

Internal Monitoring Report
January 26, 2021

Policy: General Executive Limitation Policy
Policy Type: Executive Limitation
Policy No.: EL 2.0
Period Monitored: January 2020 – December 2020

This report monitors the Board of Education's Executive Limitation Policy:

The Superintendent shall neither cause nor allow any organizational circumstance or action that is illegal, unethical, or imprudent.

This report is presented in accordance with the Board's monitoring schedule. I certify that the information is true and complete.

Todd Lambert, Ph.D.
Interim Superintendent of Schools

January 26, 2021

Executive Summary

This report monitors Executive Limitation 2.0, General Executive Limitation policy language as it pertains to executive limitations policies. Further, it provides policy language interpretation and evidence that the policy was reasonably interpreted and no violations occurred.

Evidence included in this report will show that the district develops and revises policies and regulations that conforms to state and federal laws and Board of Education requirements. These policies describe how Poudre School District will educate students and define standards for student conduct. Additionally, the policies outline the high expectations for staff conduct in delivering educational services in an ethical manner. It also will show that the district provides access to policies so they are easily accessible and can be appropriately followed relating to organizational circumstances.

The evidence will also show that the district distinguishes between the actions of participants and the directives of the organization through district policies, regulations, administrative guidelines and agreements.

Policy Wording:

The Superintendent shall neither cause nor allow any organizational circumstance or action that is illegal, unethical, or imprudent.

Interpretation:

The Superintendent, either through personal action or through the actions or work of those throughout the Poudre School District, must assure that the district; governance, administration, instruction, operations, and students' personal conduct and district work is done so that it is legal, ethical and prudent.

The standard of *legal* refers to the federal and state constitutions, statutes, regulations and case law that address school districts and the conduct of individuals employed or educated in the school district (the "Legal Standards"). The standard of *ethical* can be described as fitting accepted standards of conduct (Merriam Webster's On-line Dictionary). The standard of *prudence* is described as actions marked by wisdom or judiciousness (Merriam Webster's On-line Dictionary).

The policy framework becomes the standard of assurance for personal conduct and district work. This policy framework exists in the policy governance policies, district policies and regulations, administrative guidelines, school and departmental rules, and written agreements (the "District Standards") that describe the conduct expected in the operation of different elements of the school district and its relations. District Standards are developed to ensure that the district actions meet Legal Standards. In some instances, though, District Standards may not be developed separate from clearly stated Legal Standards.

Local context and best practice are the elements of what constitutes an *ethical* expression found in District Standards.

After defining the conduct expected to assure that the district operates in accordance with law and high standards, the district administers the policies. The standard of prudence describes the method that outlines how the policies are interpreted. By exercising judicious or wise administration of the policies, the district allows the different people in the organization the ability to use their talents and strengths to affect the best outcomes. Not only does the standard of prudence imply effective use of the policies that define the legal and ethical framework for district actions, but it also assures that those elements of the policies that allow the use of discretion are reviewed to be sure that the policies are revised to reflect what best meets the educational needs of PSD students.

In this internal monitoring report of the General Executive Limitation 2.0, the district interprets this as the policy framework for all executive limitations and that the specific items for this policy are detailed in the more specifically described policies, such as EL 2.1, Treatment of Students, Parents/Guardians and General Public.

Evidence:

In order to meet the expectations for Executive Limitation 2.0, the district develops and revises policies and regulations that conform to the Legal and District Standards. These written policies describe how the participants in Poudre School District will collectively educate the students and define standards for student conduct.

The foremost responsibility the district possesses is to outline, through its policies, to the degree that conduct can be defined, what is required by law and what a high standard for conduct maintains. In order to meet the expectation for *ethical* policies, regulations and agreements must conform to the changing context of expectations for conduct in delivering educational services locally. Towards this end district policies are regularly written, revised, and implemented by the Superintendent's Cabinet. Through actively reviewing existing policies, regulations and agreements, the district develops an *ethical* policy framework for PSD. See Appendix A, *Action on District Policies and Regulations Status Matrix, January 2020-December 2020*.

The second responsibility of the district for assuring that organizational circumstances follow policy guidelines is staff training. By prescribing the actions for employees and students and then providing staff explanations of the policies and examples, the district meets a reasonable standard for assuring organizational circumstances and actions that are legal and ethical.

Meeting the expectation for *prudent organizational circumstances*, the district adopts practices that permit participants to learn about the expectations outlined in the District Standards and interpret these expectations in a manner that permits them to individually achieve excellence. A principle of Policy Governance grants individuals latitude in achieving success based upon allowing actions that are not otherwise prohibited. Practically, organizations that allow individuals to take action unless it is otherwise prohibited are following a judicious course of action. The district meets this expectation through insuring that District Standards are communicated throughout the organization in a declarative manner, meaning that these policies are easily accessible and that they are explained in training. However, explanation is provided primarily to principals and department directors.

An expectation is that the policies are utilized, meaning that they are implemented and actively reviewed.

Through the interpretation of this General Executive Limitation, the district distinguishes between the actions of participants in the organization and the directives of the organization evidenced through District Standards.

With the application of *prudence*, the district ensures the judicious utilization of the declared organizational standards. The bridge between declared standards or *organizational circumstances* and conduct is an expectation that whenever conduct is

found to be outside of the norms expressed in the declared organizational standards, reasonable action will be taken to assure that the organizational standard is maintained and the individual conduct will align with the standard.

In order to meet this application of prudent administration of the District Standards, the superintendent is obligated to take action whenever conduct does not align with the declared organizational expectations. This expectation for taking action is one that extends across the administration of the district. These actions may include training, providing resources, or discipline.

Based on this standard for judicious application of the District Standards, I am not aware of conduct that does not meet the legal and ethical organizational expectations, which is not being investigated or otherwise being brought into alignment with the organization's norms.

For these reasons, the district meets the expectations of EL 2.0 but will always have room for improvement in providing staff training beyond principals for new policies or changes to existing policies. It continues to be a challenge to keep staff informed and trained as policies are updated. During the last twelve months, administrators, classified, and licensed staff have participated in trainings including frequent principal meetings and office manager meetings. Staff typically focuses on policies or policy changes that are new or changed. We continue to focus on purchasing/contract practices, as are noted in policy revisions approved by the Board in December 2020. Additionally, the principal advisory group continues to address many district topics, including how administrators would like internal communications regarding policy changes to be handled. Principals and heads of departments have been clearly given the responsibility to inform their staffs.

It is reasonable to assume that in the coming year, we will continue to revise or adjust policies when laws change, practice does not align with current policy, and when issues arise.

Appendix A

District Policies and Regulations Status Matrix January 2020-December 2020

Date	Policy #	Policy name	New	Revised	Deleted
1/27/20	KDB	Public Inspection and Copying of District Records		X	
6/15/20	JKD-JKE	Suspension/Expulsion of Students		X	
6/15/20	JKDA-JKEA	Grounds for Suspension/Expulsion of Students		X	
6/15/20	JH-JHB	Student Attendance/Truancy		X	
8/14/20	AC	Nondiscrimination/Equal Opportunity		X	
8/14/20	AC-R1	Reporting Discrimination/District Response to Discrimination Complaints		X	
8/14/20	AC-R2	Sexual Harassment of Students		X	
8/14/20	JBB	Harassment of Students		X	
12/8/20	DJ	Purchasing		X	
12/8/20	DJA	Purchasing Authority		X	
12/8/20	DJB	Purchasing Procedures		X	
12/8/20	DJG/DJGA	Vendor Relations, Sales Calls and Demonstration		X	
12/8/20	DN	School Properties Disposition		X	
12/8/20	FF	Naming District Sites and Facilities		X	

Note: Policy IKF-2011: Graduation, Diploma and Certificate Requirements and IKF-2017: Graduation, Diploma and Certificate Requirements were not revised, but there were two resolutions passed by the Board during calendar year 2020 regarding these policies to provide certain flexibilities. The first resolution was passed on April 28th to grant temporary emergency powers to the superintendent in regard to Policy IKF-2011 and IKF-2017 for the 2019-20 school year and the second one was passed on November 10th to provide flexibility to Policy IKF-2017 by allowing for local measures to be used in addition to the list of approved college and career readiness measures for students graduating in the 2020-2021 school year.