

**FORMULATION, ADOPTION, AMENDMENT, AND REPEAL OF BOARD POLICIES, BYLAWS AND ADMINISTRATIVE REGULATIONS**

The County Board recognizes that one of its primary functions is the establishment of long-range policies, in areas under its jurisdiction. The County Board acknowledges that policies must provide for the best possible education for students and must also reflect informed consideration of the interests and needs of MCOE operated programs and the school districts of the county.

The Mendocino County Board of Education acknowledges that new or amended educational legislation or specific concerns/issues necessitate an ongoing review of County Board policies, bylaws, and regulations to ensure they are consistent with Mendocino County Office of Education (MCOE) operations and reflect the laws of the state and guidelines for their own governance.

The County Board also recognizes its responsibility to adopt and maintain bylaws which are the rules governing the internal operations of the Board. The Board encourages members of the community to contribute information and opinions for the County Board's consideration and propose revisions to policy within the Board's jurisdiction.

The County Board shall be the policy-making body in all areas over which it has responsibility, recognizing the need for the County Superintendent to develop regulations to support County Board policies and to meet his/her legal responsibilities.

Procedures for adoption or amendment of County Board policies and bylaws shall conform in all respects to the County Board bylaws concerning agendas, meetings, and voting.

**Procedures**

In order to provide the County Board adequate time to consider all aspects of a proposed new policy or bylaw or a revision thereto, the following procedures shall be observed except in cases of emergencies, extreme urgency, or as the Board deems necessary:

1. A new policy/bylaw or policy/bylaw revision shall be submitted for review and input by the Superintendent.
2. The subject policy/bylaw shall then be submitted to the full Board for its review and consideration at its next regularly scheduled meeting for a first-reading. The County Board may direct the County Superintendent to make revisions before further consideration.
3. Typically, a second-reading shall occur at the next regular meeting of the County Board, at which time the proposed new/revised policy/bylaw may be adopted by a majority vote of all members of the County Board. The Board may waive second-reading or may require additional readings.

4. In case of an emergency, extreme urgency, or as deemed necessary by the County Board, a new/revised policy/bylaw may be adopted at the first-reading. The County Board reserves the right to determine what constitutes an emergency and/or level of urgency.
5. When new policies are adopted or existing policies amended, the County Superintendent or designee shall develop new or review existing corresponding administrative regulations and/or exhibits to ensure they conform to the intent of the new or revised policy and state and federal laws and regulations.

### **Adoption**

To become official, each policy must receive a majority vote of the County Board. The formal adoption of policies of the County Board shall be recorded in the minutes of the County Board. Only those written statements so adopted and so recorded shall be regarded as official County Board policy.

The County Board directs the County Superintendent of Schools to review and revise policies as needed; however, each adopted policy should be reviewed at least once every three (3) years.

### **Repeal**

County Board policies and bylaws are subject to repeal by a majority vote. However, the repeal of any policy or bylaw shall undergo the following consideration:

1. The County Board shall decide whether the policy or bylaw still reflects the intent of the County Board and applicable state and/or federal law.
2. Policies shall be reviewed on their own merits.

If a policy or bylaw is repealed, any accompanying administrative regulation or exhibit(s) may also be repealed.

### *Legal Reference:*

#### EDUCATION CODE

*1011 Regular meetings (county board of education)*

*1012 Special meetings*

*1013 Quorum*

*1014 Majority vote required for teacher's certificate, adoption of books or apparatus*

*1015 Recording vote*

*1016 Permitted proceedings at special meetings*

*1040 Duties of boards*

*1041 Powers of boards*

*1042 Additional powers*

*1043 Powers of boards*

*1240 Powers and duties of superintendents*

#### GOVERNMENT CODE

*54950 et seq. Meetings (public commissions, etc., including county boards of education)*

**MENDOCINO COUNTY BOARD OF EDUCATION**

Adopted: September 16, 1991

Revised: August 11, 2008

Revised: February 8, 2010

Revised: March 9, 2020