

2100 - The School Board

School Board Members

2110	School Board Membership	Adopted 12/2003
2112	Board Member Authority and Limitations	Adopted 12/2003
2114	Board Member Compensation	Revised 12/2003
2116	Indemnification of Elected Officials And Employees	Adopted 5/2012

The Role of the School Board

2120	School Board Legal Status	Revised 10/2006
2122	School Board Powers and Duties	Revised 12/2003
2124	Board-Superintendent Relationship	Adopted 12/2003
2126	Board-Employee Communications	Adopted 12/2003

Organization of the School Board

2130	School Board Officers	Revised 08/2016
2132	School Board Sub-Committees	Revised 12/2003
2134	Standing Finance Sub-Committee	Revised 12/2003
2135	Standing Policy Review Sub-Committee	Revised 06/2013
2136	Advisory Committees to the School Board	Revised 12/2003

School Board Meetings

2150	General Rules for Board Meetings	Adopted 12/2003
2152	Public Participation at Board Meetings	Adopted 12/2003
2154	Organizational Meeting	Revised 08/2016
2156	Special Meetings	Revised 12/2003
2158	Non-Public Session	Revised 12/2003
2160	School Board Minutes	Revised 3/2016
2162	Agenda	Revised 12/2003
2164	School Board Communications	Adopted 5/2012

School Board Operations

2170	Policy Making	Revised 12/2003
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2100 - The School Board

School Board Members

2110

School Board Membership

2110

The Board shall consist of five members, elected by the voters of the District at the annual elections held in March. Restrictions on Board membership are found in RSA 671:18.

The term of office of each Board position shall be three years.

If a Board member finds it necessary to resign his or her position, a letter of resignation shall be sent to the Chair, with copies to the Superintendent and the School District Clerk.

A Board member shall not be removed from office by either the voters or the Board itself, except as provided in RSA 42:1-a (disclosure of confidential information) or RSA 32:12 (violations of the Municipal Budget Law).

Whenever a vacancy shall occur, the remaining members shall appoint a successor to serve until the next school district elections, in accordance with RSA 197:26. Until such time as a successor is appointed, the remaining members shall constitute the Entire Board.

Reference: RSA 32:12, 42:1-a, 197:26, 671:18

History: 12/15/03

2112

Board Member Authority and Limitations

2112

All powers of the School Board lie in its action as a group. Individual Board members may not exercise authority over District affairs, nor are their individual decisions and actions binding on the Board.

The Board may only take action at a properly called regular or special meeting where a Quorum is present. In other instances, an individual board member, including the Chair, has power only when the Board by vote has delegated authority to him/her.

The decisions of the Board shall be binding until rescinded by the Board at a properly called regular or special meeting.

Reference: RSA 671:4; Ed 303

History: 12/15/03

2114

Board Member Compensation

2114

Members of the Board receive an annual stipend as established in the District budget approved by the voters, and are also reimbursed for the expenses incurred when attending Board-approved conferences and training events. Other than this, School Board members receive no expense or travel allowance.

Payment to Board members for their prior year of service shall be included on the payroll manifest immediately following the annual District elections. Compensation for those officers not serving a full year shall be pro-rated.

History: 3/89, 12/15/03

INDEMNIFICATION of ELECTED OFFICIALS AND EMPLOYEES

Elected District officials, members of the School Board and its employees and agents act as agents of the District. None of these individuals will be placed in a position of personal liability for the faithful performance of their responsibilities vested in them by the voters of the District.

In order to protect the individual elected officials, members of the School Board, its employees and other agents, and the educational interest of the community, the School Board will purchase, from public school funds, in the absence of governmental immunity or in coordination with governmental immunity, adequate insurance to indemnify elected District officials, members of the School Board, employees and agents of the District for their official actions in the service of the District.

Adopted: 5/2012

Legal References: RSA 31:104
RSA 31:105
RSA 31:106
RSA 31:107
RSA 194:3

The Role of the School Board

2120

School Board Legal Status

2120

State law provides that public schools will be operated and maintained by local school boards. As agents of the state, school boards are required to carry out state laws pertaining to public education and to carry out the rules and regulations of the State Board of Education.

The Board is an instrument of the New Hampshire legislature and derives its authority from the New Hampshire constitution, New Hampshire statutes, and rules of the State Board of Education.

Reference: Article 83, NH Constitution
RSA 186:5, 189:1, 189:1a, 194:1-3, 197:1, 671:4,
CAR Ed. 303

Adopted: 3/89

Revised: 12/15/03, 10/02/06

The specific, required duties of school boards are delimited in Ed 303.01. Generally, however, the duties of the Board are as follows:

- Adopting district policies governing school and district operations and evaluating the execution and effect of these policies through observations, special oversight studies, and/or periodic reports by administrators.
- Recruiting, hiring, and evaluating the performance of the Superintendent, who will carry out the policies developed by the board, and maintaining effective board-superintendent relations.
- Establishing, implementing, and evaluating the current and long-range facilities and educational plans and programs for the district.
- Approving an annual budget to provide the financial basis for the buildings, furnishings, staff, materials, and equipment needed to carry out educational programs.
- Maintaining ongoing communication with staff, students, and members of the community at large.
- Determining strategy and tactics with respect to collective bargaining agreements and ratifying final agreements.
- Setting strategy and coordinating litigation decisions when the school district is involved in a law suit.
- Hearing appeals from staff members or students on issues involving policy implementation.

Reference: CAR Ed. 303.01

History: 2/73, 6/75, 3/89, 12/15/03

The development of policies is a primary function of the Board and the execution of those policies is a primary function of the Superintendent. Although legally authorized to execute policy, the Board delegates this function to the Superintendent of Schools. Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy-making and appraisal functions.

The Superintendent is responsible for the administration of Board policies, the execution of Board decisions, the operation of school programs, keeping the Board informed about school operations and issues, and for satisfactory fulfillment of the duties required by statute and rules of the State Board of Education.

The Board will:

- Give the Superintendent full administrative authority for properly discharging his/her professional duties, holding him/her responsible for acceptable results.
- Act upon matters of employment or dismissal of school personnel only on the recommendation of the Superintendent.
- Excepting those portions of meetings where his/her employment, contract, or salary are under consideration, allow the Superintendent or his/her designee to be present and sit with the Board at all Board meetings, and participate in the discussion of all motions.
- Refer all complaints to the Superintendent, or the appropriate staff member, and discuss such complaints only at a Board meeting, when required.

History: 12/15/03

The Board desires to maintain open channels of communication between itself and the employees of the District. The basic line of communication will, however, be through the Superintendent of Schools.

Staff Communications to the Board

All communication or reports to the Board or any Board sub-committee or advisory committee from staff members shall be submitted through the Superintendent. Staff members are also reminded that Board meetings are public meetings and, as such, provide an excellent opportunity to observe first-hand the Board's deliberations on problems of employee concern.

Board Communications to Staff

All official communications, policies, and directives of employee interest and concern will be communicated to employee members through the Superintendent, and the Superintendent shall employ all such media as are appropriate to keep employees fully informed of the Board's problems, concerns, and actions.

Visits to Schools

Individual Board members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the Principals of the various schools. Such visits shall be regarded as informal expression of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of the Superintendent and Principals.

Social Interaction

Staff and Board members share a keen interest in the schools and in educations generally, and it is to be expected that when they meet at social affairs and other functions, they will informally discuss such matters as educations trends, issues, and innovations and general District problems. However, employee members are reminded that individual Board members have no special authority except when they are convened at a legal meeting of the Board or vested with special authority by Board action. Therefore Board and staff members shall avoid discussions of personalities or personnel grievances in these instances.

History: 12/15/03

Organization of the School Board

2130

School Board Officers

2130

The officers of the Board shall be a Chair, a Vice-Chair, and a Secretary. Elections for any Board officer position may be held at any Board meeting, provided that item appears on the posted agenda for the meeting. A positive vote from a majority of the Board members present and voting shall be necessary for the election of any officer.

Officers will remain in their respective offices until new successors are elected. If the chairperson position becomes vacant, the vice-chairperson will become chair of the Board. If the vice-chairperson or secretary positions become vacant, the Board may hold new elections for those offices.

Chair – The Chair shall preside at all meetings, shall have the right to discuss and vote on all matters before the Board, and shall have the right to make and second motions. The Chair shall prepare the agenda for each meeting in cooperation with the Superintendent/designee. The Chair shall develop an Annual Report of the School Board's activities for distribution to the public. The Chair shall have authority to sign contracts and other instruments as approved by the Board in its name and on its behalf, and shall have such other powers and duties as the Board may from time to time determine.

Vice-Chair – The Vice-Chair shall have the powers and duties of the Chair in his/her absence and shall have other powers and duties as the Board may from time to time determine.

Secretary – The Secretary shall send Board correspondence when directed by the Chair and shall record the minutes of meetings when a recorder is not available.

Adopted: 3/1989

Revised: 9/2000, 12/2003, 08/2016

Though the Board shall generally act as a committee of the whole, the Board also recognizes that certain tasks could be addressed more effectively through the use of sub-committees, who shall make recommendations for action to the Board.

Special Sub-Committees: Sub-committees created for specific short-duration tasks shall be referred to as Special sub-committees. All Special sub-committees shall be dissolved automatically following each annual school district meeting.

Standing Sub-Committees: Sub-committees established on a long-term or permanent basis shall be referred to as Standing sub-committees. No Standing sub-committee shall be created without a corresponding policy in this section of the policy manual describing the specific purpose and limitations of the sub-committee.

Members of Board sub-committees shall be appointed by the Chair, with the approval of the Board. Board members may be appointed to Board sub-committees at any Board meeting, provided that item appears on the posted agenda for the meeting, and shall serve until the Board's next Organizational Meeting or until a successor is appointed, whichever comes first.

History: 12/15/03

2134

Standing Finance Sub-Committee

2134

Membership 2 Board members.

Purpose Review expense manifests to verify conformance with District policy. Authorize payment (via both members' signature on the manifest) of those items found to be in conformance with Board policies.

Schedule Review of manifests shall be complete within one (1) week of their availability to the Finance Sub-Committee and shall occur on school grounds (materials are not to be taken home).

Reporting Regularly submit reviewed manifests to Board for approval. When necessary, recommend changes to policies and procedures based on review of manifest. In cases where documentation is lacking, or activities seem questionable, the sub-committee may direct the Superintendent to suspend payment until the next regular Board meeting.

Authority The Sub-Committee has no authority other than those duties described above, however payments may only be suspended until the next regular Board meeting unless the Board then votes to continue the suspension. The Sub-Committee can make no commitments on behalf of the Board unless specifically directed otherwise by the Board.

Reference: RSA 197:23-a

History: 9/00, 12/15/03

Membership: One or two School Board members, Superintendent/designee, relevant personnel as determined by the Committee.

Purpose: To review and research policies on a regular basis, or as directed by the School Board, and make proposals to the Board so as to insure their currency and relevancy.

Reporting: The Committee will submit to the School Board policies for first reading. The Committee will take input from the Board at that reading, research Board concerns, and report back to the Board at a future Board meeting.

Authority: The Policy Review Sub-Committee has no authority other than to make proposals to the Board as a whole. The Sub-Committee may invite relevant personnel to their meetings for input and expertise into policy development.

Adopted: 11/15/04

Revised: 11/2006, 6/2013

The Board will rely on various advisory committees to assist as one means of discerning the needs and desires of the District and its residents. The central purpose of all advisory committees is to contribute to the educational program by conducting studies, identifying problems, and developing recommendations that will enhance the effectiveness of the decision making process. The ultimate authority to make decisions will continue to reside in the powers and the duties of the Board.

Specific topics for study shall be assigned, in writing, to each committee. Upon completing its assignment, each committee shall be given a new assignment or be dissolved promptly, and shall not be allowed to continue for a prolonged period of time without a definite assignment. Each committee shall be instructed as to the length of time each member is being asked to serve, the service the Board wishes it to render, the resources the Board intends to provide, the approximate date(s) the Board wishes it to submit reports, and the approximate dates on which the Board wishes to dissolve the committee. Furthermore, the committee shall be instructed as to the relationship it has to the Board, to individual Board members, to the Board member(s) assigned to provide liaison, and to the Superintendent, the committee assistant, and the remainder of the professional staff.

The Board shall have the sole power to establish or dissolve any advisory committee to the Board, and shall reserve the right to exercise this power at any time.

The Board shall see that the public is made aware of the services rendered by such Advisory Committees as it may appoint, and shall see that the public is informed of the major conclusions and recommendations of such committees. All public announcements concerning the organization, membership, operation, recommendations and dissolution of such committees shall be made at such time and in such manner as the Board may direct.

Appointments to Advisory Committees to the Board shall be made as follows: Board representatives shall be appointed by the Chair, with the approval of the Board; citizen representatives shall be appointed by the Board; and staff representatives shall be appointed by the Superintendent, with the approval of the Board.

All committees must conform with applicable provisions of the New Hampshire Right-to-Know Law.

History: 7/95, 8/01, 12/15/03

School Board Meetings

2150

General Rules for Board Meetings

2150

Unless specifically noted otherwise in this policy manual:

- Unless otherwise altered by Board action, regular meetings of the Board shall generally be held the first and third Monday of each month, with exceptions for holidays and the months of July and August.
- All meetings of the Board are open to the public and the press and shall be governed by RSA 91-A (Access to Public Records and Meetings).
- All meetings of the Board shall be properly posted and shall have minutes recorded
- A quorum of the Board shall be defined as a majority of Board members being present at any properly called Board meeting.
- A quorum of the Board shall be required for the transaction of business.
- All actions shall be preceded by a motion and a second to the motion, followed by discussion.
- Passage of any motion shall require a positive vote from a majority of board members, not simply a majority of those present and voting.
- Board members shall abstain from debating, discussing, or voting upon matters in which they have a personal financial interest, other than the effect of a matter on their property taxes.
- Board members present for a vote, but abstaining from the vote shall state the reason(s) for such abstention(s).
- To the extent practicable, no significant new business item shall be acted upon the first meeting it is discussed.
- A motion to Reconsider a vote shall only be in order at the meeting in which the vote in question occurred. At subsequent meetings, the proper motions would be either to Rescind the previous Board action or to renew the original motion.

Reference: RSA 91-A

History: 12/15/03

The School Board encourages citizens to attend its sessions so that they may become better acquainted with the operation and programs of the schools and so that the Board may have opportunity to hear the wishes and ideas of the public. In order to assure that persons who wish to appear before the Board may be heard and, at the same time, it may conduct its meetings properly and efficiently, the following rules shall pertain to public participation at Board meetings.

- Time will be set aside at the beginning and end of each Regular Meeting for citizens to address the Board. To the extent practicable, the Board shall allow public input at other times during a meeting, at its discretion.
- Only those individuals recognized by the Chair shall be allowed to speak.
- Any individual recognized to speak shall give his or her name, address, and the group, if any, he or she is representing.
- Presentations should be brief.
- Only a summary of an individual's oral comments will likely appear in the minutes, however written testimony may be submitted for inclusion with the official minutes.
- Speakers may offer comments on such school operations and programs as concern them. In public session, however, the Board will not hear personal complaints of school personnel nor complaints against any person connected with the school system. Other channels are provided for Board consideration and disposition of legitimate complaints involving individuals, which should be referred to the Superintendent for appropriate action.

The Board vests in its Chairperson authority to terminate the remarks of any individuals when they do not adhere to the rules established above as to content or time limitation.

Persons appearing before the Board should note that members of the Board are without authority to act independently as individuals in official matters. Thus, questions may be directed to individual Board members, but answers will likely be deferred pending consideration by the full Board.

History: 12/15/03

The Board shall hold an annual organizational meeting at its first meeting following District elections. Prior to the organizational meeting, each Board member elected or re-elected at the most recent District elections shall have been administered the oath of office by the District Moderator, or by any other person so authorized by RSA 92:5.

The first order of business at the Organizational Meeting shall be the election of a new chairperson. The chairperson from the previous year shall remain chairperson until a new chairperson is elected. If the previous chairperson is no longer on the Board, then the previous vice-chairperson will become chairperson until the election of a new chairperson. If the previous vice-chairperson is no longer on the Board, then the previous secretary shall become the chairperson until the election of a new chairperson. If the previous secretary is no longer on the Board, then the Superintendent will act as chairperson until the election of a new chairperson. The selection of a chairperson should be based on qualifications for the position. Other methods, such as rotation, should be discouraged.

For each office, nominations shall be requested, with no "second" being necessary. Following the closing of nominations, voting shall continue until a Board member has received the votes of a majority of the Entire Board.

The Chair shall take office upon election. The Board shall then act on the election of other Board Officers and the appointment of Board members for all sub-committees and advisory committees.

Election of Board Officers shall be done in Open Session with all votes taken publicly.

If a chairperson has not been elected after three attempts, the election may be tabled until the next meeting, at which time it shall be the first order of business.

Adopted: 2/1973

Revised: 6/1975, 3/1989, 3/1992, 9/2000, 12/2003, 8/2016

Special meetings shall be called by the Chair upon a request by a majority of Board members, or whenever deemed necessary by the Chair. Written notice of any Special Meeting shall be given to each Board member and to the Superintendent at least two (2) days in advance of the meeting, except in an emergency, when notice shall be given as soon as possible. Said notice shall indicate the purpose of such special meeting. No other business shall be transacted at such meeting except upon the unanimous vote of the Entire Board.

History: 2/73, 6/75, 3/89, 12/15/03

The School Board reserves the right to sit in non-public session closed to the public and media when a majority of the members present and voting so vote (recorded roll call vote required).

The Board may entertain a motion to hold a non-public session only to discuss and/or act upon matters permitted by RSA 91-A:3, such matters typically involving personnel, real estate, or litigation issues. The motion calling for a non-public session shall indicate the matters to be discussed and/or acted upon and the specific statutory reference for each matter.

Minutes and decisions reached in non-public session shall be publicly disclosed within 72 hours of the meeting, unless two-thirds (2/3) of the members present (recorded roll call vote required) determine that the minutes and decisions pertaining to a matter should be sealed and that sealing of the minutes is allowed under RSA 91-A:3 III (usually to protect a non-Board member's reputation or to prevent an action from being rendered ineffective). The items so sealed shall remain sealed until a majority of the Entire Board determines that the circumstances leading to the sealing no longer apply.

Board members and any persons attending a non-public session shall not disclose any details of the discussions held. Disclosure of such information by a Board member could result in the removal of that Board member from office.

Reference: RSA 91-A:3, 91-A:4, 42:1, 42:1-a

History: 2/73, 6/75, 9/78, 3/89, 6/95, 11/16/98, 9/13/99, 8/20/01, 12/15/03

Recorder - The responsibility for recording the Minutes of all proceedings of the Board shall belong to the recorder employed by the District. If the District has not employed a recorder or if the employed recorder is not present, the responsibility shall belong to the School Board Secretary. If the School Board Secretary is not present or if the position is unfilled, the responsibility shall belong to a recorder designated by a majority of the Board.

Content – Recorded Minutes of Board meetings shall be limited to the following:

- The date, location, and start-time of the meeting.
- The names of School Board members present, as well as the names of School District officials seated with the School Board.
- The name of the person recording the Minutes.
- The name of any person addressing the Board, and a brief summary of the person's statements.
- A brief summary of discussions held by the Board and those seated with the Board while no motion is pending.
- Any motion made by a Board member, the name of the member making the motion and the name of the member seconding the motion (if a second is required).
- A brief summary of all discussions by the Board and those seated with the Board on a pending motion.
- Upon a vote on a motion, the declaration of the chair as to the results of the vote, the numerical vote tally, and, if the vote is not unanimous, an indication of how individual members voted.
- Rulings of the Chair.
- To the extent practicable, any exhibits, handouts, or other written material referred to during discussion of an agenda item.

Submission - The recorder shall, in a manner consistent with applicable State regulations, submit a copy of the Minutes to the Superintendent/designee who shall review them. The Superintendent/designee will then send the reviewed minutes to the Chair/designee for the purposes of ensuring accuracy. After editing, a copy shall be returned to the Superintendent/designee who shall distribute a copy to each member of the school board.

Non-Public Sessions - Minutes of the non-public session shall be added to the regular Board meeting minutes by the Superintendent/designee during his/her review. Separate non-public session minutes are allowed especially in cases where there is a possibility that the minutes may be sealed.

Approval - After corrections have been made by Board members at a Board meeting the Minutes shall be approved by a vote of the Board. Permanent copies of the Minutes shall be signed by the Chair upon approval.

Access - All Minutes shall be kept in accordance with applicable State regulations and will be in the custody of the Superintendent of Schools, who shall make them available to interested citizens on request. Draft minutes of public sessions shall be made

available within five business days of the meeting date. Minutes of draft non-public session shall be made available within 72 hours in accordance with RSA 91-A:3.

Reference: RSA 91-A,

History: 6/95, 11/96, 9/97, 1/99, 9/99, 9/00, 5/6/02, 12/03, 3/2016.

In order to allow Board members to be more fully prepared for meetings and to allow members of the general public and/or school personnel to comment on matters of interest to them or matters likely to affect them, the following process shall be followed regarding meeting agendas.

Agenda Development - All meetings of the Board shall have an agenda developed by the Chair in cooperation with the Superintendent. The inclusion of items on an agenda, except those requested by Board members as described below, shall be at the discretion of the Chair and the Superintendent.

Board Member Requests – Each Board member has the right to place items on an agenda. Members wishing to place items on the agenda shall notify the Chair and/or Superintendent at least four (4) business days prior to the meeting.

Order of Business – The Board shall follow the order of business set up by the agenda unless the order is altered by a majority vote of the members present. However, if there are no objections from Board members, the Chair may alter the order without the formality of a vote.

Non-Agenda Items – Items of business not on the agenda may not be discussed or acted upon unless the Board votes by a two-thirds majority to suspend the rules to allow for this discussion and/or action.

Distribution – The agenda, together with supporting materials, shall be distributed to Board members at least two (2) business days prior to the meeting to permit the Board members time to give items of business careful consideration. Board members shall read the information provided them and contact the Superintendent to request additional information that may be deemed necessary to assist them in their decision-making responsibilities.

Posting – All meeting agendas shall be publicized and posted in a manner consistent with the posting requirements for meetings of RSA 91-A:2.

History: 2/73, 6/75, 3/89, 5/90, 6/95, 9/11/00, 8/20/01, 12/15/03

The School Board shall not use any form of communication as a substitute for voting, deliberating, or conducting business that is properly conducted at Board meetings.

If at any time an electronic communication (email, text, instant message, Twitter, Facebook, etc) is originated by a Board member or administrator and is communicated to a quorum of the Board either directly or by sequential communications, the communication shall be considered a governmental record for purposes of RSA 91-A:1-a, III. As such, the contents of the communication shall be publicly disclosed and included in the minutes of the next regularly scheduled Board meeting. Under no circumstances shall communication governed by FERPA, confidentiality regulations, RSA 91-A:3, and/or other applicable law relative to privacy and confidentiality be communicated electronically. Exceptions to this shall be as follows:

1. Reminders to Board members about special school events from the Board Chair or Superintendent/designee.
2. Notification to Board members by the Chair or Superintendent/designee of incidents or school district emergencies for awareness and informational purposes.
3. Electronic communication exclusively between two Board members.
4. School newsletters and announcements sent from school administrators.

References:

Family Educational Rights and Privacy Act

RSA 91-A

Miller v. Fremont School Board, Rockingham County Superior Court, No. 03-E-152 (2003)

Adopted: 5/2012

School Board Operations

2170

Policy Making

2170

Policy Adoption and Revision

The adoption and revision of District policies shall follow this sequence which will take place during at least two regular or special Board meetings:

- Announcement and publication of proposed new or revised policies as an item of information. The inclusion of the proposed new or revised policy on an agenda shall be considered to be sufficient to meet this requirement.
- Opportunity for Reaction by concerned groups or individuals to policy proposals. The Board should make an effort in advance to contact groups or individuals likely to be affected by a policy proposal.
- Discussion of the proposed adoption or revision.
- Vote by the Board on passage from a first reading to a second reading or from a second reading to final adoption.

The final vote on adoption or revision of a policy shall follow by at least two weeks the meeting at which the policy proposal was first placed on the agenda or the last meeting where there was a substantive change in the policy proposal, whichever is later. A majority vote of the Board is required for adoption of a policy proposal.

Policies and amendments adopted by the Board shall be attached to and made a part of the minutes of the meeting at which they are adopted and shall also be included in the District policy manual, marked with the date of adoption and/or amendment.

Policies and amendments to policies shall be effective immediately upon adoption unless a specific effective date is provided in the adopted resolution.

Policy Suspension

District policies are subject to suspension for a specific instance upon a two-thirds majority vote of the Board unless otherwise provided for within the specific policy.

History: 9/11/2000, 12/15/03