, to the Colorado Department of Education for the state-generated accountability report;

6. Adopt policies and procedures that reasonably ensure the adequate collection and ethical use of data to inform and support the district's educational program

Adopted: [Insert policy adoption date]

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

First Reading Draft

Policy Type: Executive Limitations**Under Legal Review****Educational Program**

The Superintendent will adapt and develop the educational program of the district as necessary to make reasonable progress toward meeting content standards, fulfilling the Board's *Ends* policies and meeting the general academic educational needs of each student in the district.

Accordingly, the Superintendent will:

1. Implement the Colorado Academic Standards, ensuring that educational programs of the district actively address the needs of all students and conform with all timelines established by law;
2. Take reasonable steps to involve educators, parents, guardians, students, business persons, and community members in the review and revision of content standards, curriculum, and programs of instruction as necessary to ensure maximum effectiveness;
3. Revise curriculum and programs of instruction to align them with the Colorado Academic Content Standards to provide students with educational experiences and opportunities to achieve the district's standards and make adequate yearly progress as required by state and federal law;
4. Implement assessments that will adequately measure each student's progress toward achievement of the content standards;
5. Take reasonable steps to address the different learning styles and needs of students of various backgrounds and abilities and eliminate barriers to achieving equitable outcomes;
6. Include all legally required courses and programs; and
7. Seek waivers of state law and regulation that impede the district's progress toward achieving its mission.

Adopted: [Insert policy adoption date]

LEGAL REFS.: Colo. Const. Art. IX, Sec. 15 (*school board directors have control of instruction in district*)

15 (*Board has control of instruction the district*)

Colo. Const. Art. IX, Sect.
within

*(adoption of academic standards;
alignment of curriculum)*

C.R.S. 22-7-1013

(Exceptional Children's Educational

C.R.S. 22-20-101 et seq.
Act)

(education of gifted children)

C.R.S. 22-20-201 et seq.

*duty to determine educational
program and prescribe textbooks)*

C.R.S. 22-32-109 (Board

*power to exclude immoral or
pernicious materials and books)*

C.R.S. 22-32-110 (Board

First Reading Draft

Policy Type: Executive Limitations**Instructional Materials Selection and Adoption**

The Superintendent will recommend to the Board for approval the instructional materials and textbook programs to be used in the district.

Accordingly, the Superintendent will:

1. Take reasonable steps to obtain appropriate input from the following groups as instructional materials are reviewed: teachers who will use the materials, administrators and other staff members who are involved in developing the educational program, and students, parents, guardians, and community members;
2. Recommend textbooks and instructional materials in alignment with Board policies.
3. Consider the needs of all learners when recommending textbooks and instructional materials;
4. Include, insofar as possible, multiethnic materials which depict a pluralistic society;
5. Provide for inspection of materials or textbooks upon request by a parent/guardian; and
6. Develop and implement appropriate policies governing access to and utilization of electronic means of communication.

Adopted: [Insert policy adoption date]

LEGAL REFS.: Colo. Const. Art. IX, Sect. 15 (*Board has control of instruction within the district*)
C.R.S. 22-32-109 (*Board duty to determine educational program and prescribe textbooks*)
C.R.S. 22-32-110 (*Board power to exclude immoral or pernicious materials and books*)
C.R.S. 22-54-105 (*budgeting for instructional supplies and materials*)

Policy Type: Executive Limitations**Treatment of Students, Parents/Guardians and Community Members**

With respect to staff interactions with students, parents, guardians and the community, the Superintendent will take reasonable steps to ensure conditions, procedures, actions, or decisions that are lawful, ethical, safe, respectful, nondisruptive, dignified, and in compliance with Board policy.

Accordingly, the Superintendent will:

1. Use methods of collecting, reviewing, transmitting, or storing information that reasonably protect confidential information;
2. Provide for effective handling of grievances and complaints;
3. Take reasonable steps to protect against illegal conditions and procedures;
4. Establish policies and procedures that comply with applicable federal and state laws;
5. Take reasonable steps to timely inform students, parents, guardians and community members of district policies, procedures, relevant decisions, and school choices within the district;
6. Meaningfully and timely respond to concerns raised by students, parents, guardians, and community members and timely report on any serious or repeated concerns and responses to the Board; and
7. Interact with District and Board committees and School Accountability Committees in a clear and organized manner.

Adopted: [Insert policy adoption date]

LEGAL REFS.:

20 U.S.C. 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. 1232h (protection of pupil rights)
C.R.S. 22-32-109 (1)(b) (Board duty to adopt policies necessary and proper for the efficient administration of the district)

Policy Type: Executive Limitations
Under Legal Review

Student Conduct, Discipline and Attendance

The Superintendent will take reasonable steps to ensure that school environments are positive, safe, conducive to the learning process, and free from unnecessary disruption through implementation of District policies and compliance with state law.

Accordingly, the Superintendent will:

1. Adopt a comprehensive written student conduct and discipline code in accordance with state and federal law;
2. Consult with teachers, administrators, students, and the community in developing the code;
3. To the extent permitted by law, report on each denial of admission or expulsion at the next meeting of the Board, briefly describing the circumstances and the reasons for the action;
4. Make reasonable arrangements to have the code distributed once to each student in elementary, middle, junior high, and high school, once to each new student in the district, and to each student when there are significant changes in the code;
5. Post a copy of the code, and any significant change to the code, in each school building;
6. Take reasonable steps to uniformly, fairly, and consistently enforce the code in accordance with state and federal law;
7. Take reasonable steps to identify students at risk for suspension or expulsion and provide them with the necessary support services to help them avoid expulsion, except that such failure shall not be grounds to prevent school personnel from suspending or expelling any student and may not be used in any way as a defense in suspension or expulsion proceedings;
8. Offer in accordance with law, an alternative to suspension that allows the pupil to remain in school;
9. Take reasonable steps to provide information to an expelled student's parent/guardian concerning the educational alternatives available to the student during the period of expulsion or fail to provide services as determined by the district to any expelled student when requested to do so by the student or the student's parent/guardian;

10. Establish procedures for use of physical intervention for student interrogations, searches and arrests that conform to state and federal law;
11. Adopt a written policy setting forth the district's attendance requirements in accordance with law;
12. Establish procedures to afford students, parents, and school personnel due process with regard to student conduct and discipline issues;
13. Establish procedures for written appeal to the Board from a decision of the Superintendent to expel or deny admission to a student;
14. Establish enrollment/re-enrollment procedures consistent with state law to protect victims of previously expelled students;
15. Take reasonable steps to communicate appropriate disciplinary information to teachers/counselors who have direct contact with the student;
16. Take reasonable steps to discipline, suspend, or expel students when required by law or district policy;
17. Adopt policy that allows for the removal of disruptive students from the classroom in accordance with law;
18. Take reasonable steps to discipline a student with disabilities in accordance with the student's IEP or Section 504 plan or if the disciplinary measure is not authorized by the student's IEP or Section 504 plan, contact the special education director or Section 504 coordinator prior to imposing any such measure; and
19. Operate within the delegation of authority with regard to student discipline.

Adopted: [Insert policy adoption date]

LEGAL REFS.: 20 U.S.C. §1401 et seq. (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
C.R.S. 22-11-302 (1)(f) (district accountability committee shall provide input to the board regarding the creation and enforcement of the conduct and discipline code)
C.R.S. 22-20-101 et seq. (*Exceptional Children's Educational Act*)
C.R.S. 22-33-101 et seq. (*school attendance law*)
C.R.S. 22-32-109.1 (2)(a) (*policy required as part of safe schools plan*)
C.R.S. 22-32-109.1 (2)(a)(III) (*discipline of habitually disruptive students is required part of safe schools plan*)
C.R.S. 22-32-126 (5) (*disciplinary information to staff*)
C.R.S. 22-33-106 (1)(a-e) (*grounds for suspension, expulsion and denial of admission*)

C.R.S. 22-33-106 (1)(c.5) (*habitually disruptive students*)
C.R.S. 22-33-106.3 (*use of student's written statements in expulsion hearings*)
C.R.S. 22-33-202 (*identification of at-risk students*)
C.R.S. 22-33-203 (*educational alternatives for expelled students*)
C.R.S. 26-20-102 *et seq.* (*protection of persons from restraint*)

First Reading Draft

Policy Type: Executive Limitations**Under Legal Review****School Safety**

The Board of Education recognizes that effective learning and teaching takes place in a safe, secure, and welcoming environment and that safe schools contribute to improved attendance, increased student achievement, and community support. Safe schools are a priority of the district and the district is committed to providing a safe environment in school, on school vehicles, and at school-sponsored activities.

Accordingly, the Superintendent will develop a safe schools plan in accordance with state statute and Board policies.

Adopted: [Insert policy adoption date]

LEGAL REFS.: C.R.S. 9-1-101 through 9-1-106 (*construction requirements, fire escapes*)
 C.R.S. 22-1-130 (6) (*safe school plan must include parent notification of employee criminal charges*)
 C.R.S. 22-3-101 through 22-3-104 (*eye protective devices*)
 C.R.S. 22-32-109.1 (*safe schools plan*)
 C.R.S. 22-32-109.1 (8) (*inquiries to Colorado Department of Education regarding employees*)
 C.R.S. 22-32-110 (1)(k) (*power to adopt policies related to employee safety and official conduct*)
 C.R.S. 22-32-124 (2), (3) (*building inspections*)
 C.R.S. 24-10-106.5 (*duty of care*)

Policy Type: Executive Limitations**Staff Treatment**

With respect to treatment of staff, the Superintendent will take reasonable steps to cause conditions, procedures, actions or decisions which are lawful, ethical, safe, respectful, nondisruptive, dignified, and in compliance with Board policy.

Accordingly, the Superintendent will:

1. Make inquiries required by law prior to hiring personnel and during employment;
2. Nominate candidates to the Board for instructional staff positions that meet all qualifications required by federal and state law;
Under Legal Review
3. Operate within written personnel policies that:
 - a. Comply with state and federal law;
 - b. Clarify personnel rules and procedures for staff;
 - c. Provide for effective handling of grievances;
 - d. Protect against illegal conditions;
 - e. Include adequate job descriptions for all district positions;
 - f. Include adequate salary and compensation plans that comply with law;
 - g. Include a personnel performance evaluation system that complies with law; and
 - h. Comply with statutory requirements regarding reductions in force and other termination processes.
4. Permit staff to grieve to the Board when internal grievance procedures have been exhausted and the employee alleges that Board policy or due process procedures have been violated;
5. Prohibit discrimination and retaliation against staff members for alleging a violation of law or civil rights, or non-disruptive internal expressions of dissent;
6. Honor the terms of any negotiated agreements with staff;
7. Provide staff with an opportunity to become familiar with their rights and responsibilities under district policy;
8. When appropriate and at the discretion of the Superintendent, respond to concerns raised by staff and timely report on such concerns and responses to the Board; and
9. Use methods of collecting, reviewing, transmitting, or storing information that reasonably protect confidential information.

Adopted:[Insert policy adoption date]

LEGAL REFS.:

- C.R.S. 22-2-119 (*duty to make inquiries prior to hiring*)
- C.R.S. 22-9-103 (1.5) (*definition of licensed personnel*)
- C.R.S. 22-12-101 *et seq.* (*Teacher and School Administrator Protection Act*)

- C.R.S. 22-32-109 (1) (*Board of education-specific duties*)
- C.R.S. 22-32-109.1 (*Board of education-specific duties*)

- C.R.S. 22-32-109.7 (*inquiries prior to hiring*)
- C.R.S. 22-32-110 (*Board power to be exercised in its judgment to discharge personnel*)

- C.R.S. 22-32-126 (*employment and authority of principals*)

- C.R.S. 22-60.5-101 (*Colorado Educator Licensing Act*)
- C.R.S. 22-60.5-114 (3) (*State Board can waive some requirements for initial license applicants upon request of school district*)
- C.R.S. 22-60.5-201 (*licensure reciprocity for out-of-state applicants*)
- C.R.S. 22-61-101 (*discrimination in employment of teachers prohibited*)
- C.R.S. 22-61-103 (*teacher's oath*)
- C.R.S. 22-63-201 (*all teachers must hold a teacher's license or letter of authorization*)
- C.R.S. 22-63-202 (*teacher employment contracts*)
- C.R.S. 24-10-102 *et seq.* (*governmental immunity*)
- C.R.S. 24-34-402 (1) (*discriminatory or unfair employment practices*)
- C.R.S. 24-72-202 (4.5) (*definition of personnel file in open records law*)

Policy Type: Executive Limitations**Staff Compensation**

With respect to employment compensation and benefits for employees, the Superintendent shall take reasonable steps to ensure the fiscal integrity of the district.

Accordingly, the Superintendent will:

1. Not change his or her own compensation and benefits;
2. Refrain from promising or implying permanent or guaranteed employment;
3. Create obligations only for a term in which revenues can be safely projected and or in which dedicated reserves are created in alignment with statute; and
4. Develop and implement predictable salary schedules and pay plans for all employee groups that acknowledges experience/longevity, knowledge, and performance (e.g. skills, professional growth, responsibilities, and collaboration), other areas as derived by employee input processes, and in compliance with all requirements of state law; and
5. Develop and implement compensation plans to attract and retain top quality staff who have demonstrated ability to have students successfully accomplish the Ends; and
6. Develop and implement competitive employee benefits that include, but not limited to, options for medical coverage, sick leave benefits and/or short term disability insurance, a health savings account or a medical flexible spending account, and voluntary life insurance.

Adopted:[Insert policy adoption date]

LEGAL REFS.: C.R.S. 22-32-110 (5) (*salaries/benefits subject to reopening*)
 emergency) C.R.S. 22-44-115.5 (2) (*reductions in salary or alteration of work* year due to fiscal
 plans) C.R.S. 22-63-202 (*teacher employment contracts and RIF*)
 C.R.S. 22-63-401 through 403 (*teacher employment, compensation, and dismissal*)
 C.R.S. 22-69-101 et seq. (*grant program for alternative teacher compensation*)

Policy Type: Executive Limitations**Under Legal Review****Staff Evaluation**

With respect to evaluation of employees, the Superintendent shall take reasonable steps to develop and implement an evaluation system that links employee performance with the district's mission statement and belief system, complies with state law, and measures employee performance in terms of achieving the Board's *Ends* policies.

Accordingly, the Superintendent will:

1. Administer an evaluation system for personnel that is designed to:
 - a. Improve instruction;
 - b. Enhance the implementation of curricular programs;
 - c. Measure professional growth, development, and the level of effectiveness;
 - d. Document the measurement of satisfactory performance and documentation for dismissal for unsatisfactory performance pursuant to state law, if applicable;
2. Provide to the Board an annual report on the effectiveness of the evaluation system and its alignment with the Board's *Ends* policies.

Adopted: [Insert policy adoption date]

LEGAL REFS.: C.R.S. 22-9-101*et seq.* (*licensed personnel performance evaluation act*)
C.R.S. 22-63-301 and 302 (8) (*grounds for teacher dismissal and burden of proof*)
1 CCR 301-87 (*State Board of Education rules for administration of a system to evaluate the effectiveness of licensed personnel*)

Policy Type: Executive Limitations

Budgeting

Financial planning for any fiscal year will align with the Board's *Ends* policies, not risk fiscal jeopardy, and be derived from a three-year plan for the General Fund.

Accordingly, the Superintendent will present to the Board a recommended budget that:

1. Is in a summary format understandable by the general public;
2. Itemizes district expenditures by fund;
3. Includes information regarding school-level expenditures;
4. Adequately describes expenditures;
5. Shows the amount budgeted for the current fiscal year and the amount budgeted for the ensuing fiscal year;
6. Takes into consideration spending limitations in the state constitution;
7. Is developed with the Superintendent considering the recommendations made by each school-level accountability committee relative to priorities for expenditures of district funds;
8. Contains enough information to enable credible projection of revenue and expenses;
9. Does not excessively rely on nonrecurring revenue;
10. Discloses budget planning assumptions and includes contingency plans in the event budget assumptions prove erroneous;
11. Provides for expenditures, interfund transfers, or reserves in alignment with available revenues and beginning fund balances;
12. Includes the use of beginning fund balance and associated resolutions on each budget amendment that follows;
13. Ensures the current cash reserves are not reduced without approval of the Board, at any time to less than the minimum amount required by the spending limitations set forth in the state constitution;
14. Achieves and maintains a year-end general fund balance in accordance with Board Policy DB, Section A;
15. Provides adequate and reasonable budget support for Board development and other governance priorities, including the costs of fiscal audits, Board and committee meetings, Board memberships, and district legal fees;
16. Takes into consideration fiscal soundness in future years and considers the building of organizational capabilities sufficient to achieve ends in future years;
17. Reflects anticipated changes in employee compensation including inflationary adjustments, and benefits; and
18. Complies with state and federal law.

Adopted: [Insert policy adoption date]

LEGAL REFS.:

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

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

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

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

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

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

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

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

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

First Reading Draft

Policy Type: Executive Limitations

Financial Administration

With respect to the actual, ongoing condition of the district's financial health, the Superintendent will take reasonable steps to ensure fiscal conditions that are inconsistent with achieving the Board's *Ends* policies, respecting the Board's ultimate authority to determine financial matters of the district, secures the long-term financial health of the district, and maintains accuracy of spending from the annual budget or budget policy adopted by the Board.

Accordingly, the Superintendent will:

1. Expend only those funds that have been received in the fiscal year to date, unless the Board authorizes additional expenditures through the use of reserves or other revenues are made available through legal means;
2. Expend fund amounts set forth in the budget unless the Board approves additional expenditures;
3. Follow state law with regard to incurring the organization, special elections for bonded indebtedness, expending contingency reserves, and transferring unencumbered moneys from one fund to another;
4. Settle payroll and debts in a timely manner;
5. File reports or filings required by any state or federal agency in a timely and accurate manner;
6. Arrange for the annual audit of all district funds and accounts following the close of the fiscal year in accordance with law, allowing for Board to initiate additional independent auditing, external monitoring or advice if requested;
7. Make all reasonable efforts to collect receivables in a timely manner;
8. Keep complete and accurate financial records by funds and accounts in accordance with generally recognized principles of governmental accounting;
9. Make quarterly financial reports and year-end reconciliation reports available to the Board as required by law;
10. Publish and post financial condition statements, notices, and information required by law;
11. Seek all federal and state funds to which the district is or may be entitled;
12. Seek, after completing a cost/benefit analysis and obtaining Board approval, all non-public funds which may benefit the district; and
13. Seek appropriate loans with approval of the Board.

Adopted: [Insert policy adoption date]

LEGAL REFS.:

Constitution of Colorado, Article X, Section 20

C.R.S. 22-2-113.8 (annual report required regarding additional local property tax revenues received and the

amount distributed directly to the district's schools)

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

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

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

Policy Type: Executive Limitations
Asset Protection

The Superintendent will ensure that district assets are reasonably protected, adequately maintained, and appropriately used by the school community.

Accordingly, the Superintendent will:

1. Obtain insurance coverage against theft, casualty losses, and institutional liability and Directors and Officers liability to [insert percentage] % 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 like size and in accordance with law;
2. Take reasonable steps to ensure that the facilities and equipment are not subject to improper wear and tear or insufficient maintenance;
3. Guard against the knowing or reckless exposure to the district, its Board, or staff to a substantial risk of legal liability;
4. Request Board approval for purchases or expenditures over \$500,000;
5. Make any purchase pursuant to Board Policy DJ
6. 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;
7. Protect intellectual property, information, and files from loss or significant damage;
8. Preserve and dispose of all records related to affairs or business of the district in accordance with state and federal law;
9. Receive, process, or disburse funds under controls which are sufficient under generally accepted accounting procedures;
10. Invest funds in securities when aligned with law;
11. Ensure that real property is acquired, encumbered, or disposed in accordance with Board Policies DN, DN-R and DJ;
12. Guard against the knowing or reckless endangerment of the district's public image or credibility, which thereby jeopardizing the district's ability to accomplish its mission; and
13. Prevent the district from entering into a contract in which a Board member has an interest unless one of the statutory exceptions applies.

Adopted: [Insert policy adoption date]

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

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

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

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

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

First Reading Draft