

BylawFORMULATION, ADOPTION, AMENDMENT OF POLICIES

The governance of the district through policies directed toward providing a thorough and efficient education for its pupils is one of the most important functions of the Board of Education. Therefore, the board shall establish a careful process to ensure:

- A. Development of clear, workable, legal policies that reflect mature consideration of the will and needs of the community, and
- B. Timely, accurate evaluation of the effectiveness of the policies in the achievement of district objectives and progress toward goals.

In order to ensure that the total policy process is implemented effectively, the board appoints the Superintendent as policy coordinator. In cooperation with the board, he/she shall establish procedures to implement this bylaw that shall include an action plan for the careful development of policies and their regular review; appropriate policy goal-setting; a process for evaluation of district and school progress toward or achievement of policy goals; and appropriate standards of measurement and criteria for judging such progress.

The procedures shall conform in all respects to the bylaws of the board concerning agenda and meetings. The procedures shall provide a means whereby all interested parties in the school community may submit proposals for additions and amendments to the school district governance manual, and may contribute opinions and information for the board's consideration.

The policy coordinator shall ascertain any conflicts between proposed and existing policies and bring them to the attention of the board at the first reading of the draft. Policies may be adopted on second reading by a majority vote of the members of the board present and voting or may be further revised until consensus is reached. NOTE: FIRST READING MEANS THE FIRST TIME THE POLICY IS PRESENTED, NOT THE FIRST TIME A POLICY IS APPROVED IN ITS FINAL FORM.

In the interest of efficient administration, the Superintendent shall have the power to decide all matters of detail that may arise for which no specific provision is made in the policies adopted by the board, but no emergency action shall constitute official board policy. The Superintendent shall present the matter at the next board meeting, so the board can consider policy to deal with that situation in the future.

The board reserves to itself the right to final determination of what shall be the official policy of the school district.

Date: Reviewed: October 6, 2004; December 14, 2011

Adopted: November 17, 1999; November 17, 2004; February 8, 2012

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Policy, Board Policy

Legal References

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Other Reasons:

N.J.S.A. 18A:11-1 requires boards to make policy.

Case law affirms board cannot require a supermajority.

Recommendation:

A bylaw addressing how policy development will be coordinated; the necessary number of readings; and the method by which policies will be kept up to date.

<u>Legal References:</u>	<u>N.J.S.A. 10:4-6 et seq.</u>	<u>Open Public Meetings Act</u>
	<u>N.J.S.A. 18A:10-6</u>	Board meetings public; frequency; hours of commencement; adjournment, etc., for lack of quorum
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:17-20</u>	Tenured and nontenured superintendents; general powers and duties
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.S.A. 47:1A-1 et seq.</u>	Public Records; Examination and Copies (<u>Open Public Records Act</u>)

New Jersey Department of State, Division of Archives and Records Management, School District Records Retention

Matawan Teachers Assn. v. Board of Education, 223 N.J. Super. 504 (App. Div. 1988)

Possible

<u>Cross References:</u>	*2210	Administrative leeway in absence of board policy
	*9000	Role of the board
	*9314	Suspension of policies, bylaws and regulations
	*9322	Public and executive sessions
	*9323/9324	Agenda preparation/advance delivery of meeting material

*Indicates policy is included in the Critical Policy Reference Manual.