

# Modesto City Schools Board Policy

**BP 2210**

## Administrative Discretion Regarding Board Policy

### Administration

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. In such situations, or when immediate action is necessary to avoid any risk to the safety or security of students, staff, or district property or to prevent disruption of school operations, the Superintendent or designee shall have the authority to act on behalf of the district in a manner that is consistent with law and Board policies.

*(cf. 0000 - Vision)*

*(cf. 0100 - Philosophy)*

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

*(cf. 0450 - Comprehensive Safety Plan)*

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

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

*(cf. 2121 - Superintendent's Contract)*

*(cf. 3516.5 - Emergency Schedules)*

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

*(cf. 9310 - Board Policies)*

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

Any exercise of administrative authority shall be nondiscriminatory and demonstrate the district's commitment to equity in district programs and activities.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 0415 - Equity)*

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The Superintendent shall be accountable to the Board for all areas of operation under his/her authority. As appropriate, the Superintendent or designee shall notify the Board as soon as practicable after he/she exercises the authority granted under this policy. 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. 9320 - Meetings and Notices)*

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

***Legal Reference:******EDUCATION CODE***

*35010 Control of district, prescription and enforcement of rules*

*35035 Powers and duties of superintendent*

*35160 Authority of governing boards*

*35161 Powers and duties; authority to delegate*

*35163 Official actions, minutes and journal*

*Management Resources:*

***WEB SITES***

*CSBA: <http://www.csba.org>*

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**ADOPTED**