

208 - DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF POLICIES BYLAW

I. PURPOSE

The purpose of this **policy Bylaw** is to emphasize the importance of the policy-making role of the school board and provide the means for it to continue to be an ongoing effort.

II. GENERAL STATEMENT OF POLICY-BYLAW

Formal guidelines are necessary to ensure the school community that the school system responds to its mission and operates in an effective, efficient, and consistent manner. A set of written policy statements shall be maintained and modified as needed. Policies should define the desire and intent of the school board and should be in a form which is sufficiently explicit to guide administrative action.

III. DEVELOPMENT OF POLICY

- A. The school board has jurisdiction to legislate policy for the school district with the force and effect of law. School board policy provides the general direction as to what the school board wishes to accomplish while delegating implementation of policy to the administration.
- B. The school board's written policies provide guidelines and goals to the school community. The policies shall be the basis for the formulation of guidelines and directives by the administration. The school board shall determine the effectiveness of the policies by evaluating periodic reports from the administration.
- C. Policies or amendments to policies may be proposed, in writing, by a school board member, employee, student, resident of the school district or other individuals. Proposed policies, amendments or ideas shall be submitted to all members and the superintendent for review prior to placement on the school board agenda.

IV. ADOPTION OF POLICY

- A. The school board shall give notice of proposed policy changes or adoption of new policies by placing the item on the agenda of two school board meetings. The proposals shall be distributed and public comment will be allowed at both meetings prior to final school board action. The policy will be effective on the later of the date of passage or the date stated in the motion.
- B. In the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school board. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The emergency policy shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The school board shall have discretion to determine what constitutes an emergency situation.

C. Suspension

POLICIES of the School Board shall be subject to suspension only upon a majority vote of the members of the School Board present at a meeting in the call for which the proposed suspension has been described in writing or upon a unanimous vote of ALL members of the School Board when no such written notice has been given.

BY-LAWS of the School Board shall be subject to suspension only upon a majority vote of ALL members of the School Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of ALL the members of the School Board when no such written notice has been given.

Reference: Robert's Rules of Order, Newly Revised, section 25, pp. 224-228: "Rules protecting absentees or a basic right of the individual member cannot be suspended, even by general consent or a unanimous vote. For example, the rule requiring previous notice of a proposed amendment to the bylaws protects the absentees, and its suspension would violate their rights" . . . unless ALL members have an opportunity to vote.

D. Amendment or Suspensions of Policies, By-Laws and Regulations

All rules and regulations heretofore adopted which are inconsistent or in conflict with the rules and regulations of the School Board as presently constituted are hereby repealed.

Rules and regulations may be altered or amended at any regular meeting of the School Board by a majority vote of the members present.

- E. If a policy is modified with minor changes that do not affect the substance of the policy or because of a legal change over which the school board has no control, the modified policy may be approved at one meeting at the discretion of the school board.

V. IMPLEMENTATION OF POLICY

- A. The superintendent shall be responsible for implementing school board policies and developing administrative guidelines and regulations to provide greater specificity and consistency in the process of implementation. These guidelines and, regulations, shall be distributed to the school board.
- B. Each school board member shall have access to this policy manual, and an electronic copy shall be available in the office of each school attendance center. Electronic copies shall be available in the central office and made available for reference purposes to other interested persons.

- C. The superintendent, employees designated by the superintendent, and individual school board members shall be responsible for keeping the electronic policy manuals current.
- D. The school board shall review policies at least once every five years. The superintendent shall be responsible for developing a system of periodic review, addressing approximately one fifth of the policies annually. In addition, the school board shall review the following policies annually:
 - 410 - Family and Medical Leave Policy
 - 413 - Harassment and Violence
 - 414 - Mandated Reporting of Child Neglect or Physical or Sexual Abuse
 - 415 - Mandated Reporting of Maltreatment of Vulnerable Adults
 - 506 - Student Discipline
 - 514 - Bullying Prohibition Policy
 - 522 - Student Sex Nondiscrimination
 - 524 - Internet Acceptable Use and Safety Policy
 - 616 - School District System Accountability
 - 806 - Crisis Management Policy
- E. When no school board policy exists to provide guidance on a matter, the superintendent is authorized to act appropriately under the circumstances keeping in mind the educational philosophy and financial condition of the school district. Under such circumstances, the superintendent shall advise the school board of the need for a policy and present a recommended policy to the school board for approval.

Legal References: Minn. Stat. § 123B.02, Subd. 1 (School District Powers)
Minn. Stat. § 123B.09, Subd. 1 (School Board Powers)

Cross References: MSBA/MASA Model Policy 305 (Policy Implementation)

Replacing: Policies 8065, 9065
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