

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

CONCEPTS AND ROLES IN ADMINISTRATION

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The Superintendent shall provide leadership in developing administrative regulations and organizational structures, decision-making processes, and staff action plans that allow the District to fulfill its vision and goals. The Board also expects the Superintendent to help shape the culture and environment of the District in a manner that focuses District operations on enhancing student achievement, encourages positive relationships within the community, and instills confidence in District schools.

The Board and Superintendent shall work together as a team in the exercise of district governance. The Board and Superintendent shall establish protocols that describe how the governance team will operate, including, but not limited to, agreements regarding Board meeting operations and communications between the Superintendent and the Board.

Because the Superintendent is the only district employee who is directly selected and evaluated by the Board, the Board has a responsibility to ensure that the Superintendent possesses the skills and attributes that best meet the needs of the District.

The Board and Superintendent shall agree upon a system for evaluating the Superintendent, including the evaluation criteria, method, evaluation instrument, process and timeline.

Legal Reference:

Education Code

35020	Duties of employees fixed by governing board
35026	Employment of districts superintendent by certain district
35028	Qualifications for employment
35029	Waive of credential requirement
35031	Term of employment
35033-35034	District superintendent for certain district
35035	Powers and duties of superintendent
35160	Authority of governing boards
35160.1	Board authority of school districts
35161	Powers and duties generally

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

Reviewed: 12/8/97

11/13/00

11/8/04

Revised: 7/14/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

SUPERINTENDENT OF SCHOOLS

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Chief Executive Officer

The Superintendent shall be the chief executive officer and educational leader of the District. He/she executes all Governing Board decisions and is accountable to the Governing Board for managing the schools in accordance with the Board's policies. He/she informs the Governing Board about school programs, practices, and problems, and offers professional advice on items requiring Governing Board action, with appropriate recommendations based on thorough study and analysis.

The Governing Board delegates to the Superintendent the power to make decisions concerning internal operations of the District. The Superintendent may, using his/her discretion, delegate to other school personnel the exercise of power or discharge of any duties imposed upon him/her by the policies or vote of the Governing Board as far as the law permits. The delegation of power or duty shall not relieve the Superintendent of the responsibility for the action taken by his/her designees.

The Superintendent shall have general supervision of all personnel and shall develop and execute consistent, fair, and fiscally sound personnel procedures and practices, including an evaluation program for all district employees. He/she shall oversee all financial operations of the District and actively seek out new funding sources for the schools.

The Superintendent shall take an active leadership role in the development and improvement of the instructional program. He/she is expected to create a feeling of unity and enthusiasm among students and staff for the accomplishment of district goals.

The Superintendent shall articulate educational issues and values before the community and other governmental agencies. He/she shall be accessible to community members and shall work with them to further the district's goals and build a strong, positive community attitude toward the school system.

The Governing Board expects the Superintendent to remain current on educational thought and practices by reading educational publications, attending educational conferences, and visiting other school systems in the interest of improving the district's instructional program and overall operations. The Superintendent shall inform the Governing Board and staff of new developments and significant events in the field of education.

Legal Reference:

Education Code

- 35020 Duties of employees fixed by governing board
- 35026 Employment of district superintendent by certain districts
- 35028 Qualifications for employment
- 35029 Waiver of certification requirement for chief administrative officer of the district
- 35031 Term of employment (up to four years)
- 35032 Salary increases
- 35033 District superintendent for certain unified school districts (on formation of district)
- 35034 District superintendent of certain unified districts
- 35035 Additional powers and duties of superintendent
- 35656 Delegation of powers to agents; liability of agents
- 35657 Delegation of authority of superintendent or designee to make transactions under certain value

Code of Regulations, Title 5

- 5800(a) Functions of superintendent
- 5802(b)(1) Credential required for any position the title of which includes the word "superintendent"

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

Reviewed: 1/12/98

11/13/00

Revised and Reviewed:

11/8/04

Reviewed: 5/12/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

SUPERINTENDENT GOVERNANCE STANDARDS

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The Governing Board recognizes that effective district governance requires strong collaboration and teamwork with the Superintendent. Because the Board and Superintendent each have unique roles and responsibilities, both contribute to the responsible governance for the District and the quality of education provided to the community's students.

The Superintendent is expected to hold him/herself to the highest standards of ethical conduct and professionalism.

To support the Board in the governance of the District, the Superintendent:

1. Promotes the success of all students and supports the efforts of the Board to keep the District focused on learning and achievement
2. Values, advocates and supports public education and all stakeholders
3. Recognizes and respects the differences of perspective and style on the Board and among staff, students, parents/guardians and the community and ensures that the diverse range of views inform Board decisions
4. Acts with dignity, treats everyone with civility and respect, and understands the implications of demeanor and behavior
5. Services as a model for the value of lifelong learning and supports the Board's continuous professional development
6. Works with the Board as a "governance team" and assures collective responsibility for building a unity of purpose, communicating a common vision and creating a positive organizational culture
7. Recognizes that the Board/Superintendent governance relationship is supported by the management team in the District
8. Understands the distinctions between Board and staff roles, and respects the role of the Board as the representative of the community
9. Understands that authority rests with the Board as a whole; provides guidance to the Board to assist in decision-making; and provides leadership based on the direction of the Board as a whole
10. Communicates openly with trust and integrity, including providing all members of the Board with equal access to information and recognizing the importance of both responsive and anticipatory communications
11. Accepts leadership responsibility and accountability for implementing the vision, goals and policies of the District

Legal Reference:

Education Code

35020 Duties of employees fixed by governing board

Adoption History:

Initial Review: 7/14/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

SUPERINTENDENT OF SCHOOLS

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Chief Executive Officer

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Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

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11/13/00

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

SUPERINTENDENT'S CONTRACT

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The Governing Board recognizes the need to attract and maintain outstanding personnel. The Board also has the responsibility to protect the district from potentially adverse financial and legal obligations. Before approving an employment contract, the Board shall obtain legal advice on the contract provisions and shall carefully consider the long-range financial and legal implications of the contract.

The Superintendent's contract shall be ratified by the Board in open session and shall limit the maximum cash settlement for terminating the contract in accordance with the law.

Subsequent to a satisfactory evaluation of the Superintendent's performance, the Board may extend the term of the contract. The contract may be extended only by Board action.

The Board shall notify the Superintendent of its intention not to renew his/her contract in accordance with time requirements specified in law and existing contract, if applicable.

Legal Reference:

Education Code

35031 Term of employment

Government Code

53260-53264

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

Reviewed: 1/12/98

11/13/00

11/8/04

5/12/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

SUPERINTENDENT OF SCHOOLS: RESPONSIBILITIES AND DUTIES

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The Superintendent is expected to work for the fulfillment of district goals and objectives established by the Governing Board. His/her responsibilities and duties shall be specified in contract and further detailed throughout the Board's policies.

The duties of the Superintendent's office shall take precedence over any outside professional activities.

The Superintendent is the chief executive officer of the school district and is directly responsible to the Governing Board. He/she supervises all district operations in accordance with Board policies and Board direction. Although the Superintendent may delegate appropriate powers and duties so that operational decisions can be made at various administrative levels, he/she is accountable for the execution of these powers and duties.

Board Counsel Encouraged

The Governing Board expects the Superintendent to seek its counsel with respect to needed decisions based upon policy when the subject is controversial or emotion-laden. Whenever the Superintendent takes action in such sensitive matters before consulting with the Governing Board, he/she is invited to discuss the basis for his/her decision to help the Governing Board support him/her whenever criticisms or objections are voiced.

Responsibilities Related to the Board

The Superintendent:

1. Advises the Board on the need for new and/or revised policies and makes policy recommendations based on data and input from staff and advisory committees.
2. Submits to the Board recommendations relative to all matters requiring Board action, together with the materials needed for informed decisions.
3. Reports periodically on all district operations.
4. Conducts special studies requested by the Board.
5. Secures legal opinions when needed.
6. Provides advice and leadership to the Board and to the district's chief negotiator during the collective bargaining process.

7. As secretary to the Board, prepares the agenda and minutes of Board meetings, handles Board correspondence, and maintains all Board records, contracts, securities, and other documents.
8. Assists the Board in designing a process for evaluating Superintendent performance based on mutually agreed upon goals and objectives.

Responsibilities Related to Personnel

The Superintendent:

1. Coordinates the work of all schools and departments.
2. Defines the duties of all personnel and coordinates administrative staff activities.
3. Selects and recommends to the Board candidates for employment, resignation, promotion, suspension or dismissal of district employees.
4. Advises the Board regarding the leave, classification, retirement, resignation, promotion, suspension or dismissal of district employees.
5. Assigns personnel within the district in accordance with Board policy and the collective bargaining agreement.
6. Promotes a positive work environment.
7. Ensures that each staff member is evaluated and identifies appropriate opportunities for continued professional development.
8. Maintains appropriate channels of two-way communication within the district.
9. Ensures that staff is informed about relevant federal, state, and county laws: district policies, regulations and procedures; and matters related to the improvement and welfare of the schools.
10. Anticipates, manages and resolves conflict.
11. Services as liaison between the Board and staff.

Responsibilities Related to Students and the Instructional Program

The Superintendent:

1. Enforces compulsory attendance laws.

2. Provides the Board with regular evaluations of district programs and student progress.
3. Together with staff, studies the curriculum and makes recommendations to the Board regarding the courses of study, major changes in texts and time schedules, and promising programs.
4. Apprises the Board of contemporary educational practices and related legislative issues which he/she discovers by reading, attending professional conferences, and visiting other school systems.
5. Ensures that there is a continuous focus on student growth and learning.
6. Ensures equitable administration of student discipline policies. Under appropriate circumstances, recommends to the Board a student's suspension or expulsion.
7. Works with staff, the Board and the community in planning and implementing support services for students.

Responsibilities Related to Noninstructional Operations

The Superintendent:

1. Seeks and identifies sources of income and funding.
2. Maintains and updates adequate enrollment and scholastic records, business and property records, and personnel records.
3. Submits to the Board periodic financial and budgetary reports which identify the District's outstanding obligations.
4. Annually prepares and submits to the Board the district budget for the upcoming year; revises this budget or takes the related action as the Board designates.
5. Approves all expenditures in accordance with Board policy and within Board-approved appropriation limits.
6. Makes recommendations to the Board regarding the maintenance, safety, improvement and/or expansion of school facilities, sites, equipment, and transportation services.
7. Develops regulations and procedures for the management of school operations and the use and care of school properties.
8. Monitors district property, casualty and workers' compensation loss experience to ensure that appropriate risk management and loss control strategies are employed.

Responsibilities Related to the Community

The Superintendent:

1. Services as a spokesperson as assigned in relationships with the city, county and state governments, private agencies, and the school community.
2. Keeps the community informed about school matters; promotes community support and involvement with the schools.
3. Participates in appropriate community organizations and functions.
4. Hears complaints against the schools and resolves controversies.

Legal Reference:

Education Code

- | | |
|-------|--|
| 17604 | Delegation of powers to agents |
| 17605 | Delegation of authority to purchase supplies, equipment and services |
| 35020 | Duties of employees set by governing board |
| 35026 | Employment of district superintendent by certain districts |
| 35028 | Qualifications for employment |
| 35029 | Waiver of certification requirement |
| 35035 | Additional powers and duties of superintendent |
| 48900 | Authority of superintendent to recommend suspension or expulsion |

Government Code

89501-89503 Honoraria and gifts

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

Reviewed: 12/8/97

11/13/00

Revised: 11/8/04

Reviewed: 5/12/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

EVALUATION OF THE SUPERINTENDENT

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The Governing Board believes that an annual evaluation of the Superintendent's performance strengthens working relationships between the Superintendent and the Governing Board. The evaluation process should clarify the Superintendent's role and give the Governing Board and Superintendent an opportunity to jointly identify immediate priorities among the Superintendent's many responsibilities. Evaluations also should help the Governing Board to monitor progress toward established goals and to set reasonable criteria for salary increases and/or contract extension. The Governing Board's evaluations should include commendations in areas of strength and recommendations for improving effectiveness.

Performance Objectives

Each year, the Governing Board and Superintendent shall agree upon a limited number of objectives which shall be used to evaluate the Superintendent's performance. These objectives shall reflect established goals and needs of the District with regard to the educational program, personnel, operations, management, community relations, Governing Board/Superintendent relations, and professional leadership. For each objective, the Governing Board and Superintendent shall identify in writing the activities to be performed, expected results and timelines, and resources or constraints which may affect achievement.

Evaluation Process

Each year, each Board member shall independently rate the Superintendent's performance in each performance objective. The Board shall meet in Closed Session to discuss these evaluations.

The Governing Board shall examine all Board members' ratings and reach a consensus upon each performance objective. The Board President or designee shall then develop a single evaluation, illustrating the Governing Board's collective judgment of each objective, and provide a copy to the Superintendent.

Each year, the Governing Board shall meet in Closed Session with the Superintendent to discuss the evaluation. The Superintendent and Board members shall agree upon and sign an evaluation summary.

Additional evaluations may be arranged at any time during the school year at the request of either the Governing Board or the Superintendent.

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

Reviewed: 12/8/97

11/13/00

11/8/04

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

ADMINISTRATIVE ORGANIZATION/EMPLOYEE ADVISORY COUNCILS

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The Superintendent of the San Marcos Unified School District is encouraged to utilize all of the resources, both human and material, available to him/her for the purpose of effective and efficient operation of the school district. In order to develop and maintain positive employer/employee relations, to provide an opportunity for all employees to contribute to the improvement of the District, to conduct negotiations, and to better implement the Employee Master Contracts, the Superintendent shall establish Employee Advisory Councils which will assist him/her with these tasks.

Adoption History:

11/25/85

Reviewed: 8/23/93

Adopted: 9/13/93

Reviewed: 12/8/97

11/1300

11/8/04

6/16/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURE

ADMINISTRATION

ADMINISTRATIVE ORGANIZATION/EMPLOYEE ADVISORY COUNCILS

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Certificated Advisory Council (Kitchen Cabinet)

Membership

The council shall be composed of the executive board of the exclusive representative of the certificated bargaining unit, the Director of Human Resources and the Superintendent.

Purpose

The purpose of the council shall be: (1) to effectively implement the SMEA master contract; (2) to assist the District Superintendent in developing and maintaining positive employer/employee relations; and (3) to conduct negotiations and to provide a formal channel through which suggestions for improvement or other concerns of employees may be reviewed.

This council shall not replace the formal procedures established in district policies or employee agreements for the processing of employee concerns, neither shall it replace the regular organizational structure established for the development, administration, and operation of district programs. The intent will be for the council to help identify and resolve potential problems prior to the need for the utilization of any of the formal procedures established for this purpose. The council will meet with the Superintendent once per month and on special occasions as agreed by the Superintendent and the association president.

Classified Advisory Council (Kitchen Cabinet)

Membership

The council shall be composed of the executive board of the exclusive representative of the classified bargaining unit, the Director of Human Resources, and the Superintendent.

Purpose

The purpose of the council shall be: (1) to effectively implement the CSEA contract; (2) to assist the District Superintendent in developing and maintaining positive employee/employer relations; and (3) to conduct negotiations and to provide a formal channel through which suggestions for improvement or other concerns of employees may be reviewed.

This council shall not replace the formal procedures established in district policies or employee agreements for the processing of employee concerns, neither shall it replace the regular organizational structure established for the development, administration, and operation of district programs. The intent will be for the council to help identify and resolve potential problems prior to the need for the utilization of any of the formal procedures established for this purpose. The council will meet with the Superintendent once per month and on special occasions as agreed by the Superintendent and the association president.

Reviewed:

11/12/85

12/13/93

12/8/97

11/13/00

11/8/04

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

EVALUATION OF THE SUPERINTENDENT

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The Governing Board believes that an annual evaluation of the Superintendent's performance strengthens working relationships between the Superintendent and the Governing Board. The evaluation process should clarify the Superintendent's role and give the Governing Board and Superintendent an opportunity to jointly identify immediate priorities among the Superintendent's many responsibilities. Evaluations also should help the Governing Board to monitor progress toward established goals and to set reasonable criteria for salary increases and/or contract extension. The Governing Board's evaluations should include commendations in areas of strength and recommendations for improving effectiveness.

Performance Objectives

Each year, the Governing Board and Superintendent shall agree upon a limited number of objectives, which shall be used to evaluate the Superintendent's performance. These objectives shall reflect established goals and needs of the District with regard to the educational program, personnel, operations, management, community relations, Governing Board/Superintendent relations, and professional leadership. For each objective, the Governing Board and Superintendent shall identify in writing the activities to be performed, expected results and timelines, and resources or constraints, which may affect achievement.

Evaluation Process

The Governing Board shall annually conduct a formal evaluation of the Superintendent's performance in order to assess his/her effectiveness in leading the District toward established goals. The Board and Superintendent shall establish an appropriate schedule for the annual evaluation process.

Evaluation criteria shall be based on District goals and success indicators agreed upon by the Board and Superintendent prior to the evaluation. The evaluation shall provide commendations in areas of strength, provide recommendations for improving effectiveness, and serve as a basis for making decisions about salary increases and/or contract extensions.

The Board and Superintendent shall annually consider what evaluation method(s) will best serve the District and agree on the specific written instrument to be used.

Prior to the evaluation, the Superintendent shall be responsible for preparing and distributing on the Board for its review a report of progress toward District goals, the Superintendent's self-appraisal of accomplishments and performance, and a review of action taken to address any Board recommendations from previous evaluation. The Board shall also review the Superintendent's current contract and any relevant Board policies.

Each Board member shall independently evaluate the Superintendent's performance. The Board shall determine who will summarize and combine the individual evaluations to create a consensus document and how that consensus document will be formatted. The evaluation shall be a composite of individual Board members' opinions, but there shall be only one final evaluation representing the Board's collective judgment. This final evaluation shall be provided to the Superintendent for his/her response.

The Board shall meet in closed session with the Superintendent to discuss the evaluation.

The Superintendent shall have an opportunity to ask questions, respond verbally and in writing to the evaluation, and present additional evidence of his/her performance or District progress.

The Board president and Superintendent shall sign the evaluation as evidence that the evaluation has been discussed. The Superintendent shall place the evaluation in his/her personnel file.

After each evaluation has been completed, the Board shall meet in open session to give Board and Superintendent an opportunity to jointly identify performance goals for the next year.

Legal Reference:

Government Code:
54957 Closed session, personnel matters

Adoption History:

Initial Review: 8/23/93

Adopted: 79/13/93

Reviewed: 12/8/97

11/13/00

11/8/04

Revised: 7/14/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

ADMINISTRATIVE LEEWAY IN ABSENCE OF GOVERNING BOARD POLICY

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Emergency Action Necessary

In Cases where emergency action be taken within the school system and where the Governing Board has provided no guides for administrative action, the Superintendent shall have the power to act. The Superintendent's decisions shall be subject to review by action of the Governing Board at its next regular meeting.

It shall be the duty of the Superintendent to apprise the Board President as soon as possible of any action taken in emergency situations prior to the Governing Board's next regular meeting. If the action necessitates the addition or revision of policies, the Superintendent shall make the necessary recommendations to the Governing Board.

Legal Reference:

Education Code

35035 Powers and duties of superintendent

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

Reviewed: 12/8/97

11/13/00

11/08/04

7/14/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

REPRESENTATIVE AND DELIBERATIVE GROUPS

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Permanent or Temporary Councils

The Governing Board authorizes the Superintendent to establish such permanent or temporary councils, cabinet, and committees as he/she deems necessary for proper administration of board policies and for the improvement of the total educational program.

Any council, task force, cabinet, or committee created by the Superintendent shall be for the purpose of obtaining the advice and counsel of administrative and supervisory personnel and to aid in district communication. Such groups may make recommendations for submission to the Board through the Superintendent in an advisory capacity but shall exercise no inherent authority. Authority for establishing policy remains with the Governing Board and authority for implementing policy remains with the Superintendent.

The membership, composition, and responsibility of an administrative council, task force, cabinet, or committee shall be defined by the Superintendent and may be changed at his/her discretion.

Expenses

Expenses incurred by such groups for consulting services, materials, and any investigative travel shall be paid from the general operating funds of the District, but only when within budgetary allotments and approved by the Superintendent in advance.

Legal References:

Ed Code:

- 35160.1 Board authority of school districts
- 45100.5 Senior classified management positions
- 45256.5 Designation of certain senior classified management positions

Government Code:

- 3540.1 Definitions
- 54952 Legislative body definition

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

Reviewed: 12/8/97

11/13/00

11/8/04

5/12/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
ADMINISTRATIVE PROCEDURE

ADMINISTRATION

REPRESENTATIVE AND DELIBERATIVE GROUPS

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Management Team

The Superintendent designates all management and confidential positions as members of the management team.

The management team is established to advise the Superintendent or designee for the purposes of:

1. Improving management activities through effective research on district problems.
2. Pooling technical knowledge.
3. Establishing a coordinated program for evaluating district operations and staff.
4. Improving communications among all district staff and with students, parents/ guardians and the community.
5. Increasing staff commitment to District services.
6. Suggesting new or revised policies and regulations.

Legal Reference:
Education Code 46114

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

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5/12/08

SAN MARCOS UNIFIED SCHOOL DISTRICT
BOARD POLICY

ADMINISTRATION

TERRITORY OF DISTRICT

2400

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The boundaries of the San Marcos Unified School District are shown on maps of the District available at the District Office. A full and complete transcript of the boundaries, obtained from the San Diego County Office of Education, is also available at the District Office.

Definition

The San Marcos Unified School District is established according to the Education Code of the statutes of the State of California.

Organization of District

“San Marcos Unified School District” means the name of the District in the County of San Diego comprised of the area as described on the County of San Diego (surveyor) transcript. It is bounded, generally, to the north by the Fallbrook and Bonsall Union School Districts, to the east by the Escondido Union High School and the Escondido Union Elementary School Districts, to the south by the San Dieguito Union High School District, and to the west by the Carlsbad Unified, Oceanside Unified and Vista Unified School Districts.

Legal Reference:

Education Code

2600 Correction and relocation of boundaries

Adoption History:

Initial Review: 8/23/93

Adopted: 9/13/93

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11/8/04

5/12/08