

SECTION: LOCAL JOINT OPERATING
COMMITTEE PROCEDURES

TITLE: JOINT OPERATING COMMITTEE
POLICY/PROCEDURE/
ADMINISTRATIVE
REGULATIONS

NORTHERN TIER CAREER CENTER

ADOPTED: June 28, 2012

REVISED:

<p>SC 1850.1</p>	<p style="text-align: center;">000. JOINT OPERATING COMMITTEE POLICY/PROCEDURE/ADMINISTRATIVE REGULATIONS</p> <p>Section 1. <u>Authority</u></p> <p>The procedures and policies adopted by the Joint Operating Committee are intended to establish the general and overall rules within which the daily operations of the center are to be governed. Administrative regulations for carrying out and implementing Joint Operating Committee procedures and 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 procedure, 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 or procedure shall not invalidate any lawful action taken.</p> <p>Section 2. <u>Contents</u></p> <p>Procedures and policies of the Joint Operating Committee shall consist of the following separate documents:</p> <ol style="list-style-type: none"> a. Procedures and policies contained in the adopted Policy Manual. b. Strategic Plan. c. Courses of study in the center. d. List of authorized textbooks. e. Code of Student Conduct. f. Job descriptions adopted by the Joint Operating Committee. g. Administrative Compensation Plan.
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- h. Pest Management Plan.
- 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

Joint Operating Committee procedures, policies and administrative regulations are not intended and shall not be construed to supersede or preempt any applicable law. All Joint Operating Committee procedures, policies and administrative regulations shall be interpreted and administered in a lawful manner. The Joint Operating Committee shall make the final interpretation of its policies, and the administration shall make the final interpretation of its regulations.

Joint Operating Committee procedures, policies and administrative regulations are limited by legal constraints, as are the rights of those to whom Joint Operating Committee procedures, 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 procedures, 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.

Section 4. Exceptions

Exceptions to any procedure or policy or the application of such 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 procedure, or 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.

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- 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 procedure, policy or administrative regulation can be given multiple interpretations, 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.

References:

School Code – 24 P.S. Sec. 1850.1