

BY-LAW

FORMULATION, 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. 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.

The Board may at its organization meeting and by a majority vote of those present and voting readopt existing bylaws and policies without prior notice.

Continuing Review of Policy, Bylaws and Regulations

In order to ensure that the total policy process is implemented effectively, the Board appoints the Superintendent or his/her designee as the Policy Coordinator. In cooperation with the Board, the Policy Coordinator shall adhere to the following guidelines so as to ensure the regular review of the Policies and Regulations in the Board Policy Manual.

1. The Policy Coordinator shall develop procedures for the continuous and orderly review of all Policies, Bylaws and Regulations in the Board Policy Manual. These procedures should guarantee that each Policy and Regulation in the Board Policy Manual will be reviewed at least once every five years.
2. Any necessary revisions to Board Policies, Bylaws and/or Regulations shall be made in conformity with the process provided in this Policy, File Code 9312, and File Code 9313 for the Formulation, Adoption and Amendment of Policy, Bylaws and Regulations.
3. If the terms of a Policy, Bylaw and/or Regulation are not affected by the changes in law, and the Policy, Bylaw and/or Regulation still reflects the intent of the Board in the matter, then the Policy, Bylaw and/or Regulation shall be officially readopted as of that date.
4. The Board directs the Superintendent to review the rules and regulations implementing any amended or altered Policy, Bylaw and/or Regulation to

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ensure that they conform to the intent of the Policy, Bylaw and/or Regulation as amended or changed.

Adoption of Policies

Policies will be developed and considered by the Board in accordance with the following procedure:

1. A new or revised Policy may be suggested to the Board by any Board member, the Superintendent, Board Solicitor, any staff member, or a member of the public;
2. A suggestion for a new or revised Policy may be referred, at the discretion of the Board and as appropriate to the subject, to the Superintendent, Board Solicitor, Board committee, or a public advisory committee for study and formulation of a recommendation to the Board. Any study of a Policy suggestion should consider whether the matter is adequately addressed in existing Board policy and whether the matter is more appropriately addressed by administrative regulation;
3. If a recommendation for a new or revised Policy results, a proposed draft will be submitted to the Board for discussion and approval on First Reading. Copies of the proposed draft will be made available to staff members and the public, and comment will be invited.
4. Following the draft Policy's review and approval on First Reading, the Board may elect to make some changes/revisions to the draft policy. Any changes that are made will not require another review and approval on First Reading; however the Board, at its discretion, may elect to have another review and approval on First Reading of the proposed draft Policy.
5. The proposed Policy draft will then be submitted on a Second Reading for adoption by a majority of the members of the Board present and voting at a subsequent regular meeting of the Board.

NOTE: FIRST READING MEANS THE FIRST TIME THE POLICY IS PRESENTED, NOT THE FIRST TIME A POLICY IS APPROVED IN ITS FINAL FORM.

Emergent Action

In the interest of efficient administration, the Superintendent or his/her designee 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 or his/her designee shall present the matter at the next Board meeting, so the Board can consider policy to deal with that

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situation in the future.

The Board reserves to itself the right to final determination of what shall be the official policy of the District.

Maintenance of Board Policies, Bylaws and Regulations

A manual of Board Policies, Bylaws and Regulations shall be maintained, and shall be made available and/or given to each Board member, the Superintendent, the Board Secretary, the Board Solicitor, each Building Principal, and other individuals designated by the Superintendent.

The Superintendent or his/her designee shall institute a plan for the orderly promulgation and/or availability of Board Policies, Bylaws and Regulations to staff members who are affected by them and shall provide staff members with access to an up-to-date manual of Board Policies, Bylaws and Regulations.

Each copy of the manual of Board Policies, Bylaws and Regulations shall be numbered; a record of the placement of each manual shall be maintained by the Superintendent or his/her designee. Copies of revised pages will be furnished to the holders of manuals as changes are made to bylaws and policies. The holder of a manual shall return the manual to the Board Secretary upon the termination of his/her service to the District.

The manual of Board Policies, Bylaws and Regulations shall be considered a public record open to inspection in the office of the Superintendent. The manual retained by the Superintendent shall be considered the master copy of the manual and shall not be modified by any person other than the Superintendent or his/her designee.

Date: January 18, 1983

Reviewed/Revised: March 30, 2009

<u>Legal References:</u> <u>N.J.S.A.</u> 10:4-6	Open Public Meetings Act
<u>N.J.S.A.</u> 18A:10-6	Board meetings public; frequency; hours of commencement;
	adjournment, etc., for lack of quorum
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:17-20	Superintendent; general powers and duties
<u>N.J.S.A.</u> 47:1A-1	Examination and copies of public records

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)

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Possible Cross References:

2210	Administrative leeway in absence of board policy
9000	Role of the board
9312	Formulation, Adoption and Amendment of Bylaws
9313	Formulation, Adoption and Amendment of Administrative Regulations
9314	Suspension of policies, bylaws and regulations
9322	Public and executive sessions
9323/9324	Agenda preparation/advance delivery of meeting material