

BOARD POLICIES AND BYLAWS

The Monterey County Board of Education (County Board) shall adopt written policies to convey its expectations for actions that will be taken by the Monterey County Office of Education (MCOE) within its authority, clarify roles and responsibilities of the County Board, and communicate County Board philosophy and positions to the students, staff, parents/guardians and the community.

County Board policies and bylaws shall be consistent with the laws of California and be developed with the concern for the most efficient and constructive operation of the education programs and services of MCOE. The County Board encourages members of the community to contribute information and opinions for consideration and to propose revisions to policy.

Administrative Regulations

It is the responsibility of the Monterey County Superintendent of Schools (County Superintendent) or designee to develop and enforce administrative regulations for the operation of MCOE. Administrative regulations provide details and instruction to staff to provide guidance on the implementation of County Board policies. The County Superintendent or designee also may develop procedures, manuals, handbooks, or other guides to carry out the intent of County Board policies.

Policy Development and Adoption Process

The County Board's policy development process shall include the following basic steps:

1. New or Revised Policies

A new or revised policy may be proposed by a County Board member, the Monterey County Superintendent of Schools (County Superintendent), or by a member of the staff making such request through the office of the County Superintendent. The specific writing of the proposed policy shall be as directed by the County Board President. It is important in the writing of a policy that all available expertise and pertinent information be utilized. The County Superintendent or designee and a Policy Committee appointed by the County Board President will normally be assigned to accomplish this task.

Thrice annually, the California School Board Association (CSBA) issues sample policies that have been affected by changes in the law or court decisions. The CSBA format, titling and numbering system shall be used as a guide in the development of County Board policies and bylaws.

2. Board By-Laws

The County Board shall adopt bylaws to govern the internal operations of the County Board. When the need for a new bylaw or modification of an existing bylaw is recognized, the Policy Committee, with assistance from the County Superintendent or designee and staff shall draft a new or modified bylaw for consideration by the County Board.

3. Procedures for Approving New or Revised Policies and Bylaws

With the exception of minor corrections, all new or revised policies or bylaws shall be adopted through the process of two readings at regularly or specially scheduled Board meetings with adoption no earlier than the second reading. Recommendations or alteration may be discussed orally at any reading. Changes will be incorporated as proposed and approved. New or changed policies and bylaws shall be adopted by a two-thirds vote of all the County Board members present.

4. Review of Policies

The County 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 County Board meetings. Annually, or as directed by the President of the County Board, all County Board policies shall be reviewed and revised as necessary.

5. Suspension/Deletion of Policies

A Board policy or bylaw may need to be deleted for a variety of reasons, including changes or deletions of state or federal law, or a change or discontinuation of an MCOE program or practice. Deletion of a Board policy shall require approval by a two-thirds vote by the County Board members who are present.

No County Board policy, bylaw, or any portion thereof, shall be operative if it is in conflict with applicable federal or state law or regulations or court decisions. If any policy or portion of a policy is found to be invalid, the invalid policy or portion shall be deleted by County Board action at a regular meeting.

6. Temporary Suspension of a Policy or Bylaw

A Board Policy may be temporarily suspended by the following procedure:

- a. It must be on the agenda for Board action.

- b. Action is approved by two-thirds vote of all County Board members present.
- c. The policy or bylaw is suspended only for the meeting in which action to suspend takes place.

A request for temporary suspension of a policy or bylaw does not need to be agendaized if:

- a. There is urgency to act (requires unanimous vote). A matter is deemed urgent if it arose after the posting of the agenda, and cannot wait until the next County Board meeting.
- b. The matter is an emergency (requires unanimous vote). A matter is deemed an emergency if failure to act would prevent the operation of a school or other MCOE facility.

Access to Policies

A public copy of the policy manual shall be maintained at the MCOE either electronically or by paper copy. The Deputy Superintendent is responsible for dissemination of new or revised Board policies to MCOE staff, parents/guardians, students, and other stakeholders whenever a policy that affects them is adopted or revised.

Legal Reference:

EDUCATION CODE

- 1040 (a) Adopt rules and regulations for the county board's own government*
- 1042 (a) Adopt rules and regulations governing the administration of the office of the county superintendent of schools*
- 35160 Authority of governing boards*

Approved: 11/19/86

Revised: 1/98; 7/99; 2/02; 9/19/07; 10/02/13; 06/01/16