



Executive Limitations Policies

Averill Park Central School District

Board of Education

Executive Limitations policies state the limitations imposed by the board, on the strategies and methods that superintendent and her staff may use as they work to achieve the specified outcomes identified in the Ends Policies. They establish the boundaries and operating expectations for staff.

MISSION STATEMENT

Through a community partnership, the Averill Park Central School District will ensure opportunities for each person to maximize individual potential in the pursuit of life-long learning by providing a safe, respectful and nurturing student-centered environment.

A. Global Executive Constraint

The superintendent shall not cause, allow, or fail to take reasonable measures to prevent any practice, activity, decision or organizational condition which is unlawful, unethical, unsafe, disrespectful, and imprudent, in violation of board policy or commonly accepted educational and professional practices

B. Communication and Support to the Board

With respect to providing information and counsel to the board, the superintendent shall not fail to give the Board as much information as necessary to allow board members to be adequately informed.

Accordingly, the superintendent may not:

1. Fail to report in a timely manner any unanticipated noncompliance with any Board **Ends or Executive Limitations** policy.
2. Fail to submit monitoring data required by the board in a timely, thorough, accurate and understandable fashion, directly addressing provisions of the board policies (Ends or Executive Limitations) being monitored.
3. Fail to advise the board in a timely manner of trends, facts and information relevant to the development and implementation of board policies.
4. Fail to provide for the board as many staff and external points of view and opinions as needed or requested by the board for informed board decisions.
5. Fail to advise the board of anticipated significant media coverage.
6. Fail to advise the board or individual members if, in the superintendent's opinion, the board or individual members are not in compliance with the board's policies on **Governance Process**.
7. Fail to work with the board as a whole except when:
 - a. Fulfilling individual requests for information or counsel, provided such requests are not disruptive or do not require an inordinate amount of staff time or resources;
 - b. Working with officers or committees duly charged by the board;
 - c. Communicating with the president.
8. Fail to supply for the consent agenda all items delegated to the superintendent that are required by law or contract to be board-approved, along with adequate information necessary to keep the board informed.
9. Fail to establish a procedure for informing the board in a timely manner of the administrative disposition of complaints presented to the superintendent by the board.
10. Fail to support the board in providing new board members orientation in compliance with the governance policy

C. Emergency Superintendent Succession

In order to protect the Board in the event of sudden and unexpected loss of superintendent services, the superintendent shall not fail to assure that at least one other executive staff member is familiar with board and superintendent issues and processes and is capable of assuming superintendent responsibilities on an emergency basis.

D. Human Resources

1. The superintendent shall not cause or allow working conditions that are unfair, undignified, disorganized, or unclear.
2. The superintendent shall not operate without an effective plan and procedures designed to attract, employ, retain and develop the most highly qualified and best-suited candidates for employment.

Without limiting the scope of the foregoing, the superintendent shall not:

- ❖ Fail to make reasonable background inquiries and checks prior to hiring any paid personnel.
 - ❖ Fail to treat staff as respected professionals, and evaluate staff meaningfully and fairly and in a manner that guides and relates employee professional development and performance toward achieving the board's Ends policies.
 - ❖ Fail to measure and document excellent performance and unsatisfactory performance based on valid and reliable evidence.
3. Operate without written personnel rules which clarify rules for staff, provide for effective handling of grievances, and protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons.
 - a. Include adequate job descriptions for all staff positions;
 - b. Include an effective personnel performance evaluation system;
 4. Discriminate against any staff member for non-disruptive expression of dissent.
 5. Fail to communicate policy on reporting discrimination, retaliation, and harassment to all employees at least annually.
 - a. Provide for appropriate due process.
 - b. Protect confidential information.
 - c. Comply with all other laws and regulations.
 6. The superintendent shall not fail to honor the terms of collective bargaining agreements with staff.

E. Budgeting/Financial Planning

Financial planning for any fiscal year shall not deviate materially from the board's **Ends** policies, risk fiscal jeopardy to the district or fail to be derived from a multi-year plan.

Accordingly, the superintendent may not develop a budget which:

1. Is not in a summary format understandable to the board and presented in a manner that allows the board to see the relationship between the budget and the **Ends** priorities for the year.
2. Fails to adequately describe revenues and expenditures.
3. Fails to show the amount spent in each budget category for the most recently completed fiscal year, the amount budgeted for each category for the current fiscal year and the amount recommended for the next fiscal year.
4. Fails to disclose budget planning assumptions.
5. Plans for the expenditure in any fiscal year of more funds than are conservatively projected to be available during the year.
6. Fails to provide necessary information to the board on matters with a significant budgetary impact, allowing the board adequate time to consider the information presented.
7. Fails to consider feedback from the board.
8. Fails to provide for reasonable contingency plans for unanticipated costs.
9. Fails to particularize any proposed use, maintenance, or growth of fund balance and reserves as part of a multi-year fiscal plan.
10. Fails to reflect anticipated changes in employee compensation, including inflationary adjustments, step increases, performance increases and benefits.
11. Fails to provide 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.
12. Fails to take into consideration fiscal soundness in future years or ignores the building of organizational capabilities sufficient to achieve **Ends** in future years.
13. Is not based on reasonable consultation with appropriate constituent groups.

Monitoring Method: Budget adopted by BOE
Monitoring Frequency: Annual budget process

Adopted: 12/15/09

F. Financial Administration

With respect to the actual, ongoing administration of the district's financial assets, the superintendent shall not cause or allow material deviation from the annual budget or budget policy adopted by the board, cause or allow any fiscal condition that is inconsistent with achieving the board's **Ends**, or places the long-term financial health of the district in jeopardy.

Accordingly, the superintendent may not:

1. Expend more funds than have been received in the fiscal year unless revenues are made available through other legal means, including the use of fund balances, the authorized transfer of funds from reserve funds, and tax anticipation notes.
2. Indebt the organization.
3. Expend funds from the fund balance reserve unless authorized by the board.
4. Permanently transfer unencumbered moneys from one fund to another unless authorized by the board as allowed under law.
5. Fail to settle payroll and debts in a timely manner.
6. Make any purchase:
 - a. Without exercising reasonable precaution against conflict of interest;
 - b. Without having considered comparative prices based on items of similar quality;
 - c. Without considering a balance between long-term quality and cost.
7. Fail to use competitive procurement procedure as required by law.
8. Allow reports or filings required by any state or federal agency to be overdue or inaccurately filed.
9. Receive, process or disburse funds under controls that are insufficient under generally accepted accounting procedures.
10. Fail to aggressively pursue receivables after a reasonable grace period.
11. Fail to keep complete and accurate financial records by funds and accounts in accordance with generally recognized principles of governmental accounting.
12. Fail to publish and post a financial condition statement annually.
13. Fail to advise the Board of Significant transfers of money within funds or other changes substantially affecting the district's financial condition

Monitoring Method: Internal Report
Monitoring Frequency: Annually

Adopted: 12/15/09

G. Asset Protection

The superintendent shall not allow assets to be unprotected, inadequately maintained, inappropriately used or unnecessarily risked.

Accordingly, the superintendent may not fail to:

1. Maintain adequate insurance coverage against theft and casualty losses.
2. Maintain insurance coverage against liability losses to board members, staff and the district itself in an amount that is reasonable for school districts of like size.
3. Ensure that employees who handle district and school funds are bonded.
4. Ensure that facilities and equipment are not subject to improper wear and tear or insufficient maintenance.
5. Protect against negligent exposure of the district, the board or staff to legal liability.
6. Protect intellectual property, information, files, equipment and fixed assets from loss or significant damage.
7. Properly preserve and dispose of all records related to affairs or business of the district.

Additionally, the superintendent may not:

1. Invest funds in securities that are not authorized by law.
2. Acquire, encumber or dispose of real property.
3. Endanger the district's public image or credibility, thereby jeopardizing its ability to accomplish its mission.

Monitoring Method: Internal Report
Monitoring Frequency: Annually

Adopted: 12/15/09