

Bylaws of the Board

Suspension of Policies, Bylaws and Regulations

Policies, bylaws and county board-adopted regulations are subject to suspension for a specified purpose and limited time by majority vote of all members of the county board at a meeting in the call for which the proposed suspension has been described in writing.

The superintendent is authorized to suspend any policy, bylaw or county board-adopted regulation when advised by competent legal authority that such policy, bylaw or regulation is wholly or in part in conflict with state or federal laws. The superintendent may choose to suspend only that part of a policy, regulation or bylaw which is in conflict if such action appears to be in the best interest of the county office of education. Any such suspension shall be valid only until the county board's next regular or special meeting, when the superintendent shall report the suspension, present the justification for the suspension, and request that the board act to suspend the policy, bylaw or regulation for a specified purpose and for a limited time.

The superintendent is directed to present to the board, for first consideration, a revised policy, regulation or bylaw which is in accord with the laws and regulations of the state and federal governments, except that the superintendent may recommend instead that the board rescind the policy, regulation or bylaw. The revision or recommendation for elimination shall be presented at the time the suspension is requested unless time or legal considerations prevent.

Legal Reference: Education Code  
1042 Duties of Boards  
1043 Powers of Boards

Policy  
First reading 1/15/85  
Adopted 2/22/85