

CLASSIFICATION: Bylaws of the Board**ADOPTED: 6/14/17****REVISED:****REVIEWED:****SUBJECT: County Superintendent of Schools' Contract****PAGE: 1 of 2**

The County Board of Education has the responsibility to protect the San Diego County Office of Education from potentially adverse financial and legal obligations. Before approving the County Superintendent of Schools' contract, the County Board of Education shall obtain legal advice on the contract provisions and shall carefully consider the long-range financial and legal implications of the contract.

Subsequent to a satisfactory evaluation of the County Superintendent of Schools' performance, the County Board may extend the term of the contract by action taken in accordance with law.

The County Board is prohibited from ratifying or renewing a contract that contains an automatic renewal provision in addition to a provision for an automatic increase in the level of the compensation that exceeds a cost of living adjustment.

The County Superintendent's contract shall include a provision that limits the maximum cash settlement to be received in the event that the contract is terminated prior to its expiration date to an amount not exceed the amount determined by Government Code section 53260.

In addition, the contract shall include a provision that, if the County Superintendent is convicted of a crime involving an abuse of his/her office, he/shall fully reimburse the County Office of Education for payments received as paid leave while an investigation was pending or as cash settlement upon termination and for any funds expended for his/her legal defense.

The County Board shall deliberate in the closed session of a regularly scheduled meeting about the terms of the County Superintendent's contract. The contract shall be ratified by the County Board in open session of a regularly scheduled meeting. Prior to taking final action, the County Board shall orally report a summary of the contract recommended for approval to include: the term of the new, renewed, or amended contract; the salary to be paid; and any other elements of compensation provided for in the contract, such as health and welfare benefits, car/mileage stipend, cell phone allowance, and any other benefits to be paid.

CLASSIFICATION: Bylaws of the Board

ADOPTED: 6/14/17

REVISED:

REVIEWED:

SUBJECT: County Superintendent of Schools' Contract

PAGE: 2 of 2

Ratification of the County Superintendent's contract shall be reflected in the minutes of the meeting at which the contract is approved.

The County Board shall notify the County Superintendent of Schools of its intention not to renew his/her contract in accordance with time requirements specified in law and the existing contract, if applicable.

Board Bylaw No.: 9500

Derivation:

Former Board Policy No. 2121, Adopted 5/10/95, Amended 4/13/16, Repealed 6/14/17.

Legal Reference:

Government Code

3511.1 - 3511.2, 53243 - 53243.4, 53260 et seq., 54953, 54956

County Charter

Article VI, section 603.4

Employment Contract of County Superintendent of Schools