

Yakima School Board Policy Governance Policies
Comments Received and Board Responses

Policy	From Whom	Date Rec'd	Suggestion/Question	Board Response/Decision
1000.1.0 Ends (Outcomes)	Board	6/22/07	Community Linkages for Ends Statements finalized June 2006	Board drafted new Ends Statements following Community Linkage meetings
	Cece Mahre	12/29/06 (email)	At this time I would suggest establishing goals that reflect the state and federal AYP expectations. To do anything different lowers the bar as well as not keeping us on track to meet the 2014 final benchmark.	Included following goal in Ends Policy: Unexcused Absence Goal: “2.1 All students will attend school on a consistent basis in order to benefit from the educational program, decreasing the percentage of students with unexcused absences to 1% by 2010. “ On-time Graduation Rate Goal: “2.2. All students will graduate from high school, increasing the percentage of students who graduate on time to 73% in 2010. ”
	Rocky Jackson	1/16/07 (letter)	Add “The district will provide an educational program to allow students to become...” Add “directed to increase academic achievement and student attendance as follows.” 1.0 and 2.0 add “goals” to both statements Final line, replace “ends” with “goals” “The attainment of these goals will be at a cost which justifies the investment of community resources.”	Accepted suggested changes.

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1000.2.0 Global Exec. Limitations	Steve McKenna	1/29/07 (email)	Question: Does this [1000.4.2] allow violations of the negotiated agreement? “4. The board will view superintendent performance as identical to organizational performance, so that organizational accomplishment of board-stated Ends (Outcomes) and avoidance of board proscribed Means will be viewed as successful superintendent performance.”	(response emailed 1/30/07) No, it does not. Added clarifying wording on negotiated agreement to 1000.2.0 Global Exec Limitations “The superintendent will not cause or allow any practice, activity, decision or organizational circumstance which is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics and practices. Further, the superintendent will abide by all negotiated agreements. Also added similar language to 1000.2.2.
1000.2.1 Treatment of students and their parents/guardians	Rocky Jackson	1/16/07 (letter)	Delete “undignified” and replace with “unlawful”	Accepted addition of “unlawful”. After much board discussion at both 2/2 and 2/9 meetings, decided to leave “undignified” in with agreement to review in very near future and define better according to board intent.
1000.2.2 Working Environment of Staff	Vickie Ybarra	10/07	Clean up language on negotiated agreement for consistency.	“...the superintendent will not cause or allow a working environment which is unsafe, unhealthy, undignified, unlawful, or contrary to professional or industry standards. Further, the superintendent will abide by all negotiated agreements. ”
	Rocky Jackson	1/16/07 (letter)	1.Delete “unfair, undignified” and replace with “unlawful” 2.Delete “lacking clear direction or organization”	#1 – Accepted addition of “unlawful” and deletion of “unfair”. Left “undignified” as per discussion noted above. #2 – Replaced instead with “ contrary to negotiated agreements, professional or industry standards ”.

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			and replace with “contrary to work rules, professional or industry standards”. 3.Delete “clarify rules” and replace with “clearly set forth work rules for staff” 4.Delete “Engage in reprisal against any staff member for non disruptive expression of dissent”.	#3 & #4 – Accepted suggested modifications.
	Steve McKenna	1/29/07 (email)	Question: Does this [1000.4.2] allow violations of the negotiated agreement? “4. The board will view superintendent performance as identical to organizational performance, so that organizational accomplishment of board-stated Ends (Outcomes) and avoidance of board proscribed Means will be viewed as successful superintendent performance.”	(response emailed 1/30/07) No, it does not. Added clarifying wording on negotiated agreement to 1000.2.0 Global Exec Limitations “The superintendent will not cause or allow any practice, activity, decision or organizational circumstance which is either unlawful, imprudent, not in accordance with negotiated agreements , or in violation of commonly accepted business and professional ethics and practices. Also added similar language to 1000.2.2.
1000.2.3 Financial Conditions	Rocky Jackson	1/16/07 (letter)	1.delete “including”, and replace with “such as” 3. add “total” to 3% - 5% unrestricted reserve balance	Accepted suggested changes.
	Scott Izutzu	2/1/07 (in person)	1. change “reserve fund” to “the fund balance”	Accepted suggested changes. In addition, on item #3, clarify that this cannot occur

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		meeting)	<p>3. change “unrestricted reserve fund” to “unreserved fund balance” (language actually used in district budget reports). Also concern in #3 about not using 3%-5% as a goal (as has been board’s past practice), but as a requirement.</p> <p>9. & 10. change “OSPI Accounting Standards” to “State of Washington Accounting Manual for Public School Districts”.</p>	<p>without board consent, so statement #3 now reads: “3. Fail to maintain an unreserved fund balance within the range of 3% to 5% of the total general fund budget, without board approval.”</p>

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1000.3.0 Global Governance Commitment	Rocky Jackson	1/16/07 (letter)	<p>1. Add paragraph, “With the adoption of the board policies Ends (Outcomes) 1000.1, Executive Limitations 1000.2 et. seq., and Global Governance 1000.3 et. seq., with the exception of board policies required by law, the administrative operation of the district is delegated to the superintendent to operate and manage in accordance with the above cited policies, and in accordance with those procedures as adopted and/or modified by the superintendent.”</p> <p>2. Add paragraph “All prior board policies not referenced above are rescinded by the board, subject to re-adoption and/or modification by the superintendent as operational procedure”.</p>	<p>1. Accepted suggested change.</p> <p>2. Added instead: “All prior board policies in the 2000-6000 Yakima School District policies series not referenced above are now delegated to the superintendent as operational procedure.”</p>
1000.3.1	Rocky Jackson	1/16/07 (letter)	In clarifying 1000.3.5 on language about Executive Session, suggests adding clarification that executive session discussions may be discussed with legal counsel,	<p>Accepted suggested change. Also changed wording in 1000.3.1, item #10 to match, so it now reads:</p> <p>“The board will observe the confidentiality of executive sessions. Discussions held in executive session are not to be discussed with anyone else other than the board members,</p>

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			as provided by law.	superintendent, and legal counsel.”
1000.3.1 Board Governance Style	Steve Hilmes	2/2/07 (email)	Concerned about this policy limiting board members’ ability to engage in free speech as Americans.	<p>(emailed response 2/3/07)</p> <p>Regarding your concern with the board member’s ability to engage in free speech. I believe you are referring to proposed policy 1000.3.1 Board Governance Style, paragraph 6 “Monitoring of Executive Limitations will be included on the agenda for purpose of monitoring organizational compliance. As a rule, members will direct any questions or concerns to the superintendent prior to official public presentation; see policies 1000.2.” This does not violate any individual board member’s right to bring up a question or concern regarding the superintendent’s compliance at a meeting, it does mean however that if a board member has such a concern regarding the superintendent’s compliance with Exec Limitations (1000.2 series) then that board member has an obligation to direct that question or concern to the superintendent prior to the official public presentation.</p> <p>The bigger picture may be that of the many limitations the board is placing on itself and the way it operates with the move to Policy Governance – it is our intent to limit ourselves and prescribe how we will operate in order that we may provide the greatest focus and effectiveness on our job, that of governing the district, supervising the superintendent, and connecting with the community. This is our obligation.</p>

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	Doug Johnson	2/8/07 (email)	<p>Concerned about use of colloquial language in this policy, making it potentially unenforceable.</p> <p>“This policy has inconsistent language. A governing policy should frame itself in global terms that are enforceable. Policies last a long time when they are enacted, so colloquial language as(highlighted in red)leave the policy open to misinterpretation after the original writers are no longer governing. “</p>	<p>(emailed response 2/10/07)</p> <p>“The language in this policy came directly out of informal board operational “rules” that have been used by our board for many years predating my four years on the board. These informal rules were put in place by previous board leadership in an attempt to establish expectations for board behavior. This was done to support orderly operations of the board.</p> <p>When our current board worked through the initial set of Policy Governance policies on December 1st and 2nd we attempted to tailor them to our own district and board circumstances. At that time we saw this policy on Governing Style as an opportunity to insert concepts and language that we were familiar with – a set of expectations to which we had already agreed. This seemed an easy enough decision at the time, since we all were familiar with this set of expectations and comfortable with them.</p> <p>In retrospect I agree with your assessment that we have overused colloquial language and that could make enforcement of the policy problematic. I will share your concerns with the full board and will suggest that we consider revisiting the specific language and clarifying in the near future. For now it is an accurate reflection of our expectations of one another as we conduct business together.”</p>
1000.3.2 Board Job Description	Stu Copeland	1/31/07 (in person meeting)	Suggestion to strengthen wording on responsibility of the board to supervise the superintendent.	<p>Added wording so that #1 now reads:</p> <p>“Employ and evaluate the superintendent. In fact, the most important job of the board is to hire, supervise, and evaluate the superintendent.”</p>

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1000.3.4 Board President's Role	Steve McKenna	1/22/07 (email)	Question: Does the entire board have authority to supervise or direct the superintendent? "2.4. The board president has no authority to make decisions about policies created by the board within Ends and Executive Limitations policy areas. Therefore, the board president has no authority to supervise or direct the superintendent"	(email response 1/30/07) Yes, the board as a whole supervises the superintendent, but not the board president as an individual nor any other individual board members. Clarified statement 2.4 to read: "The board president has no authority to make decisions about policies created by the board within Ends and Executive Limitations policy areas. Therefore, the board president has no authority as an individual board member to supervise or direct the superintendent; see policy 1000.3.2. "
1000.3.5 Board Member Code of Conduct	Rocky Jackson	1/16/07 (letter)	4. delete "and" and end statement with "and legal counsel" Discussions held in executive session are not to be discussed with anyone else other than board members, superintendent, and legal counsel.	Accepted suggested change Also changed wording in 1000.3.1, item #10 to match, adding " and legal counsel ".
	Steve McKenna	1/22/07 (email)	Question: I thought we were employees of the Yakima School District. "3.3 Except for participation in board deliberation about	(response emailed 1/30/07) All lines of supervisory accountability in the district lead to the superintendent. This clause directs board members to refrain from individual negative judgments of performance for any district staff, except through the interpretation of whether the superintendent has achieved

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			whether the superintendent has achieved any reasonable interpretation of board policy, members will not express individual negative judgments of performance of the superintendent or employees of the superintendent.”	what has been directed in board policy. Added clarifying language:“...members will not publicly express individual judgments of performance of the superintendent or employees of the superintendent/ district. ”
1000.3.8 Cost of Governance	Eddie Brown	1/31/07 (in person meeting)	Concerned about community members having access to the board outside of public meeting microphone time. Asked if board would consider adding a statement to paragraph 1.3 indicating the current practice of board contact information being publicly available.	Added statement to paragraph 1.3: “Outreach mechanisms will be used as needed to ensure the board’s ability to listen to community owner viewpoints and values of the Yakima School District related to the development of the district’s Ends (Outcomes). This will include ensuring board contact information is publicly available. ”
1000.4.0 Global Governance- Management Connection	Vicki Dwight	1/22/07 (in person meeting)	In discussing 1000.3.1 and not addressing items not on the agenda from the public mic, Vicki expressed concerns about appearance that board communication is limited to superintendent. Asked if board would consider adding clause about board communication with other superintendents. After hearing explanation about current board expectations of	Added to end of 1000.4.0 (Global Governance- Management Connection) “ It should be noted that the board operates in a team manner that involves open communication with all members of the superintendent and district management team. This open communication is for informational and relationship-building purposes, and should not be taken as a means for the board to direct, evaluate or unduly distract members of the superintendent and district management team. ”

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			communication with superintendent team, asked if board would consider adding that in writing here.	
1000.4.2 Accountability of the Superintendent	Vickie Ybarra	10/07	Clean up language on negotiated agreement for consistency.	#4: "...so that organizational accomplishment of board-stated Ends/Goals and compliance with conditions outlined in EL (including not allowing conditions which are unlawful, imprudent, or in violation of commonly accepted business and professional ethics and practices. And the superintendent will abide by all negotiated agreements), and performance of the superintendent's contract..."
	Rocky Jackson	1/16/07 (letter)	4. Add "including performance of the superintendent's contract with the district"	Accepted suggested change using "and" instead of "including".
	Steve McKenna	1/29/07 (email)	Question: Does this allow violations of the negotiated agreement? "4. The board will view superintendent performance as identical to organizational performance, so that organizational accomplishment of board-stated Ends (Outcomes) and avoidance of board proscribed Means will be viewed as successful superintendent	(response emailed 1/30/07) No, it does not. Added clarifying wording on negotiated agreement to 1000.2.0 Global Exec Limitations "The superintendent will not cause or allow any practice, activity, decision or organizational circumstance which is either unlawful, imprudent, not in accordance with negotiated agreements , or in violation of commonly accepted business and professional ethics and practices. Also see suggested addition of similar language to 1000.2.2 above.

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			performance.”	
	Steve McKenna	1/31/07 (in person meeting)	Suggests bringing forward or footnoting language of Executive Limitations so it its clear what the superintendent cannot do.	<p>Inserted Exec Limitations language into paragraph #4, so it now reads:</p> <p>“The board will view superintendent performance as identical to organizational performance, so that organizational accomplishment of board-stated Ends (Outcomes) and compliance with conditions outlined in Executive limitations (including not allowing conditions which are unlawful, imprudent, not in accordance with negotiated agreements, or in violation of commonly accepted business and professional ethics and practices), and performance of the superintendent’s contract with the district, will be viewed as successful superintendent performance.”</p>
	Steve Hilmes	2/2/07 (email)	Does this allow violations of the negotiated agreement?	<p>(emailed response 2/3/07)</p> <p>I believe you are referring here to proposed policy 1000.4.2 Accountability of the Superintendent. No, this does not allow violations of the negotiated agreements. Since the negotiated agreements are legal contracts, the board viewed these as covered by the term “unlawful”. However, because a number of concerns have been raised about this language, I have suggested to the board that we consider revising this clause in particular to include all the limitations placed on the superintendent, so that the paragraph in question would now read, “The board will view superintendent performance as identical to organizational performance, so that organizational accomplishment of board-stated Ends (Outcomes) and compliance with conditions outlined in Executive limitations (including not allowing conditions which are unlawful, imprudent, in violation of negotiated</p>

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				agreements, or in violation of commonly accepted business and professional ethics and practices), and performance of the superintendent's contract with the district, will be viewed as successful superintendent performance."
1000.4.3 Delegation to the Superintende nt	Vickie Ybarra	10/07	Clean up language on negotiated agreement for consistency.	#4: "...and compliance with conditions outlined in EL (including not allowing conditions which are unlawful, imprudent, or in violation of commonly accepted business and professional ethics and practices. And the superintendent will abide by all negotiated agreements), and performance of the superintendent's contract..."
	Steve McKenna	1/29/07 (email)	<p>Question: Who determines reasonable?</p> <p>Opening paragraph: "The superintendent may use any reasonable interpretation of these policies."</p> <p>Item #3: 3. As long as the superintendent uses any reasonable interpretation of the board's Ends (Outcomes) and Executive Limitations policies, the superintendent is authorized to establish all further policies, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the superintendent shall have full</p>	<p>(response emailed 1/30/07)</p> <p>In reporting to the board, the superintendent has first opportunity to interpret "reasonable" according to instructions given to the Superintendent in policy. However, the board has final determination.</p> <p>See 1000.4.4 #5: "The board will make the final determination as to whether the superintendent interpretation is reasonable, whether the superintendent is in compliance and whether reasonable progress is being made. In doing so, the board will apply the "reasonable person" standard."</p>

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			<p>force and authority as if decided by the board.</p>	
	Rosemary Saul	1/30/07 (email)	<p>Question #1: Regarding the following proposal, if the Superintendent is making, taking, establishing and developing all policies, what is the School Board doing?</p> <p>Question #2: Who determines what is reasonable?</p> <p>Question #3: To whom is the Superintendent accountable?</p>	<p>(response emailed 1/30/07)</p> <p>Q#1: To clarify – the board retains responsibility for establishing all Ends Policies, Executive Limitations Policies, Policies related to Superintendent-Board Linkage, Superintendent Accountability, Board Governance Policies, Board-Community Linkage Policies, and all other policies required by law</p> <p>The responsibility and ongoing work of the board includes focused setting and monitoring the outcomes (ends) of the district, accomplishing focused oversight of the superintendent, and more focused self-reflection on our own performance with a standard of excellence in governance. Also of importance, the board will spend a much greater amount of time connecting with the owners of the district in community linkage activities.</p> <p>Q#2: The Superintendent has first opportunity to interpret reasonableness. However, the board makes the final determination of reasonableness. See 1000.4.4 #5 (see above).</p> <p>Q#3: The Superintendent is accountable to the board as a whole (not to individual board members). See 1000.3.2 – #1 on Board Job Description – “employ and evaluate the Superintendent”</p>

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	Vicki Dwight	1/31/07 (in person meeting)	Under paragraph #4 would like to see some language clarifying how the superintendent will go about doing these things.	Determined to not prescribe “means” of how exactly superintendent will do this. However, decided to pull forward and reference limitations from Global Limitations policy, as well as insert language about those items legally required for the board to retain authority over, to demonstrate Supt. limitations and board intent. Paragraph #4 then reads: “As long as the superintendent uses any reasonable interpretation of the board’s Ends (Outcomes) and Executive Limitations policies (including not allowing conditions which are unlawful, imprudent, not in accordance with negotiated agreements, or in violation of commonly accepted business and professional ethics and practices), and excepting those items specified by law as responsibility of the board , the superintendent is authorized to establish all further policies, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the superintendent shall have full force and authority as if decided by the board.”
	Steve McKenna	1/31/07 (in person meeting)	Concerned about “any reasonable interpretation” in paragraph #3. Suggests bringing forward or footnoting reference to proposed policy 1000.4.4 which clarifies that the board will make the final determination on reasonable interpretation.	Inserted a new paragraph 4, bringing the same clause forward from proposed policy 1000.4.4 “ 4. The board will make the final determination as to whether the superintendent interpretation is reasonable, whether the superintendent is in compliance and whether reasonable progress is being made. In doing so, the board will apply the “reasonable person” standard. ”
	Steve Hilmes	2/2/07 (email)	Who interprets “commonly accepted business and	(emailed response 2/3/07) The board has final determination of what is a reasonable

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			professional ethics and practices”.	interpretation of all the limitations that have been placed on the superintendent, including “commonly accepted business and professional ethics and practices” See proposed policy 1000.4.4 “The board will make the final determination as to whether the superintendent interpretation is reasonable, whether the superintendent is in compliance and whether reasonable progress is being made. In doing so, the board will apply the “reasonable person” standard.”
	Steve Hilmes	2/2/07 (email)	Concern that the board will become “bobble head dolls”	(emailed response 2/3/07) The board in making this move to Policy Governance in fact so that we can be more intentional and focused about the work that is the board’s, so that we can improve our own performance, not lessen it. Under Policy Governance, we intend that the responsibility and ongoing work of the board will include focused setting and monitoring the outcomes (ends) of the district, accomplishing focused oversight of the superintendent, and more focused self-reflection on our own performance with a standard of excellence in governance. Also of importance, the board will spend a much greater amount of time connecting with the owners of the district in community linkage activities.
1000.4.4 Monitoring Superintende nt Performance	Rocky Jackson	1/16/07 (letter)	First paragraph – add “made”	Accepted suggested change
	Vicki Dwight	1/31/07 (in person meeting)	Clarify expectation of board handling of superintendent reports, transparency of process and board deliberations.	Inserted a new paragraph #5: “5. Each report of monitoring data will generate 3 board agenda items that will be a part of open, public board meetings: 5.1 First, an opportunity for the superintendent to submit and explain the monitoring report,

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				<p>5.2. Second, an opportunity for board discussion and consideration as to whether the superintendent has met the board policy within specified limitations, and 5.3. Third, a vote of the board to accept (or not) the report of the superintendent.”</p>