

BY-LAWSUSPENSION OF POLICIES, BYLAWS AND REGULATIONS

The Board has developed a careful and deliberate process of formulating and adopting its Policies, Bylaws and Regulations. Therefore, any requests for a waiver/suspension of any existing Policy, Bylaw or Regulation should receive the same careful consideration.

Accordingly:

- A. Any request for a waiver/suspension of any Board Policy, Bylaw or Regulation shall be considered in light of the Policy, Bylaw or Regulation itself, rather than any particular circumstances of the moment.
- B. The Board shall decide whether the Policy, Bylaw or Regulation still reflects the considered intent of the Board and is in accordance with then applicable law. In addition, the Board will also determine whether rights of the public would be adversely affected by the proposed suspension or waiver of Board Policy, Bylaw or Regulation. If it so, the waiver/suspension will be denied and the Policy, Bylaw or Regulation will be reaffirmed in the minutes.
- C. If the Policy, Bylaw or Regulation does not reflect the intent of the Board or is contrary to then applicable law, the Policy, Bylaw or Regulation shall be waived/suspended by a majority vote of the members of the Board present and voting and development of a revised policy or bylaw shall become the Board's prime policy priority.

In the event of an emergency requiring immediate action, the Superintendent or his/her designee shall have the power to waive Board Policy, Bylaw or Regulation in the single instance. In such cases, the Superintendent or his/her designee shall report the instance to the Board President immediately, and request reconsideration of the Policy, Bylaw or Regulation at the next regular meeting.

Date: January 18, 1983

Reviewed/Revised: March 30, 2009

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
 N.J.S.A. 18A:17-20 Superintendent; general powers and duties
 N.J.A.C. 6A:32-2.1 Definitions
 N.J.A.C. 6A:32-4.3 Evaluation of tenured and nontenured chief school administrators

Possible Cross References: 2131 Chief school administrator

SUSPENSION OF POLICY

File Code 9314

- 2210 Administrative leeway in absence of board policy
- 9130 Committees
- 9311 Formulation, adoption, amendment of policies
- 9312 Formulation, adoption, amendment of bylaws
- 9314 Suspension of policies, bylaws and regulations
- 9323/9324 Agenda preparation/advance delivery of meeting material