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SUPERINTENDENT
Alricky Smith

BOARD OF TRUSTEES
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The mission of Lake Wales Charter Schools, Inc. is to bring the best of public education to our community by providing innovation and choice within a continuous pre-school through postsecondary curriculum so that each child recognizes the benefits of life-long learning, constructive citizenship and personal happiness.

The Lake Wales Charter Schools, Inc. is an equal opportunity institution for education and employment.

MEMORANDUM

TO: Lake Wales Charter Schools Stakeholders
FROM: The Desk of the Superintendent
DATE: April 26, 2022
SUBJECT: Advertisement to announce PUBLIC HEARING

Please be advised of the following public notice to the Lake Wales Charter Schools' Stakeholders on April 26, 2022.

Lake Wales Charter Schools is holding a **Public Hearing** at the Central Office, 130 East Central Avenue, on Tuesday, May 24, 2022, at 5:00 pm to adopt the following School System Policies:

<u>POLICY</u>	<u>TITLE</u>
LWCS BP#	Superintendent Annual Evaluation
LWCS BP#	Board-Superintendent Relations
LWCS BP#	Whistleblower Complaint

Public Comments can be submitted by email to publicrecords@lwcharterschools.com or delivered in writing to the School System's Central Office at 130 East Central Avenue, Lake Wales, Florida, and must be received at least twenty-four (24) hours prior to the scheduled meeting. Public Comments may also be made in person on the day of the meeting.

Persons having questions concerning the proposed School System Policy adoptions should contact Alricky Smith, Superintendent, Lake Wales Charter Schools, Lake Wales, Florida, at (863) 679-6560. Copies of the proposed policies may be obtained, at cost, from the Office of the Superintendent of Lake Wales Charter Schools, 130 East Central Avenue, Lake Wales, Florida, 33853.

PERSONS DESIRING TO APPEAL ANY ACTION OF THE BOARD MAY BE REQUIRED BY FLORIDA STATUTES TO PROVIDE A VERBATIM TRANSCRIPT OF SAID ACTION

Our mission is to bring the best of public education to our community by providing innovation and choice within a continuous preschool through a postsecondary curriculum so that each child recognizes the benefits of lifelong learning, constructive citizenship, and personal happiness.

TITLE: Superintendent Annual Evaluation**POLICY:**

The Board believes it is essential that it evaluate the Superintendent's performance periodically in order to assist both the Board and the Superintendent in the proper discharge of their responsibilities and to enable the Board to provide the System with the best possible leadership.

- (1) The Board shall annually evaluate the performance of the Superintendent. Such evaluation shall include:
 - A. the progress toward the educational goals of the System;
 - B. the working relationship between the Board and the Superintendent.

- (2) Such evaluation will be based on defined quality expectations developed by the Board for each **critierion** being assessed.

- (3) The Board shall, at the outset of each evaluation, determine the method by which the evaluation shall be conducted.

Such methods may include:

 - A. the Superintendent's own self-analysis of the current status of the System;
 - B. the active participation of each Board member;
 - C. a compilation of assessments on a prepared standard form by individual Board members, which shall then be reviewed jointly by the Board and Superintendent;
 - D. evaluation interviews between the Board and Superintendent;

- (4) As an outcome of the evaluation of the Superintendent's performance, the Board should be prepared to:
 - A. determine whether to continue or extend the Superintendent's contract;
 - B. review the Superintendent's salary;
 - C. identify strengths and weaknesses in the operation of the System and determine means by which weaknesses can be reduced and strengths are maintained;
 - D. establish specific objectives, the achievement of which will advance the System toward its goals.

TITLE: Superintendent Annual Evaluation

SPECIFIC AUTHORITY: Sections 1002.33(16)(7); 1012.34; Florida Statutes
Rule 6A-1.0502, Florida Administrative Code

ADOPTED: XX/XX/XXXX

BOARD-SUPERINTENDENT RELATIONS

LWCS: BP#

TITLE: Board-Superintendent Relations

POLICY:

The relationship between the board and the superintendent shall comply with these guidelines:

- (1) The board's sole connections to the operational organization, its achievements and conduct will be through a Chief Executive Officer, titled Superintendent.
- (2) Only decisions of the full board acting as a body are binding on the superintendent. In the case of board members or committees requesting information or assistance without board authorization, the superintendent may refuse such requests that, in the superintendent's opinion, require a material amount of staff time or resources or that are disruptive or unreasonable.
- (3) The superintendent is the board's only link to operational achievement and conduct, so that all authority and accountability of the schools, as far as the board is concerned, is considered to be the responsibility of the superintendent. Accordingly:
 - (a) The board will never give instructions to or exert undue influence over persons who report directly or indirectly to the superintendent.
 - (b) The board will view superintendent performance as identical to organizational performance, so that organizational accomplishment of board-stated goals and avoidance of board-proscribed means will be viewed as successful superintendent performance.
 - (c) Except as required by Lake Wales Charter Schools by-laws, the board will not participate in decisions or actions involving the hiring, evaluating, disciplining or dismissal of any employee other than the superintendent.
- (4) Accountability requires that the board set expectations, assign responsibility for performance to the superintendent, and rigorously monitor to assure that those expectations are being met.
- (5) Each May, the board will conduct a formal summative evaluation of the superintendent. A written evaluation document will be compiled by the board chairman or the chairman's designee. The superintendent and the board will review the document in executive session.

LAWS

Section 1001.49, Florida Statutes

IMPLEMENTED:

ADOPTED: XX/XX/XX

BOARD-SUPERINTENDENT RELATIONS cont'd

LWCS: BP#

TITLE: Board Expectations for the Superintendent

POLICY:

The school board shall provide the superintendent with a clear statement of expectations prior to the beginning of each school year. These expectations may include items concerning the following:

- (1) The superintendent's interactions with the board as a whole and with individual board members
- (2) The Strategic Plan

LAWS IMPLEMENTED:

Section 1001.49, Florida Statutes

ADOPTED: XX/XX/XXXX

TITLE: WHISTLEBLOWER COMPLAINT

POLICY:

The Whistleblower's Act, contained in sections 112.3187-112.31895, Florida Statutes, is intended to prevent agencies, or independent contractors of agencies, from taking retaliatory action against an employee who reports violations of law on the part of a public employer or an independent contractor.

It protects any individual "who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or gross neglect of duty on the part of an agency, public officer, or employee."

In order to qualify as a whistleblower complaint, particular information must be disclosed to certain statutorily designated officials. The act provides that for disclosures concerning a local governmental entity, such as a county or a school district, the information must be disclosed to a chief executive officer as defined in section 447.203(9), Florida Statutes, or "other appropriate local official."

- (1) Whether the complaint contain allegations conforming to section 112.3187(5)(a) and (b), Florida Statutes, alleging:
 - (a) "Any violation or suspected violation of any federal, state, or local law, rule, or regulation committed by an employee or agent of an agency or independent contractor which creates and presents a substantial and specific danger to the public's health, safety, or welfare."
 - (b) "Any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty committed by an employee or agent of an agency or independent contractor."
- (2) Whether the source of the information is a person within the scope of the Act, to wit:
 - (a) an employee of LWCS or
 - (b) an agent of LWCS or
 - (c) an independent contractor who has entered into a contract with LWCS
- (3) Whether the information demonstrates reasonable cause to suspect a violation of the law.
 - (a) If the answer to all three questions is yes, then, the LWCS official making the determination shall conduct or facilitate an investigation and involve the assistance of any relevant department. The requirement to investigate is phrased in mandatory terms and nothing in the Whistleblower's Act would terminate this duty in response to a request from the complainant.
 - (b) If the answer to any of the three questions is no, or there is not enough information in the complaint to make a determination, and the complaint relates to the conduct of an LWCS employee, then the LWCS official shall refer the matter to Director of Human Resource. The LWCS official shall also make contact with the appropriate supervisor (i.e. school principal, superintendent, etc.), as appropriate, to relay the information contained in the initial complaint. If the answer to any of the three questions is no, or there is not enough information in the complaint to make a determination, but the complaint is not related to the conduct of an LWCS employee, then the LWCS official shall refer the matter to the appropriate department overseeing the conduct which is the subject of the complaint.

(c) The name or identity of the individual disclosing this information is confidential. The Florida Statutes provides confidentiality for those records relating to the agency's active investigation of a whistleblower complaint and is not limited to those records received as part of an active investigation of a complaint of retaliation. However, while the name or identity of the individual disclosing this information is confidential, the initial report of wrongdoing received by the agency is a public record, since that information was received before an investigation was begun.

(4) The LWCS Director of Human Resource shall maintain a record of all complaints made or purportedly made under the Whistleblower's Act

SPECIFIC AUTHORITY: Sections 112.3187-112.31895; and 112.3188(2)(b), Florida Statutes

ADOPTED: XX/XX/XXXX