

## Administration

BP 2210 (a)

### ADMINISTRATIVE DISCRETION REGARDING BOARD POLICY

~~Through the adoption of written policies, the Governing Board conveys its expectations for action that will be taken in the district, clarifies roles and responsibilities of the Board and Superintendent, and communicates Board philosophy and direction. However, the Board recognizes that, at times, situations may arise in the operation of district schools or in the implementation of district programs that are not addressed in Board policy or administrative regulation. When resolution of such a situation necessitates immediate action, the Superintendent or designee shall have the authority to act on behalf of the district.~~

The Governing Board desires to be proactive in communicating its philosophy, priorities, and expectations for the district; clarifying the roles and responsibilities of the Board, Superintendent, and other senior administrators; and setting direction for the district through written policies. However, the Board recognizes that, in the course of operating district schools or implementing district programs, situations may arise which may not be addressed in written policies.

*(cf. 0000 - Vision)*

*(cf. 0100 - Philosophy)*

*(cf. 0200 - Goals for the School District)*

*(cf. 0460 - Local Control and Accountability Plan)*

*(cf. 2110 - Superintendent Responsibilities and Duties)*

*(cf. 9000 - Role of the Board)*

*(cf. 9310 - Board Policies)*

~~If the~~ In any situation ~~or its resolution may affect~~ in which immediate action is needed to avoid any risk to the safety or security of district students, staff, or property, or disruption to ~~involve a significant impact on~~ student learning, ~~or create a distraction within the school community,~~ the Superintendent or designee shall ~~notify the Board as soon as practicable after its occurrence.~~ have the authority to act on behalf of the district. ~~The board president and the Superintendent shall schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.~~

*(cf. 0450 – Comprehensive Safety Plan)*

*(cf. 3516.5 – Emergency Schedules)*

*(cf. 9322 – Agenda/Meeting Materials)*

As necessary, the Superintendent or designee shall consult with other district staff, including the legal counsel and/or the chief business official, regarding the exercise of this authority.

*(cf. 0450 - Comprehensive Safety Plan)*

*(cf. 3516.5 - Emergency Schedules)*

The Superintendent or designee shall notify the Board as soon as practicable after he/she exercises this authority. The Board president and the Superintendent may schedule a review of the action at the next regular Board meeting. If the action indicates the need for additions

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or revisions to Board policies, the Superintendent or designee shall make the necessary recommendations to the Board.

*(cf. 9320 - Meetings and Notices)*

*(cf. 9322 - Agenda/Meeting Materials)*

**Tier 3 Categorical Flexibility**

~~The Board has determined that it is in the best interest of the district to utilize the categorical program flexibility authorized by Education Code 42605. In implementing the flexibility, the Superintendent, in accordance with Education Code 42605, may suspend any program or funding requirement reflected in any Board policy, administrative regulation, or other document designed for the operation of any Tier 3 categorical program to the extent that such suspension does not affect the terms of any existing district contract or bargaining agreement. As necessary, the Superintendent or designee shall consult with other district staff, including the legal counsel and/or the chief business official, regarding the district's exercise of this flexibility.~~

~~The Superintendent or designee shall regularly report to the Board regarding how the district is exercising the flexibility and whether the desired results are being achieved.~~

~~*(cf. 0420 - School Plans/Site Councils)*~~

~~*(cf. 0420.1 - School Based Program Coordination)*~~

~~*(cf. 1220 - Citizen Advisory Committees)*~~

~~*(cf. 1312.4 - Williams Uniform Complaint Procedures)*~~

~~*(cf. 3110 - Transfer of Funds)*~~

~~*(cf. 3111 - Deferred Maintenance Funds)*~~

~~*(cf. 4111 - Recruitment and Selection)*~~

~~*(cf. 4112.2 - Certification)*~~

~~*(cf. 4112.21 - Interns)*~~

~~*(cf. 4113 - Assignment)*~~

~~*(cf. 4117.14/4317.14 - Postretirement Employment)*~~

~~*(cf. 4131 - Staff Development)*~~

~~*(cf. 4131.1 - Beginning Teacher Support/Induction)*~~

~~*(cf. 4138 - Mentor Teachers)*~~

~~*(cf. 4139 - Peer Assistance and Review)*~~

~~*(cf. 4231 - Staff Development)*~~

~~*(cf. 4331 - Staff Development)*~~

~~*(cf. 5123 - Promotion/Acceleration/Retention)*~~

~~*(cf. 5136 - Gangs)*~~

~~*(cf. 5141.32 - Health Screening for School Entry)*~~

~~*(cf. 5145.6 - Parental Notifications)*~~

~~*(cf. 5146 - Married/Pregnant/Parenting Students)*~~

~~*(cf. 5147 - Dropout Prevention)*~~

~~*(cf. 5148.1 - Child Care Services for Parenting Students)*~~

~~*(cf. 5149 - At Risk Students)*~~

~~*(cf. 6141.5 - Advanced Placement)*~~

~~*(cf. 6142.6 - Visual and Performing Arts Education)*~~

~~*(cf. 6142.91 - Reading/Language Arts Instruction)*~~

~~*(cf. 6142.94 - History-Social Science Instruction)*~~

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~~(cf. 6146.1 High School Graduation Requirements)~~  
~~(cf. 6151 Class Size)~~  
~~(cf. 6161.1 Selection and Evaluation of Instructional Materials)~~  
~~(cf. 6162.52 High School Exit Examination)~~  
~~(cf. 6163.1 Library Media Centers)~~  
~~(cf. 6164.2 Guidance/Counseling Services)~~  
~~(cf. 6172 Gifted and Talented Student Program)~~  
~~(cf. 6176 Weekend/Saturday Classes)~~  
~~(cf. 6177 Summer School)~~  
~~(cf. 6178 Career Technical Education)~~  
~~(cf. 6178.2 Regional Occupational Center/Program)~~  
~~(cf. 6179 Supplemental Instruction)~~  
~~(cf. 6184 Continuation Education)~~  
~~(cf. 6185 Community Day School)~~  
~~(cf. 6200 Adult Education)~~  
~~(cf. 7214 General Obligation Bonds)~~  
~~(cf. 9323.2 Actions by the Board)~~

*Legal Reference:*EDUCATION CODE

35010 Control of district, prescription and enforcement of rules  
 35035 Powers and duties of superintendent  
 35160 Authority of governing boards  
~~35160.5 Annual review of school district policies~~  
 35161 Powers and duties; authority to delegate  
 35163 Official actions, minutes and journal  
~~42605 Tier 3 categorical flexibility~~

*Management Resources:*CSBA PUBLICATIONS

~~Policy implications of Categorical Program Flexibility, Policy Advisory, November 2009~~  
~~Flexibility Provisions in the 2008 and 2009 State Budget: Policy Consideration for Governance Teams, Budget Advisory, March 2009~~  
 Impact of Local Control Funding Formula on Board Policies, Policy Brief, November 2013

WEB SITES

CSBA: <http://www.csba.org>  
 California Department of Education: <http://www.cde.ca.gov>

Policy  
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CSBA MINOR REVISIONS  
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