

Chapter 3

Executive Director Responsibilities & Functions

3.1: The executive's role in the organization

In the conduct of the ongoing business of KCDD, the executive director is responsible for all business operations, including management of the assets of KCDD; hiring, training, promotion, discipline and termination of employees; and for establishing and maintaining the business organization and structure to efficiently conduct the management functions of KCDD.

The executive director plans for and administers a program providing service in accordance with KCDD's stated purpose, and in such a manner that optimum results are achieved in relation to the resources of the agency, and operates under the general direction of the Kansas Council on Developmental Disabilities.

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3.2: Executive communication/counsel to the board

The executive director will provide information and counsel to the board. Accordingly, he/she will:

- make the board aware of special events, relevant trends, material external and internal changes and the assumptions upon which any board policy has previously been established.
- submit required monitoring data in a timely, accurate and understandable fashion, directly addressing provisions of the board policies being monitored.
- marshal as many staff and external points of view, issues and options as needed for fully informed board choices.
- present information in a form that is understandable and of reasonable length.

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3.3: Delegation to the executive director

The board's job is generally confined to establishing topmost policies, leaving implementation of board policy to the executive director. All board authority delegated to staff is delegated through the executive director.

The executive director is authorized to establish all further policies, make all decisions, take all actions and develop all activities, which are true to the board's policies. The board will respect the executive director's choices so long as the delegation continues. This does not prevent the board from obtaining information about activities in the delegated areas.

No individual board member, officer or committee has any authority over the executive director. Information may be requested by such parties, but if such request, in the executive director's judgment, requires a material amount of staff time, it may be refused.

Acting with the authority granted above, the chief executive may not perform, allow or cause to be performed any act which is unlawful, insufficient to meet commonly accepted business and professional ethics for the "prudent person" test, in violation of funding source requirements or regulatory bodies, or contrary to explicit board constraints on executive authority.

Should a situation arise wherein the executive director deems it unwise to comply with a board policy, he/she will inform the board of directors. Informing is simply to guarantee no violation may be intentionally kept from the board. It is not for the purpose of receiving approval. Board response at that time does not exempt the executive director from subsequent board judgment of his/her action.

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3.4: Areas of responsibility delegated to the executive director

In the area of human resources, the executive director relates both to the board and to the staff of KCDD, but has ultimate responsibility to the board.

For the board of directors, the executive director:

- develops and recommends to the board of directors, specific, written, long and short-range plans for the development of KCDD programs and services.
- maintains appropriate relations with the board and various board committees, and keeps them informed.
- interprets trends in the fields of service in which KCDD is engaged, by maintaining involvement in the professional field as a whole.
- assists with orientation and training programs for the board.

For the KCDD staff, the executive director:

- supervises and directs staff in the performance of their duties.
- evaluates the performance of staff members.
- provides overall control of and direction for the personnel of KCDD, including active participation in or approval of personnel actions.
- manages volunteer staff activities.

In the area of **planning**, the executive director:

- evaluates the services being provided by KCDD in relation to specified goals and standards, and recommends modifications, where appropriate.
- recommends new programs to the board.

In the area of **finance**, the executive director:

- prepares KCDD budgets and is accountable for control of these resources once approved.
- directs all financial operations of KCDD.

In the area of **constituent relations**, the executive director manages all activities including coordinating board activities in this area.

In the area of **public relations**, the executive director interprets the function of KCDD to the community by assisting the board, through direct involvement and through public relations programs, including personal contact, descriptive program literature, and the media.

In the area of **interagency relations**, the executive director:

- maintains appropriate relations with other professional and service groups in the community.
- maintains appropriate relations with federal, state, and local government units.
- maintains appropriate relations with other agencies in similar fields of service.

In the area of KCDD **organizational operations**, the executive director:

- recommends policies to the board and/or assists the board in the formulation of policies for the effective and economical operation of KCDD and its programs.
- ensures implementation of the policies adopted by the board.

- has chief administrative responsibility for maintenance of agency facilities, and regular reporting to various bodies.
- carries chief staff responsibility to ensure that legal obligations of KCDD are met.

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3.5: Monitoring executive performance

Monitoring executive performance is somewhat synonymous with monitoring organizational performance. The board delegates management to the executive and must have a process for ongoing monitoring of the executive's performance of the delegated duties. The purpose of monitoring is to determine the degree to which board policies are being fulfilled.

The board will monitor executive performance by awareness of the executive director's job description, careful attention to all reports delivered to the board and through an annual written evaluation of the executive's job performance.

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3.6: Executive director performance evaluation

It is the policy of KCDD to regularly evaluate the work performance of the executive director.

The evaluation will be given at the first quarterly board meeting so that all board members participating in the evaluation will have had a full year of interacting with and observing the executive's performance.

Compensation of the executive director will be determined after completion of the evaluation. Any increase in compensation will be effective beginning with the pay period in which the employment anniversary date falls.

Although the evaluation will be facilitated by the executive committee or a special committee appointed by the board chairperson, the entire board will participate in the evaluation process.

The process begins with a review of the current job description to determine accuracy and appropriateness. The team next develops an evaluation checklist based upon the job description and organization objectives. Respondents will be asked to rate the director's performance against each line item on the checklist as follows:

_____very good

_____acceptable

_____needs improvement

Space should be allowed on the checklist at each line item for comments.

The team mails the checklist to all board members with a self-addressed stamped envelope so that all evaluations are returned to the home or business address of the board chairperson. A request is sent with the evaluation form to complete within ten days. Respondents have the option of signing or not signing their evaluation forms. Constructive criticism from board members should be specific so that appropriate corrective action may be taken by the executive director.

A copy of the evaluation checklist is also mailed to the executive director with the request to complete a self-evaluation and recommend performance objectives for the upcoming year. The form completed by the executive will not be included in the board's compilation of results.

When the board members have returned the evaluation forms, the chairperson of the board makes up a composite checklist, which, by line item, indicates the number of responses for each rating. All comments are randomly listed without identifying the source of each comment.

Next, the full board meets, without the executive director present, to review the composite evaluation and performance objectives for the upcoming year. The board must reach consensus on each item in the checklist.

Then the full board meets with the executive director to present the full board's conclusions about the evaluation. Should the executive director be in serious disagreement with part or all of the evaluation, the right to respond to the full board must be available. Such a response should lead a dialogue in which the problem area can be resolved in a candid and professional way.

The final agreed-upon evaluation should be signed by both the executive director and the board chairperson. A copy of the evaluation is given to the executive director, and the original evaluation is kept on file by the board chairperson to be passed on to the next board chairperson. A copy of the evaluation is not kept in the personnel office.

Board members will not solicit information regarding the executive

director's performance from subordinate staff. Staff plays no role in the evaluation. The board recognizes that including staff can seriously erode the relationship, which must exist between the executive director and staff.

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3.7: Board/executive relationship

The board of directors recognizes and maintains the following guidelines in the board's relationship with the executive:

- good management is recognized as one of the key factors in the success of the organization. The board reserves the authority to establish policies, approve plans, and programs and delegate authority to the executive.
- the board will approve policies and long-range plans and programs for KCDD, and delegate authority to the executive to execute and carry out the policies, plans and programs. The executive will be responsible for hiring capable personnel within the limitations of board policy and budget constraints, determining the appropriate compensation, training, supervising, disciplining and terminating if necessary.
- board members will refrain from individually discussing management and personnel issues with KCDD personnel other than the executive director. The board, in consultation with the executive, may confer with key personnel at regular or special meetings of the board.
- authority for management of KCDD will be through the board of directors to the executive, then to other personnel. The board will require full and timely information from the executive concerning pertinent matters that relate to the management of KCDD.
- the board recognizes that efficient management of KCDD can exist only through mutual understanding and cooperation between the board and the executive. The board also recognizes that the executive is accountable to the board to show results, but the executive cannot perform well and show good results if not given latitude to exercise independent judgment in executing board policy. Therefore, the board grants that latitude of judgment and discretion and expects full accounting of performance from the executive.
- the board recognizes its position as the employer of the

executive and will be responsible for a systematic annual evaluation of the executive's performance. The evaluation will be for the purpose of improving the executive's performance and to provide a basis for consideration of the executive's salary for the next year.

- the executive's employment with KCDD may be terminated for cause upon written notice to the executive and in accordance with the board policy.

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3.8: Board/executive responsibilities

To assist the board and executive to work as a team, the following principals will guide the team members to determine responsibilities of each part of the team:

- responsibility for determining general policy shall be entrusted to the board. The executive director shall keep the board informed regarding the progress of all important KCDD programs.
- the board represents the public in setting the goals and establishing the basic policies and long-range goals for KCDD. It shall refrain from involvement in the administrative functions except to monitor and evaluate.
- the board shall transact official business with professional staff members and other program employees only through the executive director.
- the executive director shall be responsible for administering the program in accordance with board policies and regulations.
- the executive director shall be responsible for the selection and assignment of staff. This responsibility may be delegated by the executive director to other supervisory personnel.
- the executive director and staff shall prepare, and submit for board action, an annual program plan and budget.
- the executive director shall provide the board with data and information to enable the board to make effective decisions.
- the executive director shall provide the board with periodic reports as the board feels are necessary to allow board members to make accurate decisions.

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3.9: Executive director succession policy

A policy for executive director succession must include two parts – the process the board will follow **to replace a retiring executive director**, and a process to continue uninterrupted service **in the event of sudden loss of the executive director**.

Resigning or retiring executive director

The process for replacing a resigning or retiring executive director will be as follows:

- the executive committee of the board will determine retirement date with the current executive director.
- the board will determine a specific target date to bring on a new executive director. This target date will be flexible to allow the selected candidate some latitude in determining the beginning date.
- the board will designate an interim executive director to serve for the time between the ending date of the current executive director and the beginning date of the new executive director. Board members are not eligible to serve as the interim executive director.
- the board chairperson will nominate a Search Committee of not less than three board members and not more than five board members. If possible, the current executive director will be an ex-officio member of the Search Committee. The board chairperson may appoint up to two additional Search Committee members from outside the board such as former board members, community leaders or other persons who would be a valuable resource to the committee. The board chairperson will seek board approval of the nominees.
- the board will consider the need for any changes to the management structure before the search for a new executive director.
- the Search Committee will begin as soon as possible to:
 1. review the current job description to develop a profile of the preferred candidate.
 2. determine the feasibility of utilizing a search firm to assist the board in the search.
 3. determine salary range and terms of the contract to be offered.
 4. identify appropriate advertising media to be used.

5. establish a schedule to complete interviews, reference checks and final selection.
 6. determine who will conduct the interviews and what questions will be asked.
 7. determine the extent of staff and community involvement in the search process.
 8. establish a process for communicating search progress to the board and staff.
- the Search Committee will seek approval of the full board for all of the above.
 - the Search Committee will recommend no more than three nor less than two candidates for review.
 - the board will interview the final candidates and select the new executive director.
 - external candidates and current employees will be invited to apply for the position.

 - the board will set dates for three-month and six-month reviews of executive director performance. These reviews will be informal discussions between board and executive director for the purpose of assisting the executive director to understand board needs and intent, as well as affirmation of good executive director performance. The board will do a formal written performance evaluation of the executive director after approximately one year of employment and then annually.

Sudden loss of executive director

The process to continue uninterrupted service in the event of sudden loss of the executive director will be as follows:

- annually, the board will designate one staff person who will assume the duties of the executive director if, in the judgment of the board of directors, that becomes necessary.
- the current executive director will compile a list of vital instructions for an interim executive director and update that list annually
- the list will include, but not be limited to, such information as:
 1. staff flow chart showing chain of command and a list of responsibilities of all management personnel. The list will also include special instructions about which staff members should be consulted for special assistance in such areas as personnel

- management, maintenance, finance, computer operations and other essential functions of the organization.
- 2. location of all bank accounts and financial records, and instructions about disbursement authority.
- 3. location of all vital documents, such as policies and contracts.
- 4. location of all computer backup files.
- if it becomes necessary to implement these emergency procedures, the board of directors will meet as soon as possible with the designated interim executive director to:
 1. establish a plan for continued operation.
 2. officially designate the selected staff person to be the interim executive director.
 3. establish a schedule of board meetings to provide adequate support for the interim executive director.
- as soon as possible after the designation of the interim executive director, the board will implement the applicable procedures from the first half of this policy.

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3.10: Executive Director Search Process

A search committee will be selected. This team is typically the Executive Committee.

The duties of the search committee will include:

1. The Chairperson will be the committee lead and will work with the Designated State Agency (DSA) as the point of contact for the committee.
2. The Search Committee will set up agreed upon meeting times during the process.
3. Solicit input from the entire council and the public about the qualities and attributes they wish to see in the Executive Director.
4. Develop the Position Description.
5. Work with the DSA to get the position posted.
6. Develop interview questions to be approved by the DSA.
7. Develop a standardized system of review for each applicant.
8. Conduct interviews-
 - a. First round of interviews will be for all applicants who meet the

- screening criteria and process.
- b. Second round of interviews will be for the top candidates to narrow the search to a minimum of 2 but no more than 3 to present to the full council. If necessary, the search committee will repost the position.
9. Finalize candidate selection with the Full Council as outlined below.
 10. Offer the position to selected candidate.
 11. Announce the new Executive Director as outlined below.

Candidate Selection Process

- Search Committee will bring summary information regarding each candidate before the council for the full council to make the final vote on which candidate they would like to select.
- Council Chair will complete the final steps- including but not limited to background and reference checks with the DSA. Once complete, an offer will be made to the top candidate.
- Once the offer is accepted by the candidate, the Chairperson, in coordination with the DSA, will notify other applicants that another person was selected. This will be done prior to making a formal announcement.
- Once other applicants are notified, the Chairperson will send a formal email to the entire council announcing the person’s name and starting date.
- After the Council has been informed, a public announcement will be made on the KCDD website, KCDD Facebook, and the Kansas Council on Disability Concerns (KCDC) listserv.

After Selection Process

The KCDD will evaluate the new Executive Director’s performance 6 months after they begin and prior to the probationary period ending. If, for any reason, the Council is not satisfied with the performance of the Executive Director, disciplinary action, including termination may occur and the hiring process would be initiated again.

(The Executive Committee will review and make changes to the current Executive Director evaluation form)

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