

**Board–
Superintendent
Relations**

To effectively spell out the essential conditions to sound Board–Superintendent relations, the following statements represent a foundation that must prevail in order for the five most essential conditions to operate successfully. These initial statements are stated, apart from the essential conditions, because they are basic to any public school enterprise, are intrinsic in any effective program, and need to be reaffirmed to guarantee that the District does not lose sight of its fundamental purposes:

1. Both the Board and the Superintendent are committed to the basic values identified by the founders of the United States.
2. Both believe universal public education to be imperative to the strength and welfare of the nation and its people.
3. Neither owes any allegiance except to the welfare of all children and youth.
4. Both are sensitive to the contemporary world and realize that education in many respects must change to meet the changing times.
5. Both realize that they are, in fact, mere stewards of the citizens who actually own the schools.
6. The Board and the Superintendent hold each other in mutual respect.
7. Both recognize the complex and difficult professional work of the teacher.

The five most essential conditions to sound Board–Superintendent relations are as follows:

1. The Board, with the Superintendent, develops and publishes sound rules governing its plan of operation.
2. The responsibilities and respective roles of each are clearly defined and set forth in writing.
3. Information and documented data are available in abundance for the Board.
4. The Board agenda and supporting data are carefully prepared and made available in advance.
5. Neither a Board member nor the Superintendent gives interviews to reporters in order to express personal judgments as an opinion of the beliefs of other Board members or the Superintendent.

The following is a parallel description of the relationship of the functions of the Board and the Superintendent:

GENERAL FUNCTIONS

BOARD	SUPERINTENDENT
Establishes the general policy and rules and regulations regarding:	Assumes charge of the school system as the chief administrator of the Board.
Employment of Superintendent	Coordinates the work of all schools and departments.
Employee personnel functions	Recommends policies to the Board, providing data that will permit the Board to formulate policy.
Instructional program	Recommends policies to the Board, providing data that will permit the Board to formulate policy.
Student personnel functions School plant functions	Executes policies of the Board and supervises the work of those who are responsible for the administrative activities of individual schools or departments.
Public relations functions	Reports to the Board relative to the execution of its policies and general administration of the schools.

INSTRUCTIONAL PROGRAM FUNCTIONS

BOARD	SUPERINTENDENT
Determines the general scope of the instructional program in accordance with state laws and regulations.	Makes recommendations relative to the scope of the instructional programs. Assigns instructors to the various instructional areas.
Discusses and evaluates reports presented to it by the professional staff members relative to the instructional program.	Makes schedules of classes and activities. Develops inservice training programs for the improvement of instruction.
Recommends areas requiring additional evaluation for study by the staff.	Develops testing programs and other procedures for evaluation of the effectiveness of the instructional system. Develops procedures for the selection and evaluation of textbooks, audiovisual aids, and other instructional materials. Gives leadership to the program for the constant evaluation and revision of the program and studies.
	Provides leadership for the study of the adequacy of the program of studies and the need for additions or amendments to it, freely using expert consultants.

FINANCIAL FUNCTIONS

BOARD	SUPERINTENDENT
Approves and adopts an annual budget that determines necessary tax levies.	Presents and interprets to the Board an annual budget proposal.
Proposes bond issues to the public for vote.	Analyzes and interprets to the Board long-range financial needs and proposals.
Adopts regulations for purchasing supplies and equipment.	Administers the budget and keeps, insofar as possible, all expenditures within its limits.
Approves all bills against the District.	Directs the system of financial accounting and the activities of those involved in the business departments.
	Supervises the program for the purchasing of supplies and equipment.
	Makes regular periodic reports to the Board relative to financial conditions of the District.

SCHOOL PLANT FUNCTIONS

BOARD	SUPERINTENDENT
Decides what construction should be undertaken.	Analyzes and recommends to the Board on school plant needs, using consultants as needed.
Passes upon the purchase of equipment for buildings.	Develops educational specifications for school buildings.
Decides upon building renovations, maintenance policies, and additions.	Works with the architect in the planning of school buildings.
Purchases school sites.	Recommends regarding maintenance needs.
Employs school architects, as needed.	Recommends three architects for each project.
Names new schools.	Recommends one or more names for each school.
Employs consultants to advise on plant needs.	

SCHOOL PERSONNEL FUNCTIONS

BOARD	SUPERINTENDENT
Determines general policies affecting students.	Administers the activities of all instructional and guidance personnel.
Authorizes the establishment of special classes or schools for atypical children or children with special needs.	Directs the policies for student discipline. Directs the classification, promotion, and graduation of students.
Determines general requirements for graduation in accordance with the law.	Directs research programs to determine achievements and needs of students.
Provides for the protection of health through school lunch programs, medical examinations, medical advisement, and employment of nurses.	Develops a program for providing needs for atypical children. Develops and directs an adequate student record system.
Makes regulations regarding corporal punishment, truancy, vandalism, attendance, and the like.	Reports to the Board relative to the effectiveness of student personnel policies.

PUBLIC RELATIONS FUNCTIONS

BOARD	SUPERINTENDENT
Represents community attitudes and values in educational planning and policy developments.	Directs a program for keeping the citizens of the community adequately informed of school developments and problems.
Supports the school administration before critical groups in the community.	Interprets the program and activities of the schools before various community groups.
Represents the schools in various community functions.	Works with parent groups and other organizations interested in and concerned for the welfare of the schools. Meets with representatives of the press to provide information needed for keeping the people of the community informed.

EMPLOYEE PERSONNEL FUNCTIONS

BOARD	SUPERINTENDENT
Makes employee appointments based on Superintendent's nomination.	Selects and recommends assistant superintendents and other administrative personnel.
Determines the general personnel policies.	Evaluates and recommends personnel.
Develops a salary program in cooperation with the administration and the staff.	Informs the Board, through complete explanations and documentary evidence, of all working rules and regulations followed in carrying out the Board's policies.
Evaluates the administrative rules and regulations utilized in the personnel area.	Develops and operates a definite plan for the procurement and placement of personnel.
Adheres to the state laws and regulations pertaining to personnel.	Interprets personnel policies that have a base of law, tradition, and practice.
Selects the Superintendent.	Prepares an annual personnel report for submission to the Board.

Litigation

Scope

The following provisions shall apply to all legal proceedings that are brought by or against the District. However, the provisions shall not apply to the following matters:

1. Special education due process hearing before a hearing officer;
2. Suspension, nonrenewal, and termination proceedings related to contracts issued under Chapter 21 of the Texas Education Code; or
3. The assessment and collection of tax revenues.

Initiated by the District

Litigation initiated by the District shall require approval by the Board prior to the suit being filed.

Pending Actions

When the District is prosecuting litigation, the Board shall consider and either approve or reject the following actions:

1. Whether to pursue an appeal;
2. Whether to accept a settlement offer;
3. Whether to assert a counter-claim or cross-claim; or
4. Whether to initiate an original proceeding in the court of appeals such as seeking a writ of mandamus or a writ of prohibition.

When the District is defending litigation, the Board shall approve the following actions:

1. Whether to pursue an appeal;
2. Whether to accept a settlement offer;
3. Whether to assert a counter-claim or cross-claim; or
4. Whether to initiate an original proceeding in the court of appeal such as seeking a writ of mandamus or writ of prohibition.

Emergency Matters

If the District must take legal action to preserve its rights and, due to an impending deadline, the Board will not be able to consider such action before the passage of the deadline, the Superintendent shall direct that the District's attorneys take action to preserve the District's rights.

Any legal action taken pursuant to the Superintendent's directive under this provision shall be placed on the Board's agenda for consideration at the next meeting of the Board for which notice must be posted in compliance with the Texas Open Meetings Act. The Board shall consider the action taken by the Superintendent and ratify and approve the action or order that the legal proceeding be withdrawn.