

INTERNAL MONITORING REPORT

June 20, 2012

POLICY: 2.7 COMMUNICATION AND SUPPORT TO THE BOARD
POLICY CATEGORY: OPERATING LIMITATIONS
PERIOD MONITORED: June 9, 2011 – June 14, 2012

This is my monitoring report on the Board of Education's Executive Limitation policy "Communication and Support to the Board." I certify that the information contained in this report is true and complete, and presented in accordance with the routine monitoring report schedule. This report will monitor the policy starting at its more detailed provisions and end with the global provision.

Chris Gdowski, Superintendent

1. **POLICY PROHIBITION:** Neglect to submit monitoring data required by the Board (see policy on Monitoring Superintendent Performance); (a) in a timely, concise, accurate, complete and easily understandable fashion; and (b) directly addressing provisions of Board policies being monitored.

Interpretation

I interpret “submit monitoring data required by the Board in a timely, concise, accurate, complete and easily understood fashion – directly addressing provisions of the Board Policies being monitored” to mean:

Information or data is provided in writing to the Board derived from internal or external reports in relation to each end and operational limitation as set forth by the Board. Data are presented within the dates established by the Board for monitoring each policy prohibition. Data are presented in succinct, verifiable terms that clearly communicate the intended information relative to Ends and Operating Limitations set forth by the Board. Further, “understandable” is interpreted as the use of charts and graphs where such tools better communicate the intended information.

Data Reported

- a) The Board received its required monitoring reports, as prescribed by Board Policy 3.4 Monitoring Report Schedule, with the following exceptions of delayed reports:
 - 1.1.2, Middle School, April 18, 2012
 - 1.1.3, High School and Transition Services, April 18, 2012
 - 2.2, Treatment of Staff, May 2, 2012
 - 2.5, Asset Protection, February 15, 2012
 - 2.6, Employment, Compensation and Benefits, June 20, 2012

Delays in submitting the foregoing reports were approved by the Board.

Compliance Statement

I report compliance with the “timely” requirement established by Board policy.

- b) The Board found one monitoring report where the Superintendent’s interpretations were unreasonable and required the report to be resubmitted.
 - 1.3 Value, May 23, 2012 (the Board found the superintendent’s interpretations unreasonable and required the report to be resubmitted at one of the regular June Board meetings.)

The deficiency in this report’s initial interpretations and data submitted failed to comply with the “accurate” requirement in Board policy. This item of non-compliance was cured in the Policy 1.3 report resubmitted June 6, 2012, and there are no outstanding reports which are inaccurate.

Compliance Statement

I report current compliance with the “accurate” requirement in Board policy.

- c) The Board found one monitoring report where the Superintendent’s interpretations were reasonable and supported by data that was relevant, justified and complete except for dates of compliance and required resubmission of the report with expected dates of compliance.
 - 2.4 Financial Condition and Activities, November 16, 2011 (the Board required

resubmission of the report with expected dates of compliance by the January 18, 2012 meeting.)

The omission of expected dates of compliance in the initial 2.4 report made it incomplete contrary to Board policy. This item was cured in the Policy 2.4 report resubmitted January 18, 2012.

Compliance Statement

I report current compliance with the “complete” requirement in Board policy.

- d) The Board made no findings, in reviewing monitoring reports from July 1, 2012 through June 6, 2012, that the reports were not concise, were not easily understandable, or that they did not directly address Board policy provisions.

Compliance Statement

I report compliance with all of these requirements throughout the monitoring report schedule.

Overall Compliance Statement

I report current compliance with all of these provisions of the policy.

- 2. POLICY PROHIBITION:** Fail to (a) establish and maintain processes for identifying any actual or anticipated noncompliance with any policy of the Board, regardless of any monitoring report schedule; or (b) report promptly any actual or anticipated noncompliance with any policy of the Board.

Interpretation

I interpret “establish and maintain processes for identifying any actual or anticipated noncompliance with any policy of the Board” to mean:

Administrative staff members at the central office level and school level regularly review board policies and inform the superintendent of potential or real violations of policy.

Anticipated violation means that a strong likelihood exists that a proposed or existing practice will violate a policy if the practice is initiated or continues for a period of time.

Actual violation means that a policy has not been followed or that an action has caused the policy to be violated.

Data Reported

The established process for identification and reporting of potential or actual violations of the interpretations of board policy has been implemented. A standing agenda item –“Are you aware of any potential or actual violation of the interpretations of board policy” – is discussed at each of the following meetings:

Individual meetings with District Leadership - ongoing

Senior Staff – meets two times per month

Meetings with Senior Staff and their departments/divisions at various times throughout the year

Superintendent Meeting with DTEA Leadership – meets two times per month

Superintendent Meeting with CSEA Leadership – meets two times per month

Compliance Statement

I report compliance.

Interpretation

I interpret “regardless of any monitoring report schedule; or (b) report promptly any actual or anticipated noncompliance with any policy of the Board” to mean:

Potential violations of Board Policy are reported to the Board of Education at the first available meeting after the potential violation has been reported to the Superintendent. Actual violations of Board Policy are promptly reported to the Board in writing.

Data Reported

- It was reported that a high school booster club had violated Board Policy 2.6, Employment, Compensation and Benefits by doing business with an employee who had recently left the district. There was only one day of non-compliance before the former employee became a contracted person with the booster.
- It was reported that a violation of Board Policy 2.05, Schooling had occurred at Woodglen Elementary. The violation was that Woodglen offered fewer minutes per week to their students for specials (art, music and P.E.) as compared to other district schools. The specials programming at Woodglen will be addressed as part of the comprehensive review/revision of elementary art, music, and physical education staffing to be completed in Fall 2012 for implementation in the 2013-14 school year.
- It was reported that Global Village Academy was in violation of Board Policy 2.4, Financial Condition and Activities, by not having enough unrestricted cash to make payroll. At the time of this reported violation, Global Village was in the process of repaying the district for the difference between the budgeted pupil count for the school and the actual pupil count. The district restructured Global Village’s repayment schedule so it could come into compliance.
- It was reported that Global Village Academy was in violation of Board Policy, 2.05, Schooling by having four teachers who were not highly qualified as required by NCLB. A plan was developed for three of the teachers to become highly qualified. No plan was developed for the fourth teacher to become highly qualified.
- An internal audit determined two teachers violated Board Operating Limitation 2.0 through the misuse of Northglenn Middle School PTO fundraising dollars. The Board accepted the recommendation of the Superintendent for dismissal of the two employees and the Board subsequently dismissed both employees.
- A violation of 2.9, Charter Schools occurred when Westgate Community School failed to satisfy the conditions of the Board’s Resolution of November 2, 2011 in which the Board conditionally approved the renewal of a charter for Westgate. Westgate failed to meet the conditions of that resolution within the time periods stated. The Board accepted Westgate’s request to modify the resolution, extending the time period to be compliant with the terms of the resolution. On May 23, 2012, Westgate submitted a signed contract and complied with all the conditions of the resolution. The Board conditionally renewed the charter for Westgate on June 6, 2012.
- It was reported that Northglenn High School had violated Board Policy 2.6, Employment, Compensation and Benefits by not having paid the coffee card person at the school through the district’s payroll system. The issue has been resolved and there will be compliance with the policy moving forward.

Compliance Statement

I report compliance.

3. **POLICY PROHIBITION:** Let the Board be unaware for any unreasonable period of time of relevant trends; anticipated adverse media coverage, new legislation or regulations, municipal relationships, threatened or pending lawsuits; budget changes over \$50,000 for any capital or bond account, or for any school or department; purchases over \$50,000 from any one vendor at any one time or cumulatively during any fiscal year; and any other material external and internal changes, particularly changes in the environmental assumptions of threats, opportunities, strengths or weaknesses upon which any Board policy or decision has previously been established.

Interpretation

I interpret “unaware for any unreasonable period of time of relevant trends, adverse media coverage, new legislation or regulations, municipal relationships, threatened or pending lawsuits” to mean:

Patterns of information are considered to be relevant trend data when, in combination over time, they would have an impact on the financial, human resources, curriculum, student population, or public image of the school district. The likelihood that newspaper, radio or television reports will occur and will cast the district in a negative light constitutes adverse media coverage. Statutes, regulations, or pronouncements enacted by the current year federal, state or local level lawmakers which are likely to negatively impact the achievement of Board Ends are considered to be new legislation or regulations. Pending lawsuits are interpreted as claims against the district which are likely to be made or which have been filed and have not been resolved.

Data Reported

- The Board is informed through written updates, telephone calls, meetings with individual members and executive sessions, as permitted by law, of significant trend data. Notification is ongoing and timely.
- The Board is informed through email or telephone of any anticipated media coverage that could have an adverse impact on the district. As warranted, the Board is provided talking points on relevant issues in advance of conversations the members may have with the media.
- The Board is informed through email, telephone or written memoranda of the progress of legislation or regulation adoption that potentially impacts the district.
- The Board is regularly informed of pending or threatened litigation or important legal issues facing the district through email updates from General Counsel.
 - These updates identified seven pending litigation matters during the relevant time frame, and eight potential litigation matters during the relevant time frame. The Superintendent is unaware of any pending/potential litigation from July 1, 2011 through June 13, 2012 which has not been reported to the Board in a timely manner.

Compliance Statement

I report compliance.

Interpretation

I interpret “budget changes” to mean:

A material deviation in budget of more than \$50,000 as compared to the Board’s adopted budget for that fiscal year.

Data Reported

Budget changes in excess of the \$50,000 standard have been made in each month of the current fiscal year. Detailed reports of these transfers were submitted to the Board of Education on December 7, 2011; April 18, 2012; and May 2, 2012. A detailed report of such changes for the period of April – June 2012 will be submitted to the Board in August 2012.

Compliance Statement

I report compliance.

Interpretation

I interpret “purchases over \$50,000 from any one vendor at any one time or cumulatively during any fiscal year” to mean:

Commitments made to any one entity or individual to expend district resources in excess of \$50,000 on that entity or individual’s property, product(s) or services. Further, this means any single transaction or any combination of transactions within the district’s fiscal year.

Data Reported

There were more than 250 purchases for the period July 2011 through March 2012 that exceeded the \$50,000 standard. Summary reports of these payments were submitted to the Board on December 7, 2011; April 18, 2012; and May 2, 2012. A report describing such payments for the period of April – June 2012 will be submitted to the Board in August 2012.

Compliance Statement

I report compliance.

Interpretation

The phrase “material external and internal changes, particularly changes in the environmental assumptions of threats, opportunities, strengths or weaknesses upon which any Board policy or decision has previously been established” does not require further interpretation.

Data Reported

- An external condition that has a strong potential of negatively affecting the District’s ability to meet its Ends in the future is the economic downturn and the reduction in the District’s funding. The Superintendent and the Board have had ongoing dialogue regarding funding issues throughout the monitoring period.

Compliance Statement

I report compliance.

- 4. POLICY PROHIBITION:** Fail to advise the Board if, in the Superintendent’s opinion, the Board is not in compliance with its own policies on Governance Process and Board-Superintendent Relationship, particularly in the case of Board behavior which is detrimental to the work relationship between the Board and the Superintendent.

Interpretation

I interpret “advise the Board if, in the Superintendent’s opinion, the Board is not in compliance with its own policies” to mean:

The board is informed in writing, electronically or orally upon detection of patterns of information when Board conduct deviates from its established policies.

Data Reported

The Superintendent had not identified non-compliance by the Board with its policies during the period from July 1, 2011 to the present.

Compliance Statement

I report compliance.

Interpretation

I interpret “Board behavior which is detrimental to the work relationship between the Board and the Superintendent” to mean:

Board or board member conduct which threatens to negate empowerment of staff established through Board policies or which interferes with delineation of roles for the Board and Superintendent established in Board policies.

Data Reported

The Board has not directed staff other than the Superintendent. The Board and Superintendent have remained in their defined roles.

Compliance Statement

I report compliance.

- 5. POLICY PROHIBITION:** Fail to (a) timely inform and update the Board of contemplated changes in major District operations; (b) marshal for the Board as many staff and external points of view, issues and options as the Board determines it needs in sufficient time to study and make informed Board choices, including decision-making retained by the Board; or (c) fully and promptly implement any decision made by the Board.

Interpretation

I interpret “Fail to (a) timely inform and update the Board of contemplated changes in major District operations” to mean:

1. Major district operations are defined as those actions that have the potential to impact the entire school district, entire levels of school operations (high school, middle school, elementary school), or have impact on the community at large due to a change in school operations. Examples include the move of the transportation center to a new location; altering the school day or year; or reduction of budgets that significantly impacts the level of academic courses offered to students.

2. The Board of Education will be informed two months prior to any change in major district operations under the domain of the Superintendent.

Data Reported

1. Six major changes to district operations were made during the monitoring time frame:
 - Reducing the district budget for the 2012-2013 school year by about \$12 million as a result of the state's financial shortfall.
 - Closing Niver Creek Middle School and opening STEM Launch K-8 in the existing facility in August 2012.
 - Creating a STEM program to serve grades K-12 beginning in August 2012, including engineering and biomedical pathways at Northglenn High School.
 - Implementing in August 2011 a textbook/instructional materials fee of \$45 a year for each elementary and middle school student, and \$30 for each high school student.
 - Moving to Google Apps (mail, calendar, documents) as the district's new standard for communication beginning in April 2012.
 - Continuing work with the Teaching/Learning Cycle to implement the new Colorado Academic Standards for the 2012-2013 school year.
2. All major changes were communicated to the Board of Education at least two months prior to the decision to implement the change.

Compliance Statement

I report compliance.

Interpretation

The phrase "marshal for the Board as many staff and external points of view, issues and options as the Board determines it needs in sufficient time to study and make fully informed Board choices, including decision-making retained by the Board" does not require further interpretation.

Data Reported

The Board has not noted any decision-making information during the monitoring report calendar which it has requested and has not been provided by the Superintendent or which has been provided in an untimely manner.

Compliance Statement

I report compliance.

Interpretation

I interpret "fail to fully and promptly implement any decision made by the Board" to mean:

Directives are given by the Board, and only by the Board, that is a majority vote of the Board. Individual members cannot direct the Superintendent to complete or implement a decision.

Data Reported

- All directives given by the Board have been implemented promptly and fully.
- No individual Board member has given directives to implement a decision.

Compliance Statement

I report compliance.

- 6. POLICY PROHIBITION:** Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation and other.

Interpretation

I interpret “unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation and other” to mean:

The Superintendent presents information that is concise and easy-to-decipher in making a point. Reports are labeled with the appropriate title.

Data Reported

I have presented a variety of information to the Board for its use in making decisions. These include monitoring reports, consent agenda data and incidental information. The Board has not indicated that these reports are unnecessarily complex, lengthy, or presented in an unclear manner.

Compliance Statement

I report compliance.

- 7. POLICY PROHIBITION:** Fail to provide a mechanism for official Board, officer or committee communications.

Interpretation:

I interpret “mechanism” to mean:

A communication vehicle or channel including, but not limited to, written or oral transmissions such as email, fax, individual updates, board packets and weekly updates.

Data Reported

Board members have a variety of communication vehicles including:

- e-mail weekly updates (and daily when necessary)
- fax
- individual updates
- board packet information
- meetings
- calls to individual Board members

Compliance Statement

I report compliance.

- 8. POLICY PROHIBITION:** Fail to deal with the Board as a whole except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.

Interpretation

I interpret “Board as a whole” to mean:

The body of the governing entity, as distinguished from individual Board members.

Data Reported

Information shared with one Board member is shared with all Board members except individual requests for information which the Superintendent concludes are unlikely to be of interest to the entire Board.

Compliance Statement

I report compliance.

- 9. POLICY PROHIBITION:** Fail to provide timely consent agenda items, along with any appropriate monitoring assurance, for decisions delegated to the Superintendent that legally require Board approval.

Interpretation

I interpret “timely” to mean:

The superintendent presents data within the dates established by the Board for monitoring each policy prohibition or when violations to Board Operating Limitations have been detected.

Data Reported

Board agenda packets with supporting monitoring assurances are presented twice per month according to the established Board meeting agenda.

Compliance Statement

I report compliance.

GLOBAL POLICY: *The Superintendent shall not permit the Board to be uninformed or unsupported in its work.*

I submit that the Board’s policy is comprehensively interpreted in the preceding provisions. My interpretations in reporting data are presented with those provisions above.

Compliance Statement

I report compliance.

The Board acknowledged receipt of a monitoring report as of June 20, 2012, for the period June 9, 2011 through June 14, 2012, of the Superintendent concerning Operating Limitations Policy 2.7 Communication and Support to the Board, and the Board found the superintendent’s interpretations were reasonable and supported by data that was relevant, justified and complete.