

Bylaws of the Board

ROLE OF THE BOARD (POWERS AND RESPONSIBILITIES)

The Governing Board is elected by the community to provide leadership and citizen oversight of the District's schools. The Board shall work with the Superintendent to fulfill its major roles, which include:

1. Establishing a long-term vision for the District.
2. Establishing and maintaining a basic organizational structure for the District, including selection of the Superintendent and adoption of policies, curriculum, the budget and the collective bargaining agreement.
3. Ensuring accountability to the local community, including personnel, programmatic and fiscal accountability and service as a judicial and appeals body as needed.
4. Providing community leadership and advocacy at the local, state and national levels on behalf of children, District programs and public education.

(cf. 9005 – Governance Standards)
(cf. 9200 – Limits of Board Members Authority)
(cf. 9400 – Board Self-Evaluation)

The Board is authorized to establish and finance any program or activity that is not in conflict with, inconsistent with, or preempted by law. (Education Code 35160)

The Board may delegate any of its duties to the Superintendent or designee but shall be ultimately responsible for the performance of any duties it delegates. (Education Code 35161)

Vision

The Board shall set the direction for the District by adopting a vision statement which defines the District's goals and priorities. The Board shall carry out its vision-setting role by identifying the strengths and needs of the District, developing and adopting a process for framing the vision, soliciting staff and community input as appropriate, ensuring that the adopted vision statement is implemented, and conducting a periodic review of the vision.

(cf. 0000 – Vision)
(cf. 0100 – Philosophy)
(cf. 0200 – Goals for the School District)
(cf. 9311 – Board Policies)
(cf. 9312 – Board Bylaws)

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Superintendent Selection and Evaluation

The Board shall be solely responsible for hiring the Superintendent and ensuring that he/she is the best match for the District based on needed abilities, traits and level of knowledge. When selecting a new superintendent, the Board shall ensure a smooth transition period; evaluate the District's current and long-term needs; plan and conduct a process for recruitment, screening and selection; and approve the Superintendent's employment contract. The Board shall regularly evaluate the Superintendent based on an evaluation system and performance objectives established by the Board and Superintendent.

(cf. 2110 – Superintendent Responsibilities and Duties)

(cf. 2121 – Superintendent's Contract)

(cf. 2140 – Evaluation of the Superintendent)

(cf. 4000 – Concepts and Roles)

(cf. 4111 – Recruitment and Selection)

(cf. 4115 – Evaluation/Supervision)

(cf. 4151/4251/4351 – Employee Compensation)

(cf. 4211 – Recruitment and Selection)

(cf. 4215 – Evaluation/Supervision)

(cf. 4311 – Recruitment and Selection)

(cf. 4315 – Evaluation/Supervision)

Policy Adoption and Monitoring

The Board shall govern the schools by adopting policies that reflect the Board's vision and the mandates of law. The Board shall establish a clear policy development process through which it may deliberate on issues, identify priorities, assign responsibilities, identify objectives and courses of action, and review policy decisions.

(cf. 0450 – Comprehensive Safety Plan)

(cf. 3516 – Emergencies and Disaster Preparedness Plan)

The Board shall also adopt bylaws that promote cooperation, trust and teamwork among its members, give parameters to the Board's operation as a governing body, and ensure that its meetings proceed efficiently and in compliance with law.

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Curriculum Adoption and Program Accountability

While the design and implementation of curriculum is primarily a staff responsibility, the Board's role is to adopt overall educational goals and standards, define the curriculum development process, and ensure compliance with state and federal laws.

To ensure accountability to the community, the Board shall establish measurable benchmarks to assess the effectiveness of the District's educational programs in producing desired student outcomes. Based on these assessments, the Board shall direct the Superintendent or designee to take corrective actions as needed.

(cf. 0500 – Accountability)

(cf. 6010 – Goals and Objectives)

(cf. 6011 – Academic Standards)

(cf. 6141 – Curriculum Development and Evaluation)

(cf. 6146.5 – Elementary/Middle School Graduation Requirements)

(cf. 6162.5 – Student Assessment)

(cf. 6190 – Evaluation of the Instructional Program)

Budget, Facilities and Fiscal Accountability

The Board shall adopt a sound, responsible budget that supports District goals and priorities. To guide the Superintendent or designee in development of the budget, the Board shall establish a budget calendar, budget process, and spending priorities.

(cf. 3000 – Concepts and Roles)

(cf. 3100 – Budget)

(cf. 3312 – Contracts)

(cf. 3460 – Financial Reports and Accountability)

Recognizing that school facilities are a long-term obligation that impacts District budgets, the Board shall also ensure that a plan is in place to address the District's facility needs, including the funding, construction and maintenance of school facilities. The Board shall approve facility sites, funding sources, and architectural and construction contracts.

(cf. 7110 – Facilities Master Plan)

(cf. 7150 – Site Selection and Development)

(cf. 7210 – Facilities Financing)

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The Board recognizes that it is accountable to the community for its budget and facilities decisions and for the District's fiscal integrity. The Board shall establish accountability systems and processes in order to monitor the District's fiscal health.

Collective Bargaining

The Board is the legal representative of the District in negotiations with employee representatives. In carrying out the collective bargaining process, the Board shall set goals and guidelines for collective bargaining, select the bargaining team, maintain communications throughout the process, and adopt the negotiated contract.

(cf. 4141/4241 – Collective Bargaining Agreement)

(cf. 4143/4243 – Negotiations/Consultation)

Judicial and Appeals Body

In addition to establishing complaint procedures that ensure due process and facilitate the satisfactory resolution of issues, the Board may convene to serve as a judicial and appeals body in accordance with law, Board policies and negotiated agreements. The Board may delegate fact-finding responsibilities but remains the final arbiter in these proceedings.

(cf. 1312.1 – Complaints Concerning District Employees)

(cf. 1312.2 – Public Criticism of Instructional Programs/Materials)

(cf. 1312.3 – Uniform Complaints Procedures)

(cf. 4031 – Complaints Concerning Discrimination in Employment)

(cf. 4117.3 – Personnel Reduction)

(cf. 4117.4 – Dismissal)

(cf. 4144/4244/4344 – Complaints)

(cf. 4218 – Dismissal/Suspension/Disciplinary Action)

(cf. 5116.1 – Intradistrict Open Enrollment)

(cf. 5117 – Interdistrict Attendance)

(cf. 5119 – Student Expelled from Other Districts)

(cf. 5125.3 – Challenging Student Records)

(cf. 5144.1 – Suspension and Expulsion/Due Process)

(cf. 6159.1 – Procedural Safeguards and complaints for Special Education)

(cf. 6164.6 – Identification and Education Under Section 504)

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Community Leadership

Recognizing that the level of local, state and national support for education impacts the Board's ability to fulfill its responsibilities, the Board shall engage in advocacy on behalf of District schools. The Board shall ensure that the District has the capability to respond to emerging issues as well as a proactive communications plan for issues that are District priorities.

(cf. 0510 – School Accountability Report Card)
(cf. 1020 – Youth Services)
(cf. 1100 – Communication with the Public)
(cf. 1112 – Media Relations)
(cf. 1160 – Political Processes)
(cf. 1400 – Relations between Other Governmental Agencies and the Schools)
(cf. 1700 – Relations between Private Industry and the Schools)
(cf. 9010 – Public Statements)

The Board shall also build and maintain community support by actively involving parents/guardians, business and other community members in the schools and informing them about District programs, policies and issues.

(cf. 0420.5 – School-Based Decision Making)
(cf. 2120 – Superintendent of Schools)
(cf. 2122 – Superintendent of Schools: Responsibilities and Duties)
(cf. 2123 – Evaluation of the Superintendent)
(cf. 2210 – Administrative Leeway in Absence of Governing Board Policy)
(cf. 4317.3 – Personnel Reduction)
(cf. 6191 – Criteria for Evaluation of Consolidated Programs)
(cf. 7100 – Planning)
(cf. 7220 – Site Selection and Development)
(cf. 7310 – Methods of Financing)
(cf. 9300 – Governance)
(cf. 9323 – Meeting Conduct)

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Legal Reference:

EDUCATION CODE

5304 Duties of Governing Board (Re School District Elections)

12400-12405 Authority to Participate in Federal Programs

17565-17592 Board duties re property maintenance and control

33319.5 Implementation of Authority of Local Agencies

35000 District Name

35010 Control of District; Prescription and Enforcement of Rules

35020-35046 Officers and Agents

35100-35351 Governing Boards, Especially:

35160-35185 Powers and Duties

35291 Rules

Management Resources

CSBA PUBLICATIONS

Professional Governance Standards, November 2000

Maximizing School Board Leadership, 1996

WEB SITES

CSBA: <http://www.csba.org>

Bylaw

Adopted: 11/13/90

Revised: 01/23/96

CHULA VISTA ELEMENTARY SCHOOL DISTRICT
Chula Vista, California