Eden Prairie School Board Executive Limitations Policy Monitoring Process

The Board is accountable to the state and District owners for district performance. The Board is responsible to set **Executive Limitations Policies** which define parameters within which the Superintendent may act to accomplish the Board's Ends Policies.

One way the Board monitors district performance is by monitoring the Executive Limitations Policies and the Superintendent's **compliance** with them. in accordance with Governance Process 4.2.3. ELs monitoring is done as follows:

> After the end of the current school year and prior to the Board conducting the annual review of the Superintendent's performance (Aug-Dec), the Board monitors the Superintendent's Operational Interpretation (OI) of the EL Policies, and the Superintendent's assertion of compliance/ noncompliance with the policies.

> The Superintendent is responsible for presenting a monitoring report for each EL policy. The report includes an Operational Interpretation (OI), evidence, and an assertion of compliance/noncompliance for each of the EL Policies

Operational Interpretation (OI):

> The OI includes the Superintendent's interpretation of the policy and justification for that interpretation.

> The Board makes a motion, seconds, discusses, and votes whether the Superintendent's Operational Interpretation is reasonable or not reasonable. If the OI is voted reasonable, the OI constitutes the basis for the Superintendent's assertion of compliance with the policy. If the entire OI, or a portion of it, is voted not reasonable, monitoring of the policy ceases, there is no vote on the Superintendent's assertion of compliance, and the Superintendent commits to bring back a revised OI, within a time period acceptable to the Board, for a revote.

> **Sample Motions for reasonableness of the OI:**
> "I move that the Operational Interpretation **is reasonable**" *or*
> "I move that the Operational Interpretation **is reasonable with the exception of**…" *or*
> "I move that the Operational Interpretation is **not reasonable**"

Assertion of Compliance/Noncompliance with the EL Policy:

> The Board may ask clarifying questions to the Superintendent regarding the evidence presented and the assertion for EL reports made, preferably prior to the Board Business Meeting.

> Following a time for questions at the Board table, a motion may be made, seconded, discussed and voted upon to accept or not accept the Superintendent's assertion of compliance or non-compliance with the Executive Limitation. If the Board finds that the Superintendent is not in compliance with the EL, the Superintendent and Board must agree to a date by which the Superintendent will bring forward the evidence of compliance for re-monitoring.

Sample motions for monitoring the assertion of compliance or non-compliance:
"I move to accept the Superintendent's assertion of compliance with EL policy xx.xx."
"I move to NOT accept the Superintendent's assertion of compliance with EL policy xx.xx."
"I move to accept the Superintendent's assert of non-compliance with EL policy xx.xx."

Board Member tips for monitoring an EL Policy Monitoring Report:
- Look for the use of rates, ratios, percentages, comparisons, and trends over time.
- Look for verifiable evidence of compliance with Executive Limitations rather than the Superintendent's opinion or belief.
- If the Board votes that the Superintendent is not in compliance with an EL, the board should expect, within an agreed upon timeframe, that the Superintendent will bring forward evidence of compliance.

Superintendent tips for drafting ELs Policies Monitoring Reports:
- Place raw numbers in context.
- Provide the best evidence you have, even if not perfect, and discuss limitations. Identify a date by which better evidence will be available.
- Summarize relevant evidence in key categories to provide "governance-friendly" information that gives evidence of compliance.
- Make sure assertions are clearly visible in the report.
- When asserting non-compliance with an EL, include a commitment as to when in the future the Board can expect the evidence that demonstrates compliance.