

**SCHOOL BOARD POWERS AND DUTIES BYLAW**

The powers of the Board of Education shall include the general control, management, and supervision of public education in the district. The Board shall have all the powers reasonably necessary to exercise powers granted expressly or by implication and to discharge duties granted expressly or by implication. These powers have been conferred upon the Board as a body corporate, and no such power may be exercised by an individual Board member except as he/she may have expressly been delegated to act on behalf of the Board.

Among the more important functions of the Board is the exercise of its legislative and executive powers.

1. Legislative Function – The Board shall exercise its rule-making power by adopting policies and regulations for the organization and operation of the school district.
  - a. Those policies and regulations which are not dictated by the statutes, administrative codes, contracts of the Board, or ordered by the Commissioner or a court of competent authority may be adopted, amended, or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal shall have been proposed at a Board meeting not less than two weeks previous and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected. Except for minor editorial revisions, changes in the proposed policy at the second reading shall cause that reading to constitute a first reading.
  - b. The Board may upon the vote required for adoption, amendment or repeal and where compelling reasons exist, cause to suspend at any time the operation of a policy or regulation 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 may be specified in the motion to suspend. These policies and regulations may be Adoption date or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this rule as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the district. Any resolution Adoption date under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution in final form.

- c. Policies and regulations shall be Adoption date, amended, or repealed by a majority vote of the full Board.
  - d. Editorial and reference changes to policies and regulations may be effected without action by the Board, but shall be subject to Board review.
  - e. The adoption, modification, repeal, or suspension of a Board policy or regulation shall be recorded in the minutes of the Board. All current policies and regulations shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.
2. Executive Function – The Board shall exercise its executive powers by the appointment of a Superintendent of Schools.
- a. The Superintendent shall enforce the statutes, administrative codes, and the policies of the Board.
  - b. The Superintendent may prepare regulations for the administration of the school district that are not inconsistent with statutes or administrative codes, are dictated by the policies of the Board and that shall be binding in the employees of this district and the students in the schools of this district when issued.
  - c. In cases where administrative action is not expressly dictated by policies of the Board, the Superintendent may formulate regulations that shall be binding upon the employees of this district and the students of these schools when issued, but shall be provided to the Board at the next meeting thereof. The Board reserves the right to overrule any such regulation.

No member of the Board by virtue of his office or committee appointment shall exercise administrative responsibility with respect to the schools, or personally command the services of any employee.

Ref: Education Law §§1709; 2508

Adoption date: