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2 **SCHOOL BOARD POLICIES AND**  
 3 **ADMINISTRATIVE RULES AND PROCEDURES**

4 Generally

5 The policies of the **Shaker Regional School Board (SRSB)** direct the general and  
 6 overall day-to-day operations of the school district. Rules and procedures for  
 7 carrying out and implementing the broad policies of the **SRSB** on a day-to-day basis  
 8 are to be fashioned and adopted by the administration, under the direction of the  
 9 Superintendent. As applicable, members of the District community are expected to  
 10 comply with both **SRSB** policy and administrative rules and procedures, subject to  
 11 the limitations and exceptions set forth herein. However, the failure of the **SRSB** or  
 12 the Administration to comply with policy shall not invalidate any lawful action taken.

13 Contents of **SRSB** Policy and Administrative Rules and Procedures

14 The policies of the District are those contained in this Policy Manual.

15 Administrative rules and procedures are an extension of District policy. Rules and  
 16 procedures may be altered by the administration without **SRSB** action.  
 17 Administrative rules and procedures, however, shall not conflict with District policy.

18 Limitations of Policy

19 Neither the policies of the District nor the rules and procedures of the administration  
 20 are intended, nor shall they be construed, to supersede or preempt any applicable  
 21 laws, whether constitutional, statutory, regulatory, or common law in origin.  
 22 Consequently, all policies and administrative rules and procedures shall be given  
 23 both an interpretation and application, which is lawful. The **SRSB** shall have the final  
 24 interpretation of District policies and the administration shall have the final  
 25 interpretation of its rules and procedures.

26 As the District policies and administrative rules and procedures are limited by legal  
 27 constraints, so too are the rights of those to whom the **SRSB** policies and  
 28 administrative rules and procedures apply. Neither the policies of the District nor the  
 29 rules and procedures of the administration are intended to expand the rights of  
 30 individuals beyond those established by law or to give to any individual a cause of  
 31 action not independently established in law. Enforcement of policy shall rest  
 32 exclusively with the **SRSB**, and enforcement of administrative rules and procedures  
 33 shall rest exclusively with the administration.

34 **SRSB** policy and administrative rules and procedures shall not preempt, create,  
 35 supplant, expand or restrict the rights or liabilities of students, employees, taxpayers,  
 36 or others within the school district beyond those that are established in law and are  
 37 not intended to restrict or limit students, employees, or other members of the school  
 38 district community from pursuing any claims or defenses available under law.

39 Exceptions<sup>1</sup>

40 Exceptions to any policy or the application of any policy may be made if requested or  
 41 recommended in accordance with the following procedures:

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<sup>1</sup> See SRSD Policy BGF

-Any person may request an exception to any District policy or the application of same by writing a letter to the Superintendent. The request shall identify:

- 1           --the name, address and telephone number of the person making the
- 2           request;
- 3           --the policy for which the exception is being requested;
- 4           --the action that the requesting individual desires, and
- 5           --the rationale supporting the need for an exception.

6           -The Superintendent, or his/her designee, shall conduct a sufficient investigation  
7           of any request for an exception so as to be able to formulate a recommendation  
8           for the **SRSB**. Among the factors to be evaluated are the relevant facts related  
9           to the request, the rationale of both the policy and the request for the exception  
10          and the disposition of prior requests for exceptions to the same or similar  
11          policies.

12          -Following the Superintendent's investigation, the Superintendent may place the  
13          request for exception on the **SRSB's** agenda and shall report to the **SRSB** the  
14          circumstances surrounding the request and his/her recommended disposition.  
15          The person requesting the exception shall be notified in advance of this agenda  
16          item and shall be given a reasonable opportunity to address the **SRSB** before  
17          the **SRSB** determines whether to grant the request for an exception.

18          -The **SRSB** shall have final and exclusive authority to determine whether to grant  
19          any request for an exception and shall be the sole judge of whether the rationale  
20          for the exception is sufficient, taking into consideration the recommendation of  
21          the Superintendent.

22          -The granting of exceptions in the same or similar cases shall not constitute  
23          binding precedent or practice.

25          Exceptions to administrative rules and procedures shall be made in accordance with  
26          the procedures established by the Superintendent.