

Kenai Peninsula Borough

Legal Department

MEMORANDUM

TO: Board of Education, Superintendent Search Oversight Committee

FROM: Patty Burley, Deputy Borough Attorney

CC: Nate Crabtree, Human Resources Director

DATE: July 28, 2020

RE: AR 2122, Superintendent Job Description.

Sometime in 2010, the School Board passed AR 2122, Superintendent of Schools, Job Description. It was last reviewed in April of 2019.

A review of 18 school districts reveals that only 4 have the Superintendent Job Description in their policy: Kodiak Island, Lower Kuskokwim, Northwest Arctic and Skagway. The vast majority of school districts leave the job description to the Human Resources department and not to district or administrative policy: Anchorage, Bering Strait, Bristol Bay, Chatham, Fairbanks Northstar, Haines, Iditarod, Juneau, Matanuska Susitna, North Slope, Sitka, Wrangell, and Yakutat to name a few.

I am recommending that the Committee consider a recommendation to the full Board to repeal AR 2122, Superintendent Job Description.

The reasons for the recommendation are as follows:

1. Having a job description in a policy limits the flexibility of the Board and limits their ability to change and adapt as the needs of the school district change. For example, a few years ago the Board diligently worked on a strategic plan and set of goals which sought to be the guidance and direction for the District for the foreseeable near future. While written as a five-year plan, the plan was deliberately fluid and called for annual review.

The purpose of the annual reviews was to evaluate what the priorities were and whether situations had changed so that the goals needed to be readjusted. What was the number 1 priority during year 1 could have no longer been as important on year 2 necessitating a new priority.

Priorities for the Board drive the expectations placed on the Superintendent. If schools in the District are not meeting State mandates, then priorities shift towards making sure that students are receiving an adequate education and that no school in the District is failing. When schools are doing well but union grievances are high, priorities naturally shift towards employee morale and reducing the number of union grievances.

Having a job description that can be modified from one candidate to another allows the Board more flexibility to tailor the priorities and the focus of the candidate credentials towards the current and reasonably foreseeable needs of the Board rather than a cookie-cutter position.

2. Job Descriptions are naturally fluid. Today's pandemic situation has really highlighted how quickly things change and our need to be able to adapt to an ever evolving world. Just one year ago, virtual teaching on a full-time basis was unheard of. Today it is the start of what may be the new normal. As the committee begins its search during these ever evolving times, one of the committee's natural focuses will likely be the ability of the candidate to work well under pressure and to work in a virtual world. Will the potential candidate be able to lead the District through this very difficult and unprecedented time of change?

Previous job descriptions had no reason to emphasize some or all of these aspects before. Having a job description that can be modified each time there is a vacancy allows for an examination of the needs at the time and the ability to tailor the requirements to fill those needs.

The Superintendent's job duties assist in making sure the position duties align with the Board's vision. They allow the Board to make informed hiring decisions by developing recruiting strategies that clearly outline to applicants their role and responsibilities. Job descriptions provide clarity and outline expectations. They help employees understand the fundamental framework of their job.

Something this important that experts recommend reviewing at least annually, is better placed with the Human Resources office and under the control of the Board than in policy where change is difficult and flexibility is discouraged.

For these reasons, I recommend repealing AR 2122.