

UPPER BUCKS COUNTY AREA VOCATIONAL TECHNICAL SCHOOL

SECTION: LOCAL JOINT OPERATING
COMMITTEE PROCEDURES

TITLE: JOINT OPERATING
COMMITTEE POLICY/
ADMINISTRATIVE
REGULATIONS

ADOPTED: September 20, 2007

000. JOINT OPERATING COMMITTEE POLICY/ ADMINISTRATIVE REGULATIONS

Section 1. Purpose

The policies adopted by the Joint Operating Committee are intended to establish the general and overall rules within which the daily operations of the school are to be governed. Regulations for carrying out and implementing Joint Operating Committee policies are to be developed and implemented by the administration, under the direction of the Administrative Director. As applicable, members of the school community are expected to comply with both Joint Operating Committee policy and administrative regulations, subject to the limitations and exceptions set forth. However, failure of the Joint Operating Committee or the administration to comply with policy shall not invalidate any lawful action taken.

Section 2. Contents

Policies of the Joint Operating Committee shall consist of the following separate documents:

- a. Policies contained in the adopted Policy Manual.
- b. Contents of the job descriptions adopted by the Joint Operating Committee.
- c. Code of Student Conduct.
- d. Administrative Compensation Plan.
- e. Strategic Plan.
- f. Pest Management Plan.
- g. Courses of study in the school.
- h. List of authorized text books.

- i. Any other documents that the Joint Operating Committee determines to be policy.

Administrative regulations are not part of Joint Operating Committee policy and may be altered by the administration without Joint Operating Committee action. Administrative regulations may not conflict with Joint Operating Committee policy or with applicable law.

Section 3. Limitations Of Policy/Administrative Regulations

Joint Operating Committee policies and administrative regulations are not intended and shall not be construed to supersede or preempt any applicable law. Consequently, all Joint Operating Committee policies and administrative regulations shall be given both an interpretation and application that is lawful. The Joint Operating Committee shall determine the final interpretation of its policies, and the administration shall determine the final interpretation of its regulations.

Joint Operating Committee policies and administrative regulations are limited by legal constraints, as are the rights of those to whom Joint Operating Committee policies and administrative regulations apply, and are not intended to give an individual a cause of action not independently established in law.

Joint Operating Committee policies and administrative regulations shall not preempt, create, supplant, expand or restrict the rights or liabilities of students, employees, taxpayers or others within the school community beyond those established in law, and are not intended to restrict or limit individuals in the school community from pursuing any claims or defenses available under applicable law. Joint Operating Committee policies and administrative regulations are not intended to be interpreted as influencing the disposition of a particular civil action.

Section 4. Exceptions

Exceptions to any policy or the application of any policy may be made if requested or recommended in accordance with the established Joint Operating Committee procedure.

Section 5. Rules Of Construction

In ascertaining the intent of the Joint Operating Committee in adopting a policy or of the administration in establishing a regulation, the following presumptions, among other legally applicable presumptions, may be used:

- a. That neither the Joint Operating Committee nor the administration intends a result that is absurd, impossible of execution or unreasonable.
- b. That neither the Joint Operating Committee nor the administration intends to violate the federal or state Constitutions or any other applicable law.

If any policy or administrative regulation can be given multiple interpretations, both constitutional and unconstitutional, or both lawful and unlawful, the Joint Operating Committee and the administration intend that only the constitutional and the lawful interpretations shall be valid, and that neither an unconstitutional nor an unlawful interpretation was intended.