



# INTERNAL MONITORING REPORT

**To:** WSD Board President and Board of Trustees  
**From:** Wilmer Chavarria, WSD Superintendent  
**Re:** **Annual Monitoring Report on Executive Limitations  
Policy 2.0: Global Executive Constraint**  
**Date:** 8/9/2023

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Dear Members of The Board,

Below please find my Annual Monitoring Report on your Executive Limitations policy 2.0: "Global Executive Constraint," presented in accordance with your monitoring schedule. I certify that the information contained in this report is true.

Thank you for your work in advancing the mission of our district to form students who will "lead healthy, productive and successful lives and engage with their local and global community."

Respectfully Submitted,



**Wilmer A. Chavarria, NBCT**  
Superintendent of Schools  
Winooski School District  
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# POLICY WORDING

## Policy Title: 2.0 Global Executive Constraint

“The superintendent shall not cause or allow any practice, activity, decision, or organizational circumstance that is unlawful, unsafe, imprudent, or in violation of commonly accepted educational and professional ethics and practices.”

## 1. INTERPRETATION

I interpret **practice** to mean all and any actions performed by the WSD and independent contractors when fulfilling functions related to an agreement with the WSD, especially actions that form a part of a series or that are performed continually or consistently.

Similar to practices, an **activity** is an action or series of actions at a narrower scope that is performed by employees and contractors of the WSD while fulfilling duties related to the educational program and within a place and time that is generally considered within the WSD’s domain.

A **decision** is a consequential response to a question of practice when multiple options are available but that stay clear of rule creation that usurps the privilege of specific administration or the powers of policymaking held only by the Board of Trustees. Decisions are made at all levels of the system and at all times, but the impact and jurisdiction of a decision is based on the person’s official role. A decision by a teacher to provide a student additional support within the classroom is of different nature than a decision by the school principal to implement systems of support for a subsection of students in a grade band, or a decision by the Superintendent to create procedure based on the Board policy regarding systems of support. While they all deal with a similar question, the decision making is dependent on the individual and their role.

**Organizational circumstance** is interpreted as all situations that are the result of systemic design at the district level and that are the likely result of appropriate or inappropriate application of district policies and operational rules. Organizational circumstance, in this light, is unlikely to entail atypical situations resulting from highly unusual and unexpected external variables such as sudden national and international economic outlooks or health emergencies. Still, organizational circumstances referred to in this policy can be interpreted within the context of external factors insofar as they reflect the district’s resilience and preparedness that is traditionally expected of similar organizations.

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## 1. INTERPRETATION (CONTINUED)

**Unlawful** is a practice, activity, decision, or organizational circumstance that fails to abide by state and federal law whether intentionally or unintentionally by the way of inattention or neglect. A practice, activity, decision, or organizational circumstance is **unsafe** if it leads to either the objective absence of safety or perceived sense of safety for individuals connected with the district in any capacity. It is **imprudent** when it is performed or exists for arbitrary reasons or informed by interest devoid of relevant evidence and professional wisdom.

Finally, “**commonly accepted educational and professional ethics and practices**” reminds us that educational and professional ethics overlap as concepts with the difference that the power imbalance between the educator and the student is of greater measure than with most other professional-client relationships. Given the delicate nature of the education business, ethics in this sphere must be specific to the practice and may be based on existing national and state standards such as the National Board for Professional Teaching Standards, National Education Association’s Code of Ethics for Educators, the National Association of State Directors of Teacher Education and Certification’s Model Code of Ethics for Educators, the Vermont Standards Board for Professional Educators’ Code of Ethics for Vermont Educators, the American Association of School Administrators’ Code of Ethics, all practices that center the inherent dignity of the student at the forefront of the work, and any and all WSD policies and procedures designed to enhance the ethical execution of all duties even when not explicitly stated.

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## 2. COMPLIANCE CONDITIONS

Practices, activities, decisions, and organizational circumstances are **lawful** when they abide by state and federal law by careful attention to legal and policy changes, familiarity with existing statute, and meticulous monitoring of compliance; they are **safe** when designed and monitored through intentional planning and regular assessment to maintain physical and psychological safety as a foremost priority; they are **prudent** when they come to be based on high quality data, knowledge of the educational community, the best available research, categorical adherence to policy and rules, and the restrained application of judgement under uncertainty; and they are in full policy compliance when accounting for commonly accepted educational and professional ethics as informed by the Winooski Education Association Agreement, National Education Association’s Code of Ethics, The Vermont Standards Board for Professional Educators’ Code of Ethics for Vermont Educators, the American Association of School Administrators’ Code of Ethics, practitioner field-specific Codes of Conduct or Codes of Ethics, all practices that center the inherent dignity of the student at the forefront of the work, and any and all WSD policies and procedures designed to enhance the ethical execution of all duties even when not explicitly stated.

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## EVIDENCE OF COMPLIANCE

All policies and resulting procedures have been cross-referenced and vetted for legal compliance.

A preliminary audit of the body of board policy has been provided to the Board President for review and possible planning for the board.

All existing procedure is currently being reviewed and updated as applicable, with particular attention placed on procedure that relates to matters recently addressed by state and federal law and regulation, including newer Supreme Court rulings.

As part of the upcoming year’s priorities, familiarity with policy and rules will begin with a dedicated conversation during in-service days in August and will include an opportunity for the Board to engage in direct conversation with the staff regarding policy.

The Superintendent is an active member of state associations with a strong focus on legal compliance and up-to-date information.

Regular planning and monitoring meetings are established within the system to address physical security and safety on the premises. The first such meeting is taking place on August 7th.

The first set of policies brought to the board include policies that directly relate to physical safety and the security of the building, including measures related to emergency response.

The Superintendent and the City Manager meet multiple times a month to carry out joint planning, which includes safety topics and the operationalization of the Memorandum of Understanding.

The Superintendent actively coordinates with the City manager to implement a successful safety program through the District Liaison Officer role transitioning away from a traditional School Resource Officer capacity.

Multi-tiered Systems of Support are in place throughout the schools to address needs beyond physical safety alone, including the presence of licensed individuals with expertise in trauma, social-emotional support, and cultural factors.

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## EVIDENCE OF COMPLIANCE (CONTINUED)

In all decision making so far at the district level, careful adherence to policy and rules has been the first condition while additional prudence has been exerted in the absence of clear procedure. For example, for all grievances presented before the Superintendent at Step 2, honest admissions have been made to the Association based on objective observation of procedural flaws on the part of WSD administrators and the Association alike while encouraging all parties to commit to working productively and collaboratively for future outcomes that strategically minimize the grievable factors. Additionally, much of the work during summer with administrators and district staff has been characterized by the revisiting of old habits and structures that are based on tradition rather than policy and that may be arbitrarily applied in the absence of concrete agreements. This means that all individuals in the system are not only beginning to engage in strict adherence to rules, or their creation, but in the collective adoption of a culture of consistency and transparency.

Professional practices, activities, and organizational circumstances continue to be informed by the following:

Winooski Education Association Agreement

National Education Association's Code of Ethics

The Vermont Standards Board for Professional Educators' Code of Ethics for Vermont Educators

The American Association of School Administrators' Code of Ethics Practitioner field-specific Codes of Conduct or Codes of Ethics.

## COMPLIANCE STATUS

I report compliance.