



**WINDHAM SCHOOL
DISTRICT**

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**SUPERSEDES: WBP-03.01 (rev. 2)
December 9, 2011**

WINDHAM BOARD POLICY

**SUBJECT: WINDHAM SCHOOL DISTRICT SUPERINTENDENT
QUALIFICATIONS, SELECTION, EVALUATION, RENEWAL OR
NON-RENEWAL, AND DISMISSAL OF CONTRACT**

**AUTHORITY: Texas Education Code §§ 7.056, 19.002, and 21.003(c); Texas
Government Code § 552.126**

APPLICABILITY: Windham School District (WSD) Superintendent

POLICY:

This policy establishes the procedures for the qualifications, selection, evaluation, renewal or non-renewal, and dismissal of the WSD superintendent.

PROCEDURES:

I. Qualifications and Selection of an Interim WSD Superintendent

- A. The chairman of the WSD Board of Trustees (board) may appoint a person to serve on an interim basis as the WSD superintendent upon the death, resignation, or inability of the person holding the position to fulfill the responsibilities of superintendent. The person shall serve on an interim basis until the next regularly scheduled meeting of the board, at which time the board shall approve the chairman's interim appointment, appoint another person to serve on an interim basis, or appoint a person to fill the position on a permanent basis. This designation does not prevent the WSD superintendent, upon notification to the chairman of the board, from delegating responsibilities to someone to serve in their capacity when out of state, on leave, or otherwise unable to serve for a short period of time.
- B. An interim superintendent shall be exempt from the qualifications set forth in Section II.A below.

II. Qualifications and Selection of the WSD Superintendent

- A. Except as provided in Section II.B below, the superintendent shall have a valid Superintendent Certification issued by the Texas State Board for Educator Certification (SBEC). Additional qualifications may be required by the board as deemed appropriate and shall be reflected on the position's job description. An individual in possession of a certificate or credentials for a state other than Texas may be employed as superintendent if a Letter of Credential Evaluation or a One-Year Certificate has been received from the SBEC.
- B. Pursuant to Section 7.056 of the Texas Education Code, the board may apply to the Texas commissioner of education for a waiver of the Superintendent Certification requirements when the board deems it to be in the best interest of the WSD to hire a person who does not meet the Superintendent Certification requirements.
- C. The chairman of the board may enter into a contract on behalf of the board with the Texas Association of School Boards or another search firm for services in the recruitment and selection of the superintendent.
- D. The selection of the superintendent shall be conducted in accordance with appropriate state law to include the Texas Government Code, Section 552.126, which requires the board to give public notice of the name(s) of finalist(s) for the position at least 21 days before final action or vote is taken on the employment of the person.
- E. The board shall appoint the superintendent and approve the contract for such position.

III. Evaluation of the WSD Superintendent's Performance

- A. The board shall conduct an evaluation of the superintendent on an annual basis prior to the expiration of the contract term. The evaluation may include, but not be limited to the following duties and responsibilities:
 - 1. Instructional management;
 - 2. School or organizational climate;
 - 3. School or organizational improvement;
 - 4. Personnel management;
 - 5. Administrative, fiscal, and facilities management;
 - 6. Student management;

7. School or community relations;
8. Professional growth and development;
9. Board and superintendent relations; and
10. District, region, or campus performance.

- B. As a part of the evaluation, the superintendent shall complete an annual Superintendent Appraisal, based upon the WSD Accountability System. This appraisal shall be provided to the board in advance of the actual evaluation for review and consideration during the evaluation process.
- C. The board shall meet with the superintendent in executive session to review the appraisal and to evaluate the superintendent's performance. The superintendent shall be given an opportunity to respond during the executive session.
- D. The evaluation shall be signed by the chairman and superintendent. The original evaluation shall become a permanent part of the superintendent's master personnel file. A copy shall be provided to the superintendent.

IV. Renewal or Non-renewal of the Contract

- A. The board, after considering the superintendent's evaluation, may choose to renew or not renew the superintendent's contract at the end of the contract term.
- B. The board may meet in executive session to discuss whether the contract should be renewed or not renewed. The final decision on the renewal or non-renewal of the contract shall be determined by a majority vote of the board in an open meeting held in compliance with the *Open Meetings Act*.
- C. The board shall give the superintendent written notice of the proposed renewal or non-renewal not later than the 30th day before the end of the contract term.

V. Dismissal

The board may dismiss the superintendent for good cause before the completion of the term fixed in the contract.

- A. Good cause may include but not be limited to the following:
 1. Any form of sexual or physical abuse of a student or other illegal conduct;
 2. The possession, transfer, sale, or distribution of a controlled substance;
 3. The illegal transfer, appropriation, or expenditure of school property or funds;

4. An attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle the individual to a professional position or to receive additional compensation associated with a position;
or
 5. Commission of a crime, any part of which occurred on school property or at a school sponsored event.
- B. The board shall meet in executive session to discuss whether the superintendent should be dismissed for good cause. The final decision on the dismissal shall be determined by a majority vote of the board in an open meeting held in compliance with the *Open Meetings Act*.
- C. The board shall give the superintendent notice in writing of the decision to dismiss for good cause.

Signature on File
Patrick L. O'Daniel, Chairman
Windham School District Board of Trustees