

BYLAWS OF THE BOARD

SUBJECT: Board Policies

The County Board of Education recognizes that its most important function is the establishment of long-range policies for the County Office of Education. The County Board of Education acknowledges that these policies must provide for the best possible education for students, and must also reflect informed consideration of the interests and needs of the districts of the county.

The County Board of Education shall be the policy-making body in all areas over which it has responsibility.

Procedures for adoption or amendment of County Board of Education policy shall conform in all respects to the bylaws of the County Board of Education concerning agenda, meetings and voting. The procedures shall provide a means whereby all interested parties in the county may provide input for the County Board of Education's consideration.

The formal adoption of the County Board of Education policies shall be recorded in the minutes of the County Board of Education. Only those written statements so adopted and so recorded shall be regarded as official County Board of Education policy.

Policy Development and Adoption Process

The Board President or designee shall present draft or suggestions for new policy and policy revisions when changes in law occur and when specific needs arise.

The Board President or designee will review suggested updates to policy provided through the California School Boards Association (CSBA) at a minimum of three times per year to coincide with the distribution of CSBA policies.

In order to provide the County Board of Education adequate time to consider all aspects of proposed policies, the following adoption calendar shall be observed except in emergencies.

New and revised policies shall be drafted and presented at regular intervals for a first reading for review and input at a public County Board of Education meeting. At its second reading, the County Board of Education may take action on the proposed policy. At its discretion, the County Board of Education may waive the second reading or may require an additional reading if necessary.

In case of an emergency*, the County Board of Education may adopt a policy after the first reading and at the same meeting.

To become official, each policy must receive a majority vote of the County Board of Education and become a part of the official minutes.

*emergency - The County Board of Education reserves the right to determine emergencies.

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(cf. 9322 - Agenda/Meeting Materials)
(cf. 9323.2 - Actions by the Board)

The County Board of Education 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 County Board of Education meetings.

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agendas/Meeting Materials)

The County Office of Education'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.

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

Board Bylaws

Bylaws are the rules governing the internal operations of the County Board of Education. When need for a new bylaw or modification of an existing bylaw is recognized, the County Superintendent of Schools or designee will be directed to develop and present the County Board of Education with a new or modified bylaw for consideration.

Proposed new bylaws and suggested amendments to or revisions of existing bylaws may be adopted by a majority vote of all members of the County Board of Education. The same procedure followed for the adoption of policy shall be used for Board bylaws.

Administrative Regulations

The County Superintendent of Schools or designee shall be responsible for developing and enforcing administrative regulations implementing the policies of the Board. Administrative regulations shall be consistent with law and County Board of Education policy and shall be designed to promote the achievement of County Office of Education goals and objectives. Administrative regulations may describe specific actions to be taken, roles and responsibilities of staff, timelines, and/or other necessary provisions. The County Superintendent or designee also may develop procedures manuals, handbooks, or other guides to carry out the intent of County Office of Education policy.

When County Board of Education policies are amended, the Board President or designee shall review corresponding regulations to ensure that they conform to the intent of the revised policy.

Access to Policies

The County Superintendent or designee shall ensure that all County Office of Education employees

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and the public have access to an up-to-date County Office of Education policy manual. A public copy of the policy manual shall be maintained at the central and regional offices and at each school site. These copies shall be maintained either electronically or by paper copy.

(cf. 1113 - Web Sites)

(cf. 1340 - Access to County Board of Education and County Superintendent of Schools Records)

Suspension of Policies

No County Board of Education 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.

The County Superintendent may temporarily suspend all or part of any policy, bylaw or administrative regulation when it conflicts with state or federal law or regulations. The County Superintendent shall report the suspension to the County Board. Suspension shall be valid until the policy, bylaw or administrative regulation is rescinded, amended or reaffirmed.

(cf. 2210 - Administrative Leeway in Absence of County Board of Education Policy)

Policies and bylaws shall be subject to suspension for a specified purpose and limited time by majority vote of the members of the County Board of Education.

Legal Reference:

EDUCATION CODE

140 – Duties of Boards

35010 Control of district; prescription and enforcement of rules

35160 Authority of governing boards

35163 Official actions, minutes and journal

35164 Vote requirements

Management Resources:

CSBA PUBLICATIONS

Targeting Student Learning: The School Board's Role as Policymaker, 2005

Maximizing School Board Leadership: Policy, 1996

WEB SITES

CSBA, Policy Services, including Policy Update Service, Governance and Management Using Technology (GAMUT Online™), Policy Audit Program, Individual District Policy Workshops, Agenda Online, and Manual Maintenance: <http://www.csba.org/ps>

National School Boards Association: <http://www.nsba.org>