



BOARD GOVERNANCE POLICIES

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BOARD GOVERNANCE POLICIES

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GOVERNANCE PROCESS

1.0: GOVERNANCE COMMITMENT

The purpose of the Board of Directors (the “Board”), on behalf of the Des Moines Public Schools Community, is to ensure that the Des Moines Public Schools (“DMPS” or the “District”) (1) achieves appropriate results for students within the approved annual budget, and (2) avoids unacceptable actions and situations.

GOVERNANCE PROCESS

1.1: GOVERNING STYLE & VALUES

The Board will govern lawfully, observing the principles it has adopted, with an emphasis on (a) results for owners, (b) encouragement of diversity in viewpoints, (c) strategic leadership, (d) clear distinction of Board and Superintendent roles, (e) collective decision-making, (f) the future, and (g) governing proactively.

Accordingly:

1. The Board will cultivate a sense of group responsibility. The Board, not the staff, will be responsible for excellence in governing. The Board will be the initiator of governing policy. The Board will not use the expertise of individual members to substitute for the judgment of the Board, although the expertise of individual members may be used to enhance the understanding of the Board as a body.
2. The Board will direct, control, and inspire the District through the careful establishment of broad written policies reflecting the Board's values and perspectives. The Board's major focus will be on the intended long-term results, not on the administrative or programmatic means of attaining those results.
3. All policies of the Board are contained in this document, and they remain in effect unless amended or deleted by Board action.
4. The Board will orient new Board Members in the Board's governance process and these policies.
 - A. Training will be liberally used to orient new members, candidates for Board membership, and the community, as well as to improve existing member skill and understanding of the principles of the Board's governance model.
 - B. All Board members will receive orientation to the Des Moines Public School District and the role and responsibilities of the Board. The orientation will be the responsibility of the Board Chair or their designee with the assistance of the Superintendent and their staff. Board members will be responsible for taking advantage of orientation opportunities.
5. The Board will allow no officer, individual, or committee of the Board to hinder or be an excuse for not fulfilling its commitments.
6. The Board will monitor its process and performance. Self-monitoring will include comparison of Board activity and discipline to Governance Process and Board-Management Delegation policies and to the Student Outcomes Focused Governance Framework. The Board will discuss its process and performance quarterly.

[Revised June 5, 2018]

[Revised July 9, 2019]

GOVERNANCE PROCESS

1.2: BOARD JOB RESPONSIBILITIES

On behalf of the “stakeholders” of the Des Moines Public Schools’ community, the Board of Directors will ensure appropriate organizational performance by assuming direct responsibility for the following:

1. The Board will be the link between the community and the District's operations.
 - A. Needs Assessment: The Board will assess the needs of the community as they relate to the District’s activities and scope of influence and will develop policies identifying the results the organization is to produce in addressing those needs.
 - B. District Advocacy: The Board will inform the community of the organization’s expected future results and its present accomplishments.
 - C. Community Board, Committee, and Council Appointments: The Board Chair may appoint Board Members to various community boards, committees, and councils including, but not limited to: City of Des Moines Parks & Recreation Board, Polk County Early Childhood Iowa Board, DMPS Head Start Policy Committee, Urban Education Network Steering Committee, Council of the Great City Schools Board of Directors, and the Des Moines Public Schools Foundation. Term limits and requirements of each individual board, committee, or council apply. Service in this capacity shall not interfere with Board Governance Process or Board-Management Delegation policy.
2. The Board will develop and maintain written governing policies that realistically address the broadest levels of all organizational decisions and situations:
 - A. STUDENT EXPECTATIONS: Effects, benefits, and outcomes for students.
 - B. MANAGEMENT LIMITATIONS: Constraints on executive authority that establish the prudence and ethics boundaries within which all executive activity and decisions must take place.
 - C. GOVERNANCE PROCESS: Specification of how the Board conceives, carries out, and monitors its own task.
 - D. BOARD/MANAGEMENT DELEGATION: How power is delegated and its proper use monitored: the Superintendent’s role, authority, and accountability.
3. The Board will assure successful organizational performance on Student Expectations and Management Limitations.
4. The Board will fulfill any statutory or other external mandates imposed upon it by law, rule, regulation, or contract.
 - A. The following Board Governance Policies have been, in accordance with state and federal law, enacted and approved by the Board. The mandated portions of these Board Governance Policies cannot be altered without a vote of the Board. The Board has delegated responsibility for implementation and enforcement of these Board Governance Policies to the Superintendent and/or the Superintendent’s designee.
5. The Board will evaluate the Superintendent and remuneration will be decided.
6. The Board will approve an annual budget, establish the tax rate, and approve the levees.
7. The Board will advocate for legislative support and/or changes in legislation (Federal, State, Local) necessary to achieve Student Expectations.

[Revised June 5, 2018]

GOVERNANCE PROCESS

1.3: CONCERNS ABOUT BOARD MEMBER PERFORMANCE

The Board will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, and ensuring the continual development of governance skills. Although the Board can change its governance process policies at any time, it will scrupulously observe those currently in place.

1. If a Board Member believes that another Board Member has violated the Board Member Code of Conduct, the concerned Board Member should discuss the alleged violation with the other Board Member in private prior to taking any other action, unless the nature of the allegation requires immediate escalation to the Board Chair.
2. If, after step one, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member may submit, in writing, the allegation to the Board Chair (arbiter). If the Board Chair is involved in the allegation, the concerned Board Member may instead submit the allegation, in writing, to the Board Vice Chair or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter instead.
3. The Board Members involved will conference to discuss the alleged violation. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to avoid such escalation.
4. If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board Chair will place it on the agenda for the next regular meeting or call a special meeting of the Board to discuss the alleged violation. The Board Chair may call upon the District's counsel or an external legal advisor to investigate the nature of the alleged violation.
5. If, after the special meeting of the Board to discuss the alleged violation, the Board determines that additional consideration of the alleged violation or Board action is warranted, the allegation and the investigative findings will be considered again at another meeting.
6. In order for the alleged violation to be considered for action at another meeting, one of the following three motions must be made and seconded: a motion to dismiss the allegations, a motion to admonish, or a motion to censure.
 - A. In order to protect the overriding principle of freedom of speech, the Board shall not impose admonition or censure on any of its members for the exercise of their First Amendment rights.
 - B. A motion to dismiss allegations concludes any procedures before the Board. Once a motion to dismiss allegations has passed concerning a given alleged violation, no other motions concerning that alleged violation are in order. A motion to dismiss allegations requires a majority vote to pass.
 - C. An admonition is a one-time action which serves as a warning. A motion to admonish must be presented in writing and must contain the exact language of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass.
 - D. A censure is an action that is permanent until lifted by the Board via a majority vote of the Board. A censure serves as a penalty imposed for wrongdoing. Censure carries no fine or suspension of the rights of the Board Member as an elected official but does immediately suspend all Board Member privileges such as, but not limited to, holding an officer role and anything else not explicitly guaranteed to Board Members by Iowa Code. A motion to censure must be presented in writing and must contain the exact language of the alleged violation and the proposed censure. A copy of the motion to censure must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to censure requires a 2/3 majority vote to pass. A motion to censure can only be lifted by a motion approved by a majority vote that occurs at least one (1) meeting after the motion to censure was passed.

GOVERNANCE PROCESS

1.4: AGENDA PLANNING

The Board will prepare and follow an annual agenda plan that includes (1) a complete review of Student Expectations Policy and (2) continuous improvement in Board performance through Board education, enriched input, and deliberation. Accordingly:

1. The Board's annual planning cycle will conclude each year on June 30, so that administrative planning and budgeting can be based on accomplishing a one-year segment of long-term Ends.
2. The Board's planning cycle will start on July 1 with the Board's development of its agenda for the next year.
 - A. The Board and Superintendent will identify priorities for Student Expectations and other issues to be resolved in the coming year and will identify the information gathering necessary to fulfill its role. This may include consultations with selected groups in the community, other methods of gaining community input, governance education, and other education related to Student Expectations issues, (e.g. presentations by futurists, advocacy groups, demographers, other providers, staff, etc.).
 - B. The Board Chair and Vice Chair will, at the commencement of the Board's annual planning cycle, prepare a tentative agenda plan for the following year's meetings.
3. The Chair and Vice Chair will determine the agenda for any particular meeting, although Board Members may request or recommend any appropriate matters for Board consideration.
 - A. The Board Chair and Board Vice Chair shall work with the Superintendent during an Agenda Planning Meeting to determine any items that management needs placed on the agenda. The tentative agenda does not become the final agenda until it is approved by the Board.
 - B. Any Board Member may request that a subject be included on an agenda for a meeting. That request shall be forwarded in writing to the Board Chair and Superintendent no less than fourteen (14) calendar days prior to the regular board meeting. The Board Chair shall ensure that any topics the Board or individual Board Members request to be addressed shall be on the agenda unless the Board Chair declines the request—which a majority vote of the full Board can override—or the Board Chair shall specify which future agenda on which the item shall be scheduled. If the Board Chair declines a request for an item to be placed on the agenda, then the Board Chair will provide written rationale for that action.
 - C. No item can be placed on the board meeting agenda less than seven (7) calendar days in advance of the board meeting unless delay in acting or discussing the added item could seriously affect the operation of the District. No item should be placed on the board meeting agenda less than seventy-two (72) hours in advance of the meeting unless the Board Chair determines that an urgent public necessity exists.
 - D. Board Members who have questions about a particular board meeting agenda item will follow 1.7 "Directors Individual Responsibilities" Board Policy.
 - E. The Superintendent shall be sure that adequate materials are provided for each board meeting agenda item and the information will be relayed to Board Members at least seven (7) calendar days prior to the meeting.
 - F. The Board may, by majority vote, remove an item from the agenda if adequate materials are not provided in a timely manner.
 - G. The Consent Agenda may include, but is not limited to:
 - a. Contracts
 - b. Personnel
 - c. Payment of bills
 - d. Other items agreed to by the Board

- H. "Off-cycle" monitoring reports - a monitoring report that is additional to those already calendared in the annual planning cycle - for a Management Limitation or Student Expectations Policy or Policy subsection may be requested for inclusion on an upcoming agenda. A written request shall be forwarded to the Board Chair and Superintendent including the policy or policy subset number and the rationale for the request no less than thirty (30) calendar days prior to the regular board meeting at which the monitoring report is requested. The Board Chair shall ensure that the off-cycle report request be on the upcoming agenda in accordance with subset 3C of this policy section for which a majority Board vote determines the Superintendent's requirement to fulfill the request. If the request is to be fulfilled per Board action, the Board Chair shall specify the future agenda on which the monitoring report shall be scheduled no less than thirty (30) days from original request. If the Board Chair declines a request for an off-cycle monitoring report to be placed on the agenda, then the Board Chair will provide written rationale for that action.
4. The Board will attend to consent agenda items (those items delegated to the Superintendent yet required by law or contract to be Board approved) as expeditiously as possible.

GOVERNANCE PROCESS

1.5: CHAIR'S/VICE CHAIR'S ROLE

The Chair, serving as the chief governance officer, ensures the integrity of the Board's process and, secondarily, represents the Board to outside parties.

Accordingly:

1. The assigned result of the Chair's job is that the Board conducts itself consistently with its policies and those legitimately imposed upon it from outside the organization.
 - A. Meeting discussion content will include only those issues that clearly (according to Board policy) belong to the Board to decide or to monitor.
 - B. Deliberation will be fair, open, thorough, timely, orderly, and kept to the point.
2. The Chair is authorized to make decisions consistent with the Board's Governance Process and Board-Management Delegation policies, with the exception of (a) employment/termination of the Superintendent, or (b) instances where the Board specifically delegates portions of this authority to others. The Chair is authorized to use any reasonable interpretation of these policies.
 - A. The Chair is empowered to preside at board meetings with all of the commonly accepted power of that position, such as ruling and recognizing.
 - B. The Chair has no authority to make decisions about policies created by the Board. The Chair has no authority to supervise or direct the Superintendent.
 - C. The Chair may represent the Board to outside parties in announcing Board-stated positions and in stating decisions and interpretations within the area delegated to her or him. The Chair may delegate this authority but remains accountable for its use.
 - D. The Chair may appoint Board Members to serve on Board Committees, unless specified otherwise in Board policies.
3. The Vice Chair's job is to support the Board Chair in fulfilling his or her responsibilities to ensure the integrity of the Board's process.
 - A. The Vice Chair will participate with the Chair in agenda planning.
 - B. The Vice Chair may serve as Board Chair substitute.
4. The Vice Chair assumes the duties of the Board Chair in his or her absence, as requested by the Chair.
5. The Vice Chair has no authority to make decisions about policies created by the Board. The Vice Chair has no authority to supervise or direct the Superintendent.
6. The Chair and Vice Chair are elected by the Board at the annual organizational meeting as established by Iowa Code 200.1. The process will be as follows:
 - A. In Board election years, all candidates shall be notified of the organizational meeting process including board officer elections prior to the school board election.
 - B. Any board member or board member-elect interested in seeking a board officer position will prepare a written submission stating their desire to serve as Chair or Vice Chair, their reason for wanting to hold the position, and other information deemed appropriate by the interested individual. Written submissions will be sent via email to all board members no later than 5:00 p.m. the Friday following the election.
 - C. A call for nominations for each position shall be made at the meeting; and, following the close of nominations, a paper ballot vote will be taken separately for each office.
 - D. In years where there is no school board election, the officer selection will proceed as set out above with submission of interest no later than 5:00 p.m. the Friday preceding the organizational meeting.

[Revised June 5, 2018]

GOVERNANCE PROCESS

1.6: BOARD MEMBERS' CODE OF CONDUCT

The Board commits itself and its members to ethical, professional, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board Members.

Accordingly:

1. Board Members must demonstrate loyalty to the interests of the community, unconflicted by loyalties to staff, other organizations, or any personal interests as members of the District.
2. Board Members must avoid conflict of interest with respect to their fiduciary responsibility.
 - A. There must be no self-dealing or any conduct of private business or personal services between any Board Member and the organization except as procedurally controlled to assure openness, competitive opportunity, and equal access to inside information. A member of the board of directors of a school corporation shall not have an interest, direct or indirect, in a contract for the purchase of goods, including materials and profits, and the performance of services for the director's school corporation. A contract entered into in violation of this section is void. This section does not apply to contracts for the purchase of goods or services which benefit a director, or to compensation for part-time or temporary employment which benefits a director, if the benefit to the director does not exceed two thousand five hundred dollars in a fiscal year, and contracts made by a school board, upon competitive bid in writing, publicly invited and opened.
 - B. When the Board is to decide upon an issue about which a member has a conflict of interest, that member shall disclose the conflict to the Board and absent herself or himself without comment from not only the vote but also from the deliberation. This conflict of interest shall be noted in the minutes and shall include deliberation and voting on employment contracts when a director's spouse benefits from said contract.
 - C. Board Members must not engage in any outside employment or activity which is in conflict with the Board Member's official duties and responsibilities. Board Members must not use their Board positions to obtain staff employment for themselves, family members or close associates. Should a Board Member apply for staff employment, he or she must first resign from the Board. Board Members must not attempt to exercise individual authority over the organization.
 - D. Defining and Identifying Potential Conflicts of Interest: The following circumstances shall be considered potential conflicts of interest warranting disclosure to the Board and/or recusal from action by the affected Board Member.
 - a. A Board Member, or Board Member's spouse, child, parent, or sibling, is a party to a contract or has a financial interest in a transaction with DMPS. Financial interest, as used in this Board Policy, means the person having a 5% interest in an entity contracting or entering into an agreement for services with the District, and/or the person receiving annual compensation equal to or exceeding \$1,000 from an entity contracting with the District.
 - b. A Board Member, or Board Member's spouse, child, parent, or sibling, is a trustee, director, board member, associate, employee, consultant, or advisor of an entity engaged with DMPS in a contract or transaction for goods or services.
 - c. A Board Member, or Board Member's spouse, child, parent, or sibling, is engaged in some capacity or has a financial interest in a business or enterprise that partners with DMPS.
 - d. A Board Member shall not vote to employ or appoint any person who is a parent, sibling, or child of the Board Member or the Board Member's spouse. Furthermore, applicants to DMPS positions are restricted from using Board Members as references.
 - e. A Board Member voting for or against any measure if they have received or have been promised any gift or payment of any item or value on condition of vote.
 - E. Procedures for Managing Conflicts of Interest: In the event of a conflict of interest or potential conflict of interest, Board Members who disclose a conflict of interest will abstain from voting and recuse themselves from all discussions on the matter. Upon abstaining, the Board Member shall state the conflict and the reason for abstaining. Furthermore, Board Members will be prohibited

from influencing the matter outside of the Board's decision-making process. All Board Members will be required to report inappropriate influence or pressure to the Board Chair as prohibited by this Board Policy.

- a. All actions, disclosures, and discussions regarding conflicts of interest will be recorded in Board Meeting minutes and posted on the DMPS website.

F. Measures to Avoid Conflicts of Interest

- a. DMPS shall not employ Board Members for more than \$2500 in annual compensation, even on a substitute or part-time basis. Board Members may volunteer in the District.
- b. Former Board Members shall not be eligible for employment or business/employment contracts with DMPS for a period of twelve (12) months after having left the Board.
- c. The Board shall not enter a contract or financial transaction where a conflict of interest, as defined by this Board Procedure, exists unless the conflict has been properly disclosed and managed. Every Board Member shall submit to the Board Chair and Superintendent an annual Conflict of Interest Disclosure Statement identifying any relationships, positions, or circumstances in which they are involved that contributes to a conflict of interest or the appearance of a conflict of interest as defined by this Board Procedure and every Board Member is required to keep the Conflict of Interest Disclosure Statement current.
- d. Board Members shall not sell, lease, or provide personal property or real estate to DMPS. A Board Member may donate personal property or real estate to DMPS.

3. Board Members must not attempt to exercise individual authority over the organization.

- A. Board Members' interaction with the Superintendent or with staff must recognize the lack of authority vested in individuals except when explicitly Board authorized.
- B. Board Members' interaction with public, media or other entities must recognize this limitation and that Board Members are not to speak for the Superintendent, or to speak for the Board except to repeat explicitly stated Board decisions.
- C. Except for participation in Board deliberation about whether the Superintendent has achieved a reasonable interpretation of Board Policies.
- D. Board Members will not publicly express individual judgments of performance of the Superintendent or employees of DMPS.
- E. A Board Member aware of credible information that suggests that a Board policy has been violated, by either the Board or the Superintendent has an affirmative obligation to bring the concern to the Board Chair or, in the event the Board Chair is the subject of the violation, to the Vice Chair.

4. Board Member Communication with the Superintendent

- A. The Superintendent will communicate requested information to all Board Members in a reasonable time without interfering with the regular conduct of DMPS business.
- B. The Superintendent will distribute to all Board Members any information requested by a Board Member.
- C. Board Members may communicate with other individual Board Members or the Superintendent for the purposes of asking clarifying questions, providing clarifying information, or socializing under circumstances that do not conflict with or circumvent open meetings laws.
- D. Board Members who wish to share information relevant to DMPS business or issues before the Board may provide the information to the Board Chair or Superintendent for placement on the agenda or, if appropriate, distribution to all Board Members in the Superintendent's Weekly Memo.
- E. The Superintendent will release significant information to the Board Members as promptly as possible.

5. Board Member Communication with DMPS Staff

- A. Board Members will respect the chain of command and refrain from initiating discussion of Board matters or matters on the Board Meeting agenda with any DMPS staff other than the Superintendent except as directed by the Superintendent or when the individual is designated as

the contact on the meeting agenda. The only exception to this Board Procedure is spouses of Board Members.

- B. If Board Members are contacted by DMPS staff without the permission of the Superintendent, Board Members will follow the Board Policy, "Board Member Communication with Owners" and then notify the Superintendent of the contact.
6. Board Member Communication with Owners
 - A. Board Members are encouraged to participate in community activities as liaisons between the Ownership and DMPS. When doing so, Board Members are expected to:
 - B. Relay information about DMPS in a positive and truthful manner.
 - C. Refer questions about specific DMPS activities/issues to the appropriate staff person or spokesperson when they do not know the answers.
 - D. The Board encourages community input, but will not necessarily respond or act on the basis of anonymous calls, letters or emails unless the communication pertains to criminal, health or safety issues.
 - E. A Board Member retains the right to speak to anyone as an individual, but must understand that any comment might be interpreted by the listener as being an "official" statement of the Board.
 - F. In speaking as an individual, Board Members should:
 - a. Clarify that they are speaking as an individual and not for the Board.
 - b. Should remind media representatives of any position or action that the Board has officially taken related to the issue in question.
 7. Board Member Responses to Comments or Complaints
 - A. Board Members will listen and remain impartial.
 - B. Board Members will ask if the commentator/complainant has followed DMPS' procedures and/or chain of command.
 - C. If the commentator/complainant does not know the procedures or chain of command, Board Members should provide the following information and advice:
 - a. The commentator/complainant should first speak with the appropriate staff member. If not satisfied then;
 - b. The commentator/complainant should go to the appropriate administrator in charge of the school or department where the comment/concern arose. If not satisfied, then;
 - c. The commentator/complainant should contact the appropriate central office administrator. If not satisfied, then;
 - d. The commentator/complainant should conference with the Superintendent (or designee).
 - D. The Board Member will inform the Superintendent if an issue has advanced to or beyond step B, and will include the nature of the comment/complaint, the commentator/complainant and to whom the commentator/complainant has been referred.
 - E. The Superintendent will inform the Board Member of the resolution of any referred comment/complaint.
 - F. This policy shall not apply to comments/complaints alleging criminal activity or emergencies where DMPS' students or staff members are in imminent danger.
 8. Board Members must respect the confidentiality appropriate to issues of a sensitive nature.
 - A. Given the legal and sensitive nature of closed meetings, Board Members understand that the law requires that all such Meetings are strictly confidential.
 - B. When it is apparent to the Board that it would be in the best interest of the students, staff, community or Board to make a statement regarding anything that occurs in or results from a closed meeting, the Board Chair will compose an official public statement that meets with the approval of a majority of the Board. Any such statement will comply with limitations set by law.
 - C. If individual Board Members are pressed for information regarding closed meetings, that Board Member will state clearly that they can give no information other than what is posted on the agenda. If pressed further, the Board Member will refer the inquiry to the Board Chair or Superintendent.
 9. Board Members will support the legitimacy and authority of the final determination of the Board on any matter, regardless of the member's personal position on the issue.

10. If an individual Board Member is found to be in violation of his or her responsibilities either pursuant to this Code of Conduct or Iowa law, the Board may take action which includes but is not limited to the following: scheduling a meeting with the Board Chair or Vice Chair and legal counsel to address the violations; a written letter of reprimand from the Board Chair, or in the event the Chair is in violation, from the Vice Chair; subjecting the member who is in violation to reprimand or censure at a board meeting; forwarding information regarding the member's violation(s) to outside agencies for further investigation and action.
11. The Board may vote by a simple majority to publicly admonish a Board Member after only one undisclosed conflict of interest so long as in all other respects the Board follows the "Concerns About Board Member Performance" Board Policy (GP 1.3).
12. The Board may vote by a simple majority to publicly report the Board Member to the Iowa Ethics and Campaign Disclosure Board.
13. The Board may vote by a simple majority, after conferring with legal counsel, to publicly report the Board Member to the Iowa Attorney General and/or local prosecutor when appropriate.

Iowa Code §§ 55; 66B.2A; 71.1; 277.27; 279.7A; 301.28 (2007).

[Revised September 1, 2015]

GOVERNANCE PROCESS

1.7: DIRECTORS' INDIVIDUAL RESPONSIBILITIES

The Board consists of four members elected by Director Districts and three members elected at-large. The individual and collective participation of its members is integral to the leadership success of the Board.

Therefore, each Board Member is expected to fulfill the following responsibilities:

1. Attendance - As contemplation, deliberation and decision-making require collaboration and participation, Board Members are expected to attend Board meetings, work sessions, and fulfill committee assignments.
2. Preparation and Participation - Board Members will prepare for Board meetings, work sessions, and committee meetings and will participate productively in discussions.
 - A. The Superintendent will ensure that all necessary or requested information is supplied to the Board Members to allow for informed decisions. Agenda packets will be electronically posted and delivered no less than seven (7) calendar days in advance.
 - B. Board Members will read and study the packet prior to each meeting.
 - C. If Board Members wish to have additional materials or information prior to the meeting, they should direct their individual requests for additional materials or information to the Superintendent (or designee) and Board Chair as soon as possible no later than noon the Monday before a Board Meeting. The Superintendent (or designee) will ensure that any such additional materials or information are provided to all Board Members.
 - D. The Superintendent (or designee) will ensure that any additional materials or information is provided to all Board Members. If a Board Member has requested information or materials, and the request has been denied or delayed in such a manner that the Board Member feels that they will not be able to make an informed decision, the request for information will be placed on the regular agenda.
 - a. If the Board determines that the request should be honored, the Board and the Superintendent will determine the appropriate timeline and means for presentation to the Board Members and the agenda item will be pulled from that agenda.
 - E. If the Superintendent determines that a request for additional information or materials is not readily available, would interfere with DMPS operations, or cannot reasonably be prepared before the Board Meeting, the Superintendent (or designee) will notify the Member requesting the materials or information and the Board Chair that the request cannot be fulfilled and why. If requested information is not available, the Superintendent will inform the Board Member at least four (4) hours prior to the beginning of the regular Board Meeting.
 - F. The Board may table an item if sufficient information is not provided in a timely manner.
3. Nothing in this Board Policy shall be construed to limit a Board Member's ability to ask questions during the Board Meeting.
4. The Board may pull an item from the agenda if a majority of Members agree that sufficient information was not provided in a timely manner to make an informed decision on the item.
 - A. The Superintendent will ensure that all necessary or requested information is supplied to the Board Members to allow for informed decisions. Agenda packets will be electronically posted and delivered no less than seven (7) calendar days in advance.
 - B. Board Members will read and study the packet prior to each meeting.
 - C. Board Members will direct agenda related questions to the Superintendent (or designee), according to Board Policy.
5. Board Member Performance at Meetings: All Board Members are expected to conduct themselves professionally and in accordance with their written commitment to the Board Member Code of Conduct during all meetings and public forums. Examples of behavior that will not be tolerated are rude remarks, interruptions, yelling, name calling and disrespectful verbal or body language.
 - A. During Board Meetings, all members will conduct themselves according to such rules or procedures as the Board or Board Chair may adopt from time to time.

- B. If, during a meeting or public forum, any Board Member conducts themselves in a manner that is intolerable or prevents the accomplishment of goals, the Board Chair may adjourn the meeting. If a majority of the Board affirmatively votes to overturn the adjournment then the meeting must continue.
 - C. Differences of opinion, if respectfully submitted, are not to be construed as unacceptable behavior but rather as alternate views on a subject and should be encouraged.
6. Members as Individuals: The Superintendent is accountable only to the Board as an organization, and not to individual Board Members. Therefore, the relationship between the Superintendent and individual members of the Board, including the Chair, is collegial, not hierarchical.
 7. Volunteerism: Board Members are encouraged to be involved in District activities. Members of the Board choosing, as individuals, to volunteer in operational capacities in the District are subject to the direct supervision of the Superintendent or responsible staff person.
 8. Stakeholder Input: Board Members should consider all input brought forward by and actively solicited from individuals and groups including those in Director Districts elected to when applicable, making final decisions in the best interest of the whole District placing the needs of all students at the forefront.
 9. School Level Data: The Board will have access to data disaggregated by attendance center for consideration in informing understanding and/or decisions regarding District level resource allocation and/or systems improvement and/or governance improvement. Individual attendance centers will not be identified by name when school level data is presented in monitoring reports and Board Members will exercise caution during public discussion in specifying attendance centers. Neither the Board nor Board Members will use school level data to rank attendance centers or attendance center performance or to evaluate attendance center leadership and/or staff. The Board will review the data portal annually to determine need for changes to types and/or categories of data provided.

[Revised August 1, 2017]

[Revised June 5, 2018]

GOVERNANCE PROCESS

1.8: BOARD MEMBER VISITS TO SCHOOLS

1. Board Members are encouraged to visit any school.
2. Individual Board Members should inform the Superintendent of any desired visit twenty-four (24) hours in advance of the visit unless the Board Member is attending a function to which the Principal has invited them. If the Superintendent determines that the desired date and time is inappropriate for any reason, the Superintendent shall work with the Board Member to identify an appropriate date and time. This Board Policy applies to individual Board Members, not Board Committees.
3. Board Members must check in at the Principal's office following district guidelines and must have their identification badge visible.
4. All visits are to be escorted or directed by the Principal (or designee).
5. Board Members will not interrupt scheduled learning periods or interfere with the learning process.
6. Board Members will not assume a supervisory or evaluative role with staff or students.
7. Board Members will not assume a participator role with staff or students unless specifically requested by the Principal (or designee).
8. This Board Policy does not pertain to visits as a parent, as a spectator to school events or other events open to the general public.

GOVERNANCE PROCESS

1.9: BOARD COMMITTEE PRINCIPLES

Board committees, when used, have one essential role -- to strengthen and support the work of the Board as a whole to reach the Board's Student Expectations. Board committees are not to interfere with delegation from Board to the Superintendent, or from the Superintendent to other staff.

Accordingly:

1. Board committees are to help the Board do its job, not to help, advise or exercise authority over staff.
2. Board committees most commonly assist the Board by undertaking activities not delegated to the Superintendent, by preparing policy alternatives and implications for Board deliberation, or by performing specific monitoring functions. Board committees will normally not have direct involvement with current staff operations.
3. Board committees may not speak or act for the Board except when formally given such authority for specific and/or time-limited purposes. The Board will carefully state its expectations and committee authority (in the "Board Committee Structure" policy) in order not to conflict with authority delegated to the Superintendent.
4. This policy applies to any group formed by Board action, whether or not it is called a committee and regardless of whether the group includes Board Members.
5. Board Members may serve on other boards, committees and councils because of their status as elected officials. In these situations, the Board Member does not serve in the official capacity as the Board representative, but as an individual.
6. Terms of service on committees will be reviewed by the Board Officers annually.

[Revised August 1, 2017]

GOVERNANCE PROCESS

1.10: BOARD COMMITTEE STRUCTURE

A committee is a Board committee only if its existence and charge come from the Board, regardless of whether its composition includes Board Members and are those set forth in this policy. The Board committees are advisory in nature and shall not be authorized to create or change policy. Board Committees shall include both standing committees and ad hoc committees. Unless otherwise stated, an ad hoc Board Committee will cease to exist when its task is complete. Unless otherwise specified, the Superintendent, or his/her staff designee, will serve as a non-voting member of each committee. Committee meetings comprising a quorum are posted and are subject to open meetings law.

Standing Committees:

1. Board Development Committee
 - A. Purpose: Arrangement of orientation/training of new and existing Board Members in the Board's governing process and strategic issues of the Board's choosing.
 - B. Authority: To expend resources within approved Board budget to ensure that members are provided with proper orientation and training. Management time will be determined on an as-needed basis.
 - C. Board Composition: Board Chair, Vice Chair, and Superintendent
2. Audit Committee
 - A. Purposes: to fulfill duties as stated in the Audit Committee
 - B. Authority: To direct work of internal and external auditors and to use management time as needed for administrative support for all matters related to the audit functions of the DMPS Board
 - C. Composition: One Board Member and one alternate
3. Superintendent Compensation Committee
 - A. Purpose: To develop recommendations for annual Superintendent compensation package for Board consideration in concurrence with the Superintendent's review.
 - B. Authority: To incur costs to include compensation surveys and for outside counsel to draft contract.
 - C. Board Composition: Board Chair and three other Board Members
4. Des Moines Teachers Retirement System
 - A. Purpose: The Board serves as trustees of the retirement system for District employees who choose to participate in the DMTRS plan as opposed to IPERS.
 - B. Authority: The DMTRS Plan provides for an Advisory Committee to assist the Board with respect to the management, administration, and investment of Plan assets and the consideration of any amendment of the Plan.
 - C. Board Composition: One Board Member
5. Legislative Education and Advocacy Committee
 - A. Purpose: To effectively engage the larger community in the support of our district through coalition-building, communication, and advocacy for state policy that elevates student success.
 - B. Authority: To expend resources within the approved Board budget to create a plan and platform to provide opportunities to educate its members and the community at large regarding school finance, the legislative process, school district initiatives and legislative impact, and other relevant topics. To strategically advocate for District legislative priorities approved by Board action. To expend resources within approved Board budget for activities and materials as needed to implement advocacy strategy facilitated through a "Community Legislative Action Team (CLAT)" – a non-partisan group of volunteers.
 - C. Board Composition: Three Board Members; committee chair shall be appointed by the board chair.

[Revised August 1, 2017] [Revised January 8, 2019]

GOVERNANCE PROCESS

1.11: GOVERNANCE BUDGET

The Board will consciously invest in its ability to govern competently and wisely.

Accordingly:

1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
 - A. Training and retraining will be used appropriately to orient new Board Members, and to maintain and increase existing Board Member skills and knowledge.
 - B. Outside monitoring assistance, including fiscal audit, will be arranged as needed so that the Board can exercise confident control over organizational performance.
 - C. Engagement and outreach strategies will be used as needed to ensure the Board understands owner viewpoints and values.
 - D. Costs may include but are not limited to: board training; travel/reimbursements (attendance at conferences, workshops, Board meetings, etc.); audit and other third-party monitoring of organizational performance; Board-hosted community linkage/outreach events; Board meeting and retreat costs; and Board committee functions.

2. The Board will establish its Governance budget for the next fiscal year within the regular yearly budget cycle.

MANAGEMENT LIMITATIONS

2.0: GENERAL EXECUTIVE CONSTRAINT

The Superintendent shall not cause or allow any practice, activity, decision or organizational circumstance that is unlawful, imprudent, or in violation of commonly accepted business and professional ethics and practices.

MANAGEMENT LIMITATIONS

2.1: TREATMENT OF STUDENTS

With respect to interactions with students, the Superintendent shall not cause or allow conditions or procedures that are inequitable, unfair, unsafe, untimely, undignified or unnecessarily intrusive.

Without limiting the above, the Superintendent shall not:

1. cause conditions or allow environments where students experience barriers to the opportunity for equal benefit, where students feel unwelcome, undervalued, disconnected from their attendance centers on the basis of race, color, national origin, gender, disability, religion, creed, sexual orientation, gender identity or socioeconomic status.
2. cause conditions or allow environments that contribute to the school to prison pipeline including the employ of School Resource Officers (SROs) without a professional development structure reflective of the District's Equity Plan.
3. Operate without a districtwide equity plan that establishes long-term goals with interim goal-progress measures as a system of internal progress monitoring.
4. Operate without a professional development plan for Superintendent, chiefs, teachers, and staff around outcomes related to cultural proficiency
5. Cause or allow conditions that disengage &/or exclude students from opportunities to convey their diverse interests and needs
 - A. Operate without promoting ongoing shared responsibility for learning and support of the education system within diverse student populations; and
 - B. Operate without promoting and supporting a structure for broad student involvement in the education system including extracurricular, co-curricular, and other activities based on student interest, age, and community need; and
 - C. Acting without integrity or fairness or in an unethical manner through dialogue and/or other interactions.

[Revised August 1, 2017]

[Revised January 22, 2019]

[Revised May 21, 2019]

[Revised October 1, 2019]

MANAGEMENT LIMITATIONS

2.2: TREATMENT OF PARENTS, FAMILIES, AND COMMUNITY

With respect to the treatment of parents, families, and community, the Superintendent shall not allow conditions that are inequitable, unsafe, unfair, and undignified or that lead to misunderstanding or ignorance of the profile of the Des Moines Public Schools community.

Without limiting the above, the Superintendent shall not:

1. Operate without promoting and supporting a structure for family and community involvement in the education system and establishing and maintaining a welcoming culture and climate for families and community conducive to improving student learning.
2. Operate without engaging parents, families, and community in a timely and accessible manner when major issues come forward including those representing a significant reallocation of resources for an attendance center or representing a significant change to the educational experience for students and families.
3. Cause or allow conditions that disengage and/or exclude families or community members from the District or from opportunities to convey diverse interests and needs, or that impede mobilization of community resources including, but not limited to:
 - A. Operating without communicating with parents, families, and the community in a way that does not recognize the diversity of experiences represented by the populations served by DMPS including language and literacy, and is not culturally competent/sensitive
 - B. Acting without integrity or fairness or in an unethical manner through dialogue and/or other interactions.
4. Operate without facilitating the connections of students and families to the health and social services that support a focus on learning.
5. Operate without appropriate strategies to respond to and influence the larger political, social, economic, legal, and cultural context to reach desired Student Outcome goals including, but not limited to:
 - A. Operating without collaboration with service providers and other decision-makers to improve teaching and learning
 - B. Operating without advocating for the welfare of all members of the learning community.
6. Operate without a coordinated strategy for Board-Superintendent representation for key events and linkage opportunities in the community including, but not limited to:
 - A. Superintendent attendance at the full duration of each CLAT coffee during the legislative session
 - B. Superintendent's equitable attendance at events held in each feeder pattern (Galas, extracurricular activities, etc.)
 - C. Superintendent's attendance at community listening sessions when held by the Board
 - D. Notification of/arrangement for the Board and/or Board members to attend events hosted by and/or sponsored by the District

[Revised August 1, 2017]

[Revised May 21, 2019]

MANAGEMENT LIMITATIONS

2.3: TREATMENT OF STAFF

With respect to the treatment of staff (including employees, independent contractors, and volunteers), the Superintendent shall not cause or allow conditions that are disorganized or unclear, unsafe, unfair, inequitable, or undignified.

Accordingly, the Superintendent shall not cause DMPS to:

1. Operate without sufficient written rules, expectations, and processes or those, whether written or not, that:
 - A. Subject staff to rules or expectations that are unachievable or confusing;
 - B. Leave staff an ineffective or a biased method of resolving appropriate concerns;
 - C. Subject staff to wrongful conditions, including nepotism or preferential treatment based on personal or unprofessional reasons;
 - D. Fail to avoid conflict(s) of interest;
 - E. Fail to provide for appropriate protective child abuse, sexual harassment, and anti-bullying and intimidation policies that are communicated to staff, volunteers, and administrative personnel.
2. Retaliate against an employee for reporting to management or to the Board of Directors acts or omissions by personnel, management, or the Board of Directors, that the employee believes, in good faith and based on credible information, constitutes a violation of state or federal law or a governing policy of the Board.
3. Prevent staff from appealing a complaint to the Board when (a) all internal complaint procedures have been exhausted and (b) the employee provides a substantive and credible allegation that Board policy has been violated. This subsection does not apply to grievances as contemplated under any collective bargaining agreements including those governing the Des Moines Education Association and the American Federation of State, County and Municipal Employees.
4. Refuse to negotiate with employee bargaining representatives over non-mandatory but permissible subject matters, including:
 1. Hours
 2. Vacations
 3. Holidays
 4. Leaves of Absence (except political leaves)
 5. Job classifications
 6. Health & Safety (except health insurance)
 7. In-Service Training
 8. Grievance Procedures
 9. Seniority
 10. And other items mutually agreed upon which do not compromise achievement toward Student Expectations or compliance with Management Limitations 2.4, 2.5, and 2.6.
5. Be in violation of any rules or regulations as they relate to the collective bargaining agreement of DMPS employees and/or any terms of any agreements reached between DMPS and respective employee groups.
6. Permit staff to be unprepared to deal with emergency situations.
7. Allow staff to be unaware or uninformed of the Superintendent's interpretations or operational definition for this policy.

[Revised May 17, 2016]

[Revised October 8, 2018]

[Revised May 21, 2019]

[Revised October 1, 2019]

MANAGEMENT LIMITATIONS

2.4: FINANCIAL CONDITION AND ACTIVITIES

With respect to actual ongoing condition of the district's financial resources, the Superintendent shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from the Board's Student Expectations Policy.

Accordingly, the Superintendent shall not:

1. Fail to provide quarterly summaries of the financial condition of the district.
2. Fail to settle district payroll obligations and payables in a timely manner.
3. Fail to implement prudent competitive quoting procedures for all facility improvement projects in an amount that meets or exceeds the competitive quote threshold as established by Iowa law.
4. Fail to implement prudent competitive bidding procedures for all facility improvement projects in the amount of \$100,000 or more.
5. Fail to implement prudent competitive procedures, including but not limited to RFPs, for purchasing products and securing contractual and professional services.
6. Obligate the district to contracts or expenditures greater than \$100,000.
7. Acquire, lease, or dispose of real property.
8. Invest funds in securities contrary to state law.
9. Allow tax payments or other governmental ordered payments or filings to be overdue or inaccurately filed.

MANAGEMENT LIMITATIONS

2.5. ASSET PROTECTION

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

Accordingly, the Superintendent shall not:

1. Allow there to be inadequate insurance to protect the district's assets, including but not limited to coverage for theft, casualty, institutional liability, board and officer liability, and employee theft and dishonesty.
2. Fail to employ risk management practices to minimize exposure of the district, its board, or staff to claims of liability.
3. Incur indebtedness (i.e. anticipatory warrants, general obligations or revenue bonds, and capital loan notes.)
4. Subject facilities and equipment to improper wear and tear or insufficient maintenance.
5. Allow any purchase where there exists a real conflict of interest or the appearance of a conflict of interest.
6. Fail to protect district-owned intellectual property, information, and files from loss or significant damage or theft.
7. Receive, process, or disburse funds under controls insufficient to meet the Board-appointed auditor's standards (as set forth in the Management Letter and/or other correspondence) or compromise the independence of the Board's audit.
8. Endanger the district's public image, its credibility, or its ability to accomplish Student Expectations.
9. Receive funds or contributions from, nor enter into contracts, obligations, or associations with individuals, organizations, or entities that are not consistent with the mission and purpose of the district, the administrative policies and procedures, or hinder the district's ability to achieve its Student Expectations.

MANAGEMENT LIMITATIONS

2.6. FINANCIAL PLANNING/BUDGETING

Financial planning for any fiscal year or the remaining part of any fiscal year may not deviate materially from the Board's Student Expectations Policy or risk financial jeopardy.

Accordingly, the Superintendent shall not present a budget that:

1. Falls below a 15% solvency ratio for the General Fund.
2. Falls below a 15% unspent spending ratio for the General Fund.
3. Creates a situation or condition described as unacceptable in the "Financial Conditions and Activities."
4. Omits credible projections of revenues and expenses and disclosure of planning assumptions.
5. Plans the expenditure of more funds than are projected to be received in any fiscal year.

[Revised December 8, 2015]

MANAGEMENT LIMITATIONS

2.7: EMERGENCY SUPERINTENDENT AND SENIOR CABINET SUCCESSION

The superintendent shall not risk organizational jeopardy due to the loss of the Superintendent or other key executives.

Without limiting the above, the Superintendent shall not:

1. Have fewer than two senior cabinet members who are appropriately certified and fully trained in Board and Superintendent processes and procedures, including all Board policies, to enable either to act as an interim Superintendent reporting to the Board, fully accountable to the Board as Superintendent.
2. For each senior cabinet member, there shall be no fewer than one other administrator who is fully trained and ready to act as an interim successor.

[Revised June 5, 2018]

MANAGEMENT LIMITATIONS

2.8: COMPENSATION AND BENEFITS

The Superintendent will not cause or allow jeopardy the District's fiscal integrity or public image when dealing with employment, compensation, and benefits for employees, consultants, volunteers, or contractors.

Accordingly, the Superintendent shall not:

1. Change his or her own compensation.
2. Change his or her own benefits.
3. Promise or imply anything other than "at-will" employment for all non-contractual employees.
4. Establish current compensation and benefits that deviate materially from the geographic and/or professional market value for the skills employed.
5. Pertaining to consultants and contract vendors, create obligations over a longer term than revenues can be safely projected.
6. Establish or change retirement benefits.

MANAGEMENT LIMITATIONS

2.9: BOARD AWARENESS & SUPPORT

The Superintendent shall not cause or allow the Board to be uninformed or unsupported in its work.

Without limiting the above, the Superintendent shall not:

1. Withhold, impede or confound information relevant to the Board's informed accomplishment of its job. Accordingly, the Superintendent may not:
 - A. Allow the Board to be unaware of actual or anticipated noncompliance with any Student Expectations or Management Limitations policy of the Board regardless of monitoring schedule.
 - B. Neglect to submit monitoring data required by the Board (see policy on Monitoring Superintendent Performance in Board-Management Delegation) in a timely, truthful and complete fashion, directly addressing provisions of Board policies being monitored.
 - C. Allow the Board to be without critical information as requested by the Board or the Board Chair or let the Board be unaware of relevant trends or patterns, developing material external opportunities or threats, or internal strengths or weaknesses, particularly any changes in the assumptions or laws upon which any Board policy has previously been established.
 - D. Avoid informing the Board if, in the Superintendent's opinion, the Board may not be in compliance with the law, contractual obligations, or its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board or Board Member behavior that is detrimental to the work relationship between the Board and the Superintendent. In the event that the Board Chair is the subject of the violation, the Superintendent will report it to the Vice Chair.
 - E. Neglect providing for the Board as many staff and external points of view, issues, alternatives and other implications as the Board or Board Chair determines it may need for fully informed Board choices, including decision-making authority retained by the Board.
 - F. Allow the Board to be unaware of any incidental or other information it may require.
 - G. Present information in an unnecessarily complex, lengthy, untimely, untruthful, or incomplete form or in a form that does not differentiate among the following four types:
 - a. Monitoring
 - b. Discussion
 - c. Decision preparation (or "action" item)
 - d. Incidental/ "FYI"and that fails to reference the applicable state and federal law when appropriate.
2. Withhold from the Board and its processes logistical or clerical assistance. Accordingly, the Superintendent may not:
 - A. Avoid a system and adequate resources for official Board, officer, or committee communications and governing functions.
 - B. Neglect pleasant and efficient settings and arrangements for the meetings of the Board and its committees.
3. Impede the Board's holism, misrepresent its processes and role, or impede its lawful or ethical obligations. Accordingly, the Superintendent may not:
 - A. Deal with the Board in any way that favors or privileges certain Board Members over others except when:
 1. Fulfilling individual requests for information as detailed by the Board's Request for Information procedure (Board-Management Delegation Policy 3.1, Item 2A), or
 2. Responding to officers or committees duly charged to them by the Board.
 - B. Neglect submitting for the Board's consent agenda all items delegated to the Superintendent yet required by law, regulation, contract or third-party to be Board approved, along with the appropriate related decision or monitoring information.

MANAGEMENT LIMITATIONS

2.10: SOCIAL EMOTIONAL LEARNING

The Superintendent shall not cause or allow conditions that do not support the social and emotional learning and needs of all students.

Without limiting the above, the superintendent shall not:

1. Operate without full integration of learning supports (e.g. behavioral, social services, mental health), instruction, and school management within a comprehensive cohesive approach that facilitates multi-disciplinary collaboration.
2. Operate without the staff complement to support social/emotional needs of all students
3. Operate without a professional development plan to support social emotional learning outcomes and student needs.
4. Operate without a curriculum for social emotional learning.
5. Operate without an assessment tool to measure Social Emotional Learning outcomes
6. Operate with policies or processes that cause conditions adversely impacting the physical and/or psychological safety and well-being of students and/or limiting the ability of building leadership and/or teachers to provide a safe school setting and the optimum conditions for teaching and learning.

[Added June 18, 2019]

MANAGEMENT LIMITATIONS

2.11: EMERGENCY COVID-19 PANDEMIC

The following management limitations and all aspects of 2.11 shall remain in place beginning on August 6, 2020 and continue until Polk County has a decline in total daily number of positive cases for 14 consecutive days.

The Superintendent shall not operate without the Board's approval on the Return to Learn plan as submitted to Iowa Department of Education on July 1, 2020, and any subsequent changes, given the emergency nature of the current pandemic situation.

The Superintendent shall not:

1. Operate without a plan for assessment related to student outcomes goals or without adequately addressing the needs of students identified with IEPs, 504s, or ELL goals, or those students who are two or more years deficient in math and/or reading.
2. Operate without a plan to provide staff with professional development around virtual and hybrid instruction and best practices to mitigate Covid-19, or staff assignment, including high-risk comorbidity staff, during the emergency pandemic period and how right of assignment will be resolved afterwards.
3. Operate without a plan including metrics to address the transition between hybrid, virtual, or on-campus instruction informed by school reopening guidelines offered by the Centers for Disease Control and the World Health Organization including social and physical distancing measures

[Added August 6, 2020]

BOARD-MANAGEMENT DELEGATION

3.0: GOVERNANCE-MANAGEMENT CONNECTION

The Board's official connection to the operational organization, its achievements, and conduct will be through the Superintendent.

BOARD-MANAGEMENT DELEGATION

3.1: UNITY OF CONTROL

Only officially passed motions of the Board are binding on the Superintendent.

Accordingly:

1. Decisions or instructions of individual Board Members, officers, or committees are not binding on the Superintendent except in rare instances in which Board has specifically delegated this authority.
2. If Board Members or committees request information or assistance for items not posted on the Board agenda and without Board authorization, the Superintendent may refuse such requests that require, in his/her opinion, a significant amount of staff time or funds.
 - A. Requests should be submitted to the Superintendent via email with "Request for Information" included in the subject line. Requests should detail what information is requested, why the information is being requested, and when the information is wanted.
 - B. If a request is refused and the Board Member or committee still wishes to pursue it, the same written request should be sent into the Board Chair and Superintendent via e-mail asking it be placed on a subsequent agenda for full Board consideration.
 - a. If it is determined that the majority of the Board would like the information requested in order to help them fulfill their Board duties, the Superintendent will assign the appropriate staff member to fill the request. The information will be sent to the entire Board.
 - b. If the majority of the Board does not agree to the request, then the request should be revised or dropped.
3. Requests for information regarding an agenda item for the upcoming Board meeting must be in by noon on Monday before the Tuesday Board meeting. If the information cannot be gathered before the Tuesday Board meeting, it will be sent out to the entire board before the next meeting.

[Revised June 5, 2018]

BOARD-MANAGEMENT DELEGATION

3.2: DELEGATION TO THE SUPERINTENDENT

The Board will instruct the Superintendent through written policies that prescribe the organizational Student Expectations to be achieved and describe organizational situations and actions to be avoided, allowing the Superintendent to use any reasonable interpretation of these policies.

Accordingly:

1. The Board will develop and maintain the Student Expectations Policy. All issues that are not Student Expectations issues are Means issues.
2. The Board will develop and maintain Management Limitations policies that limit the latitude the Superintendent may exercise in choosing the organizational means.
3. As long as the Superintendent uses any reasonable interpretation of the Board's Student Expectations and Management Limitations policies, the Superintendent is authorized to establish administrative policies and procedures, make all decisions, take all actions, establish all practices, and pursue all activities. Such decisions of the Superintendent shall have full force and authority as if decided by the Board.
4. The Board may change its Student Expectations and Management Limitations policies, thereby shifting the boundary between Board and Superintendent domains. By doing so, the Board changes the latitude of choice given to the Superintendent. However, as long as any particular delegation is in place, the Board will respect and support the Superintendent's choices that are compliant with a reasonable interpretation of those policies.

BOARD-MANAGEMENT DELEGATION

3.3: SUPERINTENDENT ACCOUNTABILITY AND PERFORMANCE

The Superintendent is the only staff person accountable to the Board of Directors for operational achievement and conduct.

Accordingly:

1. Neither the Board nor any individual Board Member will give instructions to persons who report directly or indirectly to the Superintendent.
2. The Board will not evaluate, either formally or informally, any staff other than the Superintendent.
 - A. When a Board Member becomes concerned about the performance of DMPS employees other than the Superintendent, they should bring their concerns directly to the Superintendent and inform the Board Chair.
 - B. Board Members must remain cognizant that DMPS personnel are the responsibility of the Superintendent, not the Board.
 - C. The Superintendent is obligated to listen to such concerns, review the matter, and resolve the matter as appropriate.
 - D. When a Board Member has concerns about the performance of DMPS employees which relate to employee, student, Board or community safety, the Board Member will notify the Superintendent and, when appropriate, the Des Moines Police Department.
3. The Board may only approve or reject candidates brought forth by the Superintendent. The Board, individually or collectively, shall not engage in lobbying for specific hiring decisions.
4. Board Members may not advise the Superintendent on specific hiring decisions unless such input is sought. Board Members shall refer potential candidates to the DMPS website or Human Resources Department.
5. Board Members shall refrain from writing letters of recommendation for or lobbying for any person seeking employment with DMPS.
6. Board Members shall abstain from any votes on personnel issues where a conflict of interest is clear as defined in Board Policy, Board Procedure, and/or Iowa Code.
7. The Board will systematically and rigorously monitor Superintendent job performance to determine the extent to which Student Expectations are being achieved and whether operational activities fall within boundaries established in Management Limitations policies. The Board will view Superintendent performance as identical to organizational performance.
 - A. Monitoring is simply to determine the degree to which Board policies are being met. Information that does not address policy compliance will not be considered in the evaluation of Superintendent performance.
 - B. The Board will acquire monitoring data by one or more of three methods:
 - a. By internal report, in which the Superintendent discloses, in writing, policy interpretations and compliance information to the Board.
 1. The Superintendent must take an active role in report delivery during meetings not limited to: sitting with staff during MR presentations, presenting data and response to data, and responding to questions from the Board.
 - b. By external report, in which an external, disinterested third party selected by the Board assesses compliance with Board policies.
 - c. By direct Board inspection, in which a designated member or members of the Board assess compliance with the appropriate policy criteria.
 - C. In every case, the Board will judge whether (a) the Superintendent's interpretation is reasonable and (b) whether data demonstrate accomplishment of or compliance with the Superintendent's interpretation.
 - D. In every case, the standard for compliance shall be any reasonable Superintendent interpretation of the Board policy being monitored. The Board is the final judge of reasonableness, and will always judge with a "reasonable person" test (what a reasonably prudent person would do in that

- context). Interpretations favored by individual Board Members or by the Board as a whole shall not constitute a “reasonable person” test.
- E. All policies instructing the Superintendent will be monitored at a frequency and by any of the three above methods chosen by the Board. The Board may monitor any policy at any time by any of the three methods designated in item B, but will ordinarily depend on the Board Report Schedule as established in the yearly agenda planning cycle and posted in the Appendix of the Board’s Governance Policy Manual.
- a. “Off-cycle” monitoring reports - a monitoring report that is additional to those already calendared in the annual planning cycle - for a Management Limitation or Student Expectations policy or policy subsection may be requested for inclusion by the full board on an upcoming agenda according to Governance Process Policy 1.4, 3H.
 - b. Changes to policy – When the Board adds, updates, or changes policy, it is subject to both a timeline of monitoring and a timeline of interpretation. Within 30 days of the approved addition or change, the Superintendent will provide the board with interpretation of the policy for information only. At that time, the Board and Superintendent will determine the appropriate placement of the monitoring report utilizing the new or updated policy within the monitoring schedule.
 - c. Changes to interpretation of policy – When the Superintendent deems it necessary to update interpretation of an existing Board policy, the Superintendent shall notify the Board of any changes to interpretation. Changes to interpretation should also be highlighted on monitoring reports being reviewed by the Board.
- F. If, at any time, a Board Member becomes concerned that the Superintendent may have (1) breached any term of the Superintendent’s contract, (2) violated state or federal statute, or (3) violated DMPS Policy, the following process will be used:
- a. The concerned Board Member will bring their concerns to the Board Chair who will assist in resolving the issue(s).
 - b. If the concerned Board Member does not feel that the resolution is satisfactory the Board Member may request, through the Board Chair, that an item be placed on the next regular meeting agenda. The matter may be handled as a closed meeting item if a Closed Session is requested by the Superintendent. The concerned Board Member must inform the Board Chair in writing of the specific nature of any concern(s) that prompted the request.
 - c. In addition the Board Chair may, of their own accord, place an item on a regularly scheduled meeting agenda item to discuss concerns about the professional performance of the Superintendent.
- G. In the event that a closed meeting is requested and called, the Board must listen to the concern(s) and make a determination if the issue raised is truly cause for concern.
- H. If the majority of the Board determines that there is a violation or breach of one of the items listed, the following process will be followed:
- a. The exact nature of the concern or deficiency will be documented and discussed with the Superintendent.
 - b. A plan for remediation or disciplinary action may be adopted, to include action(s) to be taken and timelines.
 - c. The Board Chair shall monitor any performance remediation plan for compliance and the results will be made part of the Superintendent’s annual performance evaluation.
 - d. It shall be the responsibility of the Board Chair to ensure that all documentation relating to performance deficiencies shall be appropriately placed in the Superintendent’s personnel file.
- I. The Superintendent will be responsible for developing, implementing, and maintaining their own professional development plan in a yearly cycle to include, but not be limited to: leadership and management skills and cultural competency.

- a. The Superintendent, collaboratively with Board officers, will develop a 360 evaluation tool and plan of facilitation biennially to identify growth areas to assist in development of a coaching/PD plan.
 1. The 360 evaluation will measure the Superintendent's self-evaluation of perceived areas of growth need and key points weighed against anonymous, safe, and candid evaluation from others to identify gaps between.
 - b. The Superintendent will include their own perceived areas of growth and Intercultural Development Inventory (IDI) identified areas in their coaching/PD plan.
 - c. The Superintendent will provide quarterly executive summaries to the Board of Coaching/PD plan progress and outcomes.
- J. The Superintendent will recommend to the Board meeting dates for yearly summative evaluation proceedings within the Board's annual report schedule prior to each new fiscal year.

[Revised May 21, 2019]

[Revised October 1, 2019]

GUIDING DOCUMENTS

GD 4.0: BOARD REPORT SCHEDULE

GUIDING DOCUMENTS

GD 4.1: STUDENT EXPECTATIONS POLICY

Vision

Becoming the model for urban education in the United States.

Mission Statement

The Des Moines Public Schools Exist So That Graduates Possess the Knowledge, Skills and Abilities to Be Successful at the Next Stage of Their Lives.

Student Expectations

Students demonstrate proficiency and understanding of a rigorous core curriculum:

1. They demonstrate proficiency in literacy; mathematics; and science. Students demonstrating below grade level performance will demonstrate significant growth each school year.
 - A. The percent of all third grade students on track in reading will increase from 52% to 72% by June 2023, as measured by FAST.
 - B. The percent of Black Male third grade students on track in reading will increase from 35% to 72% by June 2023, as measured by FAST
 - C. The percent of Black Male students completing Algebra I with a B or higher by the end of grade 9 will increase from 17% to 35% by August 2023.
2. They demonstrate acquisition and effective application of the knowledge, attitudes, and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships, and make responsible decisions*
3. DMPS Preschool students will be socially, emotionally and academically ready for Kindergarten.
4. They demonstrate financial and economic literacy.
5. They demonstrate an understanding of the value of fine and performing arts in society.
6. They demonstrate proficiency in technological and information literacy.
7. They demonstrate proficiency in science.

**A SMART Student Outcomes Goal will be written for this Student Expectation as provisions of ML 2.10 Social Emotional Learning are met with compliance upon which monitoring of this expectation via that Student Outcomes Goal will commence.*

[Approved July 9, 2013]

[Revised August 1, 2017]

[Revised August 13, 2019]