

## Bylaw 9310: Board Policies

~~The Board of Education shall adopt written policies to convey its expectations for actions that will be taken in the district, clarify~~ **Definitions**

*Board policies* are the written rules of the district. They establish the parameters by which staff, students, parents/guardians, volunteers, contractors, visitors, and others shall abide while attending or participating in district programs or activities, on district property, or otherwise within the jurisdiction of the district. Additionally, Board policies clarify the roles and responsibilities of the **Governing** Board and Superintendent, and communicate Board philosophy and **positions values** to the students, staff, parents/guardians, and the community. ~~Board policies are binding on the district to the extent that they do not conflict with federal or state law and are consistent with the district's collective bargaining agreements.~~ ¶

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~~The Board recognizes the importance of maintaining a policy manual that is up to date and reflects the mandates of law. Policies shall be regularly reviewed at a time allocated for this purpose on the agenda of public Board meetings.~~ ¶

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~~The Board shall review certain policies annually, as required by Education Code 35160.5. If no revisions are deemed necessary, the Board minutes shall nevertheless indicate that the review was conducted. Other policies shall be monitored and reviewed as specified in the policy itself or as needed to reflect changes in law or district circumstances.~~ ¶

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### **Policy Development and Adoption Process** ¶

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~~The district's policy development process shall include the following basic steps.~~ ¶

- ~~1. The Board and/or Superintendent or designee shall identify the need for a new policy or revision of an existing policy. The need may arise from a change in law, a new district vision or goals, educational research or trends, or a change in the superintendency or Board membership. The need may also occur as a result of an incident that has arisen in the district or a recommendation or request from staff or other interested persons.~~ ¶

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- ~~2. As needed, the Superintendent or designee shall gather fiscal and other data, staff and public input, related district policies, sample policies from other organizations or agencies, and other useful information to fully inform the Board Policy Committee about the issue.~~ ¶

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- ~~3. The Board Policy Committee may consider how the proposed policy may affect student learning, community expectations, staff recommendations, fiscal impact, as well as the~~

~~policy's impact on governance and operational efficiency.~~

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~~4. The Board or Superintendent may request that legal counsel review the draft policy as appropriate.~~

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~~5. The Superintendent or designee, along with the Board Policy Committee shall develop and present a draft policy for a first reading at a public Board meeting. At its second reading, the Board may take action on the proposed policy. The Board may waive the second reading or may require an additional reading if necessary.~~

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~~Only policies formally adopted by a majority vote of the Board shall constitute official Board policy.~~

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~~The district's policy development process may be revised or expanded as needed based on the issue being considered, the need for more information, or to provide greater opportunities for consultation and public input.~~

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~~Policies shall become effective upon Board adoption or at a future date designated by the Board at the time of adoption.~~

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#### ~~Board Bylaws~~

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~~The Board shall prescribe and enforce rules for its own government consistent with state law and regulations. (Education Code 35010)~~

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~~Bylaws governing Board operations may be developed, adopted, and amended following the same procedures as those used for the adoption or amendment of Board policy.~~

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#### ~~Administrative Regulations~~

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~~The Superintendent or designee shall be responsible for developing and enforcing administrative regulations for the operation of the district. Administrative regulations shall be consistent with law and~~

*Board bylaws* are specific Board policies that govern the operations of the Board and establish the rights and obligations of Board members.

*Administrative regulations*, which shall not be inconsistent with Board policies, are written rules that implement Board policies or prescribe the operations and administration of the district. In

case of conflict between an administrative regulation and a Board policy, the Board policy, or applicable portion thereof, shall prevail.

Board policies and administrative regulations shall align with the district's vision and goals, promote student learning and achievement, provide for consistent and fair treatment of students and staff, and proactively address equity and the provision of equal access to opportunities for all students.

The **Governing** Board recognizes the importance of maintaining Board policies and administrative regulations that are up to date and reflect the mandates of law. Board policies or administrative regulation shall be binding to the extent that they do not conflict with federal or state law and are consistent with the district's collective bargaining agreements. No Board policy or administrative regulation, or any portion thereof, shall be operative if the Superintendent determines, based on advice of district legal counsel, it is in conflict with applicable federal or state law or regulations or court decisions. However, any portion of a Board policy or administrative regulation so determined to be inoperative shall not affect the operability of other provisions of the Board policy or administrative regulation.

### **Board Policy Development and Adoption**

The **Governing** Board shall regularly review Board policies and shall do so at Board meetings or Policy Committee meetings, as applicable. Additionally, the **Governing** Board shall annually review the policies specified in Education Code 35160.5. If no revisions are deemed necessary, the Board minutes for the applicable meeting shall nevertheless indicate that the review was conducted. Other Board policies shall be monitored and reviewed as specified in the Board policy itself or as needed to reflect changes in law or district circumstances.

The following steps shall be used to develop, propose, and adopt a new Board policy or revisions to an existing Board policy:

1. The **Governing** Board and/or Superintendent or designee shall identify the need for a new or revised Board policy
2. As needed, the Superintendent or designee shall gather fiscal data, staff and public input, related Board policies or administrative regulations, sample Board policies from the California School Boards Association, legal advice, and other useful information and data
3. The **Governing** Board may agendize one or more discussions or presentations with respect to the need for a new or revised Board policy

As part of those discussions or presentations, the **Governing** Board may request additional information or research and may provide direction to the Superintendent or designee regarding how to proceed with proposing a new or revised Board policy, including a request for review by district legal counsel.

~~Once drafted, the proposed new or revised Board policy and shall be designed to promote the achievement of district goals and objectives. Administrative regulations may describe specific actions to be taken, roles and responsibilities of staff, timelines, and/or other necessary provisions. The Superintendent or designee also may develop procedures manuals, handbooks, or other guides to carry out the intent of Board policy.¶~~

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~~When Board policies are amended, the Superintendent or designee shall review corresponding regulations to ensure that they conform to the intent of the revised policy. In case of conflict between administrative regulation and Board policy, policy shall prevail.¶~~

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~~The Board may review and/or approve regulations for the purpose of ensuring conformity with the intent of Board policy.¶~~

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- ~~4. **Monitoring and Evaluation** agendized at two separate Board meetings, with the first for public input and Board review and direction, and the second for further discussion, if warranted, and Board action~~

The **Governing** Board may waive or modify any of the above requirements on a case-by-case basis.

All Board policies shall be formally adopted by a majority vote of the **Governing** Board.

Board policies shall become effective upon Board adoption or at a future date if so designated by the Board at the time of adoption.

~~At the any time a policy is adopted, the **Governing** Board and Superintendent or designee shall determine whether an evaluation of the policy should be scheduled and, if so, may determine that progress reports to the **Governing** Board on the implementation and/or effectiveness of a Board policy are necessary. If so, the **Governing** Board and Superintendent or designee shall agree upon a timeline and, as applicable, measures for evaluating the effectiveness of the Board policy in achieving its purpose.~~

~~**Access to Policies**~~ **Administrative Regulation Development and Approval**

The Superintendent or designee shall ensure that all district employees and the public have access to an up-to-date district policy manual. A public copy of the policy manual shall be maintained at the district central office and at each school site. These copies shall be maintained either electronically or by paper copy.¶

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As necessary, the Superintendent or designee shall notify staff, parents/guardians, students, and other stakeholders whenever a policy that affects them is adopted or revised. He/she may determine the appropriate communications strategy depending on the issue.¶

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### **Suspension of Policies**¶

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No Board policy, bylaw, or administrative regulation, or any portion thereof, shall be operative if it is found to be in conflict with applicable federal or state law or regulations or court decisions. If any portion of a policy is found to be invalid, that invalidity shall not affect other provisions of the policy.¶

be responsible for the development and approval of administrative regulations.

When new Board policies are created or existing Board policies are revised, the Superintendent or designee shall, as necessary, create or revise any applicable administrative regulations to ensure that they conform to the intent of the new or revised Board policy.

To carry out the intent of the **Governing** Board, the Superintendent or designee may, in addition to developing and approving administrative regulations, develop procedures manuals, handbooks, or other guides.

### **Access**

The Superintendent or designee shall ensure that all district employees and the public have easy and free access to all Board policies, administrative regulations, and, as applicable, related documents