

# GOVERNANCE POLICIES OF THE MILWAUKEE BOARD OF SCHOOL DIRECTORS

## BG 3.02 ROLE OF THE SUPERINTENDENT

### (1) POWERS AND DUTIES

(a) The Superintendent shall serve as the chief administrative officer and, under the direction of the Board, shall have general supervision of the public schools and of the certificated, business (excluding the Board staff), and recreation and community-education personnel and of the manner of conducting and grading of said schools.

(b) The Superintendent ~~may shall~~ appoint, subject to confirmation by the Board, ~~a Chief of Staff deputy superintendents, and~~ cabinet staff, departmental heads, and such other assistants and supervisors, principals, assistant principals, and teachers as may be authorized by the Board.

(c) The Superintendent shall be an advisory member of every committee of the Board and may participate in its deliberations, except when matters relating to his/her own employment or when an inquiry into his/her acts or conduct are considered.

(d) The Superintendent shall perform such other duties as may be assigned to him/her by the law, by Board rules, or by Board action. He/she shall issue such additional or supplemental rulings and directives for the management and conduct of the schools as he/she may deem proper.

### (2) ABSENCE OF SUPERINTENDENT

(a) In the absence of the Superintendent, the duties and powers of the office shall be performed and exercised first by the ~~deputy superintendent(s) Chief of Staff~~, followed by a designated member of the Superintendent's cabinet.

(b) The Board president shall be advised if the Superintendent and the ~~deputy superintendent (s) Chief of Staff~~ plan to be absent from duty at the same time.

(c) In the event of the death ~~or incapacity~~ of the Superintendent while in the service of the Board, the ~~deputy superintendent Chief of Staff~~ shall have the title of Acting Superintendent until a successor is elected by the Board and takes office. If more than one individual holds the title of deputy superintendent, the Board shall appoint an Acting Superintendent.

### (3) DELEGATION OF AUTHORITY

(a) All of the Board's authority that is delegated to administrative staff is to be delegated through the Superintendent, so that all authority and accountability of staff, as far as the Board is concerned, is considered to be the authority and accountability of the Superintendent.

(b) The Board shall direct the Superintendent to achieve certain results through the establishment of goals and standards. Through the establishment of executive-limitations policies, the Board shall limit the latitude with which the Superintendent may exercise the practices, methods, conduct, and other means used to achieve the goals and standards.

(c) As long as the Superintendent uses any reasonable interpretation of the Board's goals and standards and executive-limitations policies, the Superintendent is authorized to establish all further policies, make all decisions, take all actions, establish all practices, and develop all activities relative to the Office of the Superintendent. The Board delegates to the Superintendent the function of specifying required procedures and designing detailed arrangements under which the public schools and their respective departments will be operated in accordance with Board policy. These detailed arrangements shall constitute the administrative procedures governing the school system.

(d) The Board reserves authority unto itself to change its goals and standards and executive-limitations policies, thereby shifting the boundary between the domains of the Board and of the Superintendent. By so doing, the Board changes the latitude of choice given to the Superintendent. But

so long as any particular delegation is in place, the Board and its members will respect and support the Superintendent's choices. This does not prevent the Board from obtaining information in the delegated areas.

- (e) Only decisions of the Board acting as a body are binding upon the Superintendent.
  - 1. Decisions or instructions of individual board members, officers, or committees are not binding on the Superintendent, except in instances when the Board has specifically authorized such exercise of authority.
  - 2. In the case of board members' or committees' requesting information or assistance without the Board's authorizations, the Superintendent can refuse such requests that, in the Superintendent's judgment, require a material amount of staff time or funds or are disruptive.

#### **(4) MONITORING ORGANIZATIONAL PERFORMANCE**

(a) Monitoring executive performance is synonymous with monitoring organizational performance against Board goals and standards and on executive-limitations policies. Any formal or informal evaluation of the performance of the Superintendent or organization may be derived only from these monitoring data.

(b) The purpose of monitoring is simply to determine the degree to which Board policies are being fulfilled. Monitoring will be as automatic as possible, using a minimum of Board time, so that meetings can be used to create the future rather than to review the past.

(c) A given policy may be monitored in one or more of three ways:

- 1. **Internal Report:** Documentation of compliance information to the Board from the Superintendent;
- 2. **External Report:** Documentation of compliance information by a disinterested, external auditor, inspector, or judge who is selected by and reports directly to the Board. Such reports must assess performance against policies of the Board only, not against those of the external party, unless the Board has previously indicated that party's opinion is to be the standard;
- 3. **Direct Board Inspection.** Documentation of compliance information by a board member, a committee, or the Board as a whole. This is the Board's inspection of documents, activities, or circumstances directed by the Board which allows a test of policy compliance.

(d) At the choice of the Board, any policy may be monitored by any method at any time. For regular monitoring, however, each policy regarding goals and standards and executive limitations will be classified by the Board according to frequency and method. Monitoring of the organization's health, however, should be done continually by the Superintendent and, periodically, by the Board. Consequently, monitoring/evaluation is going on all the time, not just once or twice a year. There should be no surprises to the Board or to the Superintendent.

#### **(5) GENERAL EXECUTIVE CONSTRAINT**

(a) The Superintendent shall not cause or allow in the organization any practice, activity, decision, or circumstance which is imprudent, discriminatory, unethical, or in violation of federal, state, or local laws, regulations, or ordinances;

(b) The Superintendent shall not fail to work for passage of legislation designed to advance the cause of good schools;

(c) The Superintendent shall not permit any deviation from the Board-adopted employee code of ethics and employee rules of conduct.

**(6) STAFF TREATMENT**

Dealings with staff and volunteers will be humane, fair, and dignified. Accordingly, the Superintendent shall:

- (a) operate with personnel procedures that clarify personnel rules for classified, certificated, and exempt staff; which provide for effective handling of grievances; and which provide for at least annual feed-back on performance;
- (b) uphold contractual agreements or other ~~Board~~ Administrative policies, district regulations, or legal requirements pertaining to employee hours, wages, working conditions, and equal employment opportunities;
- (c) not prevent staff from grieving to the Board when:
  1. internal grievance procedures have been exhausted;
  2. the employee alleges either that a policy of the Board has been violated to his/her detriment or that a policy of the Board does not adequately protect his/her human rights;
- (d) acquaint staff with their rights under this policy.

**(7) COMMUNICATION AND COUNSEL TO THE BOARD**

With respect to providing information and counsel to the Board, the Superintendent shall not permit the Board to be uninformed. Accordingly, the Superintendent shall:

- (a) submit monitoring data required by the Board in a timely, accurate, and understandable fashion using appropriate process-improvement tools and addressing provisions of the Board's policies being monitored;
- (b) keep the Board abreast of relevant trends, anticipated adverse media coverage, significant external and internal changes, and community attitudes and staff reactions;
- (c) provide a mechanism for official communication with the Board, its officers, or its committees;
- (d) deal with the Board as a whole, except when:
  1. fulfilling individual requests for information;
  2. responding to officers or committees duly charged by the Board.
- (e) acquaint staff with their rights under this policy;
- (f) report in a timely manner any actual or anticipated noncompliance with any policy of the Board;
- (g) clearly identify information given to the Board as information for decision making, pertinent information, or monitoring information.

**(8) STAFF COMPETENCY**

To operate effectively and efficiently, the Superintendent must have competent employees, appropriate documentation, and at least annual evaluations, which shall include clarity of expectations, feedback, and a plan for continual improvement.

History: Reaffirmed 4-25-96; Revised 10-29-15

Previous Coding: Board Governance Policy 3.03, Superintendent: Delegation of Authority  
Board Governance Policy 3.04, Superintendent: Monitoring Organizational Performance

Legal Ref: Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII  
Executive Order 11246, 1965, as amended by Executive Order 11375  
Equal Employment Opportunity Act of 1972, Title VII  
Education Amendments of 1972, Title IX (P.L. 92-318)  
45 CFR, Parts 81, 86 (Federal Register June 5, 1975, August 11, 1975)  
Laws of Wisconsin Relating to Public Schools, 118.195, 118.2  
W.S. 63.235, 63.43, 63.44, 63.53, 103.13, 118.12, 118.13, 119.25, 119.32, 119.42, 119.44, 119.66, 120.18, 946.12, 946.13

- Contract Ref.: MTEA Contracts
- ASC Contract
- PAMPS Contract
- District Council 48, Locals 1053 and 1616
- International Union of Operating Engineers, Local 950
- Service Employees' International Union, Local 150
- Cross Ref: Board Rule 1.26 Board Member Services
- Bd. Gov. Policy BG 2.06 Board Meetings
- BG 3.01 Board Appointed Officials
- BG 3.02 Role of the Superintendent
- Admin. Policy 1.04 Nondiscrimination
- 2.01 Superintendent
- 2.03 Administrative Organization Plan
- 2.04 Superintendent's Cabinet
- 2.06 Development of Administrative Procedures
- 2.07 Temporary Administration Arrangements
- 6.01 General Personnel Policies
- 6.02 Equal Opportunity Employment
- 6.03 Sexual Harassment
- 6.04 Employee Code of Ethics
- 6.07 Employee Rules of Conduct
- 6.14 Personnel Records
- 6.16 Complaints and Grievances: Staff
- 6.30 Suspension and Dismissal: Staff
- 8.05 School Census

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