

## 0130 - FUNCTIONS

0131

### Legislative

The Board of Education shall make such rules and regulations as are necessary for its governance and the governance of its employees and students of its grounds or promises by adopting bylaws and policies for the organization and operation of this Board and this School District. R.C. 3313.20

Those bylaws and policies which are not dictated by the statutes or rules of the State Board of Education or ordered by the Superintendent of Public Instruction, or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board, and where compelling reasons exist, cause to suspend at any time the operation of a bylaw or policy herein contained, provided the suspension does not conflict with law, and such suspension shall terminate at the next meeting of the Board or at such earlier time as is specified in the motion to suspend.

~~exercise its rule-making power by adopting bylaws and policies for the organization and operation of the School District. Those bylaws and policies that are not dictated by the statutes or policies and guidelines of the State Board of Education or ordered by the Superintendent of Public Instruction or a court of competent authority may be adopted, amended and repealed at any meeting of the Board, and where compelling reasons exist, cause to suspend at any time the operation of a bylaw or policy herein contained, provided the suspension does not conflict with law; and such suspension shall terminate at the next meeting of the Board or at such earlier time as is specified in the motion to suspend.~~

These bylaws and policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of these rules as any situation or set of circumstances that the Board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the District.

-

Bylaws shall be adopted, amended or repealed by (an affirmative vote of 4 members) ~~(a 4/5's two-thirds (2/3's)~~ vote of the full Board). Policies shall be adopted, amended or repealed by (an affirmative vote of 4 members) ~~(a majority vote of the full Board)~~.

-

The adoption, modification, repeal or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in negotiated agreement shall no longer be in force and effect as a policy.

-

Revised 4/16/13



- 
- 
- A. ~~Prior to enactment, all policy proposals shall be titled and coded as appropriate to subject and in conformance with the established codification system.~~
- 
- B. ~~Insofar as possible, each policy statement shall be limited to one (1) subject.~~
- 
- C. ~~Policies and amendments adopted by the Board shall be attached to and made a part of the minutes of the meeting at which they are adopted and shall also be included in the policy manual of the District.~~
- 
- D. ~~Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.~~
- 
- 
- E. ~~Attaching the proposed policy to the Board agenda and making the language available for public review shall constitute a reading at the meeting the policy is considered.~~
- 
- 

~~Amendment of Board policies shall follow this sequence:~~

- 
- 
- A. ~~Distribution of proposed amended policies as an item of information three (3) days prior to the Board meeting at which time said policies will be considered.~~
- 
- B. ~~Opportunity offered to concerned groups or individuals to react to policy proposals at the Board meeting in which action is being taken.~~
- 
- C. ~~Discussion and final action by the Board on policy amendment proposals.~~
- 
- D. ~~Amendment of a policy shall require a majority vote of all members of the Board.~~
- 
- 

**Administration in Policy Absence**

~~In the absence of Board policy specifically covering any action that the Superintendent feels s/he must take for the orderly execution of his/her duties, s/he may take temporary action that s/he feels will be in harmony with the overall policy of the Board. However, the Superintendent will not be free to act when the action involves a duty of the Board that by law cannot be delegated.~~

- ~~In each case in which the Superintendent must take such action, s/he will present the matter to the Board for its consideration at its next meeting.~~
- ~~-~~
- ~~Revised 3/24/87~~  
~~Revised 10/21/08~~  
~~Revised 4/16/13~~

0132

## Executive

The Board shall exercise its executive power by the appointment of a Superintendent of Schools, hereinafter referred to as "Superintendent", ~~as Chief School Administrator of this School District~~ for a term not longer than five (5) years. [R.C 3319.01](#)

The Superintendent shall enforce the statutes of Ohio, rules of the State Board and the policies of this Board. [R.C 3319.01](#)

The Superintendent ~~shall~~ ~~may~~ prepare guidelines for the administration of the ~~School~~ District ~~which that~~ are not inconsistent with statutes, ~~or~~ regulations of the State Board, or the policies of this Board. [R.C 3319.01](#)

~~Such administrative guidelines and that~~ shall be binding on the employees of this District and the students ~~in the schools~~ of this District when issued.

~~The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action shall be reported to the Board at the next meeting following such action.~~

~~R.C. 3319.01~~

Revised 3/24/87  
Revised 4/16/13

[Revised \(DATE\)](#)

0133

## Judicial

The Board of Education may assume jurisdiction over any dispute or controversy arising within this ~~School~~ District and concerning any matter in which authority has been vested in the Board by statute, rule or a contract or policy of this Board. In furtherance of its adjudicatory function, the Board may [hold hearings which shall offer parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.](#) ~~the opportunity to present their version of the facts relevant to the dispute.~~  
[R.C 9.84](#)

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences ~~which~~ that may flow from it, the degree of difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the School District.

Regulations for the conduct of adjudicatory hearings of the Board shall be prepared as guidelines for those who may be heard by the Board.

Revised 4/16/13

[Revised \(DATE\)](#)