

Policy **in practice**

board policies and why they matter

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POLICY IN PRACTICE

“You can practice shooting 8 hours a day, but if your technique is wrong then all you become is very good at shooting the wrong way. Get the fundamentals down and the level of everything you do will rise.”


~Michael Jordan

“Policy Makers”

- **A board’s primary function is to develop and adopt policies governing the various facets of district operations.**
- **Board members are policy makers.**

Where does the authority to adopt policies come from?

South Carolina Code of Laws § 59-19-110 states:

An orange arrow pointing from the text 'South Carolina Code of Laws § 59-19-110 states:' to the quote.

“The board of trustees of the several school districts may prescribe such rules and regulations not inconsistent with the statute law of this State as they may deem necessary or advisable...”

BOARD POWERS AND DUTIES

Code BBA Issued **MODEL**

State law and regulation requires the board to discharge certain duties and confers upon them legislative, judicial, and executive powers.

Legislative/Polymaking

The board is responsible for the development and adoption of policy to direct the general management and administrative actions of the district. The policies will be in written form and continually re-evaluated in terms of the changing needs and functions of the district.

Executive

The board will employ a superintendent to serve as the district's chief executive officer. In that role, the superintendent performs administrative duties for the board by virtue of the powers delegated to him/her. The board will hold the superintendent accountable for the proper and efficient administration of the district.

Quasi-Judicial

The board is responsible for hearing appeals of professional and support staff members, parents/legal guardians, students, and others when such appeals are contemplated by local, state, or federal law or board policy.

Are there limitations on the authority to adopt policies?

The board can only adopt policies that are not inconsistent with state law, federal law, or regulations adopted by the SCDE or the Department of Ed.

Policies are...



- **Written documents adopted by the board to chart a course of action for the district.**
- **They provide the framework in which the superintendent and school staff discharge their duties.**
- **The voice of the board and the law of the district.**

BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES

Code **BG/BGD** *Issued* **MODEL**

The board believes that the development, adoption, and review of board policies is its most important governance function. Board policies establish the goals, direction, and structure of the district. In addition to policies required by local, state, and federal laws and regulations, the board adopts policies to provide direction to the superintendent and other administrators, to guide the district's educational program, and to provide clear expectations for district staff, students, and parents.

The board regards policy development and review as an ongoing process. The need for a new policy or revision or deletion of an existing policy may arise from a change in law and/or regulations, modification of the district's vision or goals, educational research or trends, the occurrence of a significant incident, or a recommendation or request from an interested party. Proposals regarding policies may originate with board members, the superintendent, staff members, parents/legal guardians, students, consultants, civic groups, advisory committees, or any resident of the district. All proposals, including those from external sources, will be presented in writing and given to the superintendent for review. Upon recommendation from the superintendent, the board will examine proposals prior to acting upon them.

Each proposed policy (including proposals to amend policy) will require two readings at regular meetings or work sessions of the board. The formal adoption of the policies will be recorded in the minutes of the board. Only those written statements so adopted and so recorded will be regarded as official board policy.

Suspension or Repeal of Policy

In emergency situations, a majority of the board members at a meeting may temporarily suspend the operation of any section or sections of board policy which are not established by law or contract. A proposal for such change must be listed on the agenda of the meeting. All members must be notified in writing of a meeting to discuss policy changes.

The board may also suspend a policy in certain emergency situations although such change was not listed on the agenda of the meeting if the favorable vote is unanimous and the agenda is amended in compliance with the South Carolina Freedom of Information Act.

Review of Administrative Rules

Often policies of the board are accompanied by rules and exhibits that are referred to as administrative rules. These rules are generally drawn up by the administration to execute the policies of the board.

The board will approve administrative rules when such approval is required by law or otherwise advisable. The superintendent will have freedom, however, to amend or issue additional rules and procedures consistent with board policies.

The board may nullify any administrative rules determined to be inconsistent with the policies adopted by the board.

Adopted ^

Board Policy vs Administrative Rules, what is the difference?

Board Policy vs Administrative Rules

- **Establishes goals**
 - **The who, what, why, and how much**
 - **Resolves issues**
- **Provides the means to achieve policy goals**
 - **Provides specifics on who does what, when, and how**
 - **Provides flexibility in handling day-to-day problems**

A little more about administrative rules...

- **Administrative rules are detailed regulations or procedures that are issued by the superintendent or school administrators.**
- **These rules aid in implementing board policies.**
- **Generally, administrative rules are not “adopted” by the board. However, the board will approve them when required by law or it is otherwise advisable.**
- **Should accompany a policy.**

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BOARD POLICY PROCESS/BOARD REVIEW OF ADMINISTRATIVE RULES

Code **BG/BGD-R** *Issued* **MODEL**

The superintendent or his/her designated policy manual coordinator has the responsibility of drafting policy proposals, maintaining the board's manual, and serving as liaison between the board and the South Carolina School Boards Association's (SCSBA) policy services and other sources of policy research information.

- The superintendent will present a proposed policy in writing to the board at least 30 days prior to possible approval.
- If legalities are involved, the board will consult legal counsel before action is taken.
- After the first reading, the superintendent will make the policy available for public review.
- Once the board gives a policy final approval, the superintendent will have the policy posted online or distribute a copy of the policy to each building administrator and district office administrator.
- The policy manual coordinator will send the policy to the SCSBA for final formatting and posting.
- In the absence of highly unusual circumstances, the administration must not allow proposed policies to "linger" unresolved and dormant for longer than 60 calendar days after presentation to the board.
- Without official board authorization, no administrator is permitted to physically or otherwise "just remove" a policy from the manual or online manual. A policy may be deleted by official board action only.
- The superintendent will supervise a review of the policy manual on a continuing basis. The district may seek the aid of SCSBA policy services in performing this review.

Issued ^

A close-up, low-angle shot of two basketballs on a wooden floor. The basketball on the left is in the foreground, showing its orange pebbled texture and black seams. The basketball on the right is partially visible in the background. The background is a dark, out-of-focus wooden floor.

POLICY IN PRACTICE

Policies Matter

Why do boards need policies?

- **Some policies are required by law or regulations**
- **Policies provide clear guidelines for administrators and staff**
- **Ensure consistency**
- **Inform stakeholders of the board's vision and goals for the district**
- **Save time and effort by making decisions routine**



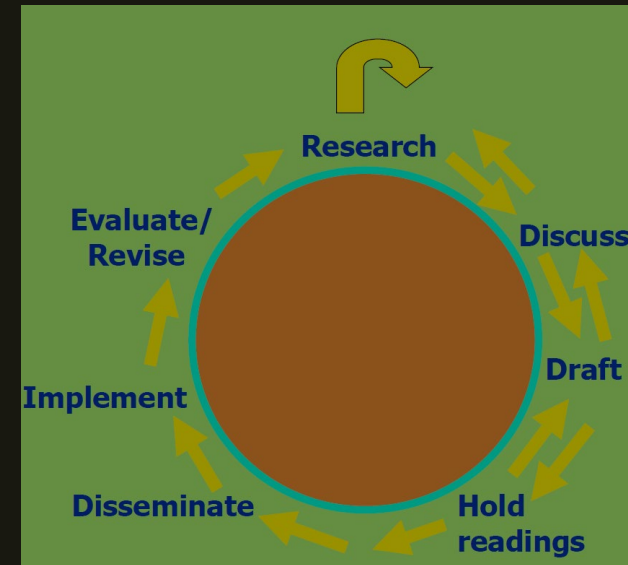
A basketball is positioned on the left side of the frame, resting on a wooden floor. The background is a solid black. The basketball has a textured orange surface with black lines. The text 'POLICY IN PRACTICE' is written vertically in white capital letters on a yellow background strip that runs along the left edge of the image.

POLICY IN PRACTICE

Policy Development Process In Practice

What is the board's role in policy development?

- **Recognize the need for a policy**
- **Research**
- **Discuss**
- **Draft**
- **First reading**
- **Second reading**
- **Adopt, disseminate, and implement**
- **Enforce, evaluate, and revise**



Recognizing the need for a policy...

- **Be aware of the problems, issues, and needs in your district that require policy solutions**
- **Be proactive**

Research and Discuss...

- **Learn all you can about the issue at hand**
- **Get recommendations**
- **Get sample policies if available from SCSBA**
- **Discuss, debate, and decide on the substance of the policy**

POLICY IN PRACTICE

Draft...

- **Clear**
- **Concise**
- **Accurate**



Hold first and second readings...



Disseminate and Implement

policies
online

Enforce, evaluate, and revise...

- **The administration should make sure policies are followed and up-to-date**
- **Evaluate progress towards goals**
- **Revise policies when necessary**

What if we need to suspend a policy?

- **A board should only suspend its policy in emergency situations.**
- **The board should make a motion and approve temporary suspension.**
- **If the need for suspending a policy becomes regular, the board should consider amending the policy instead.**

The background of the slide features two basketballs on a wooden floor. One basketball is on the left, partially cut off by the edge, and the other is on the right, also partially cut off. The floor is made of light-colored wooden planks. The text 'POLICY IN PRACTICE' is written vertically in white capital letters on a yellow background strip on the left side of the slide.

POLICY IN PRACTICE

Characteristics of Effective Policies

Critical Elements

- **Legally based**
- **Comprehensive**
- **Up-to-date**
- **Accessible**
- **Practical and workable**



What effective policies accomplish...

- **Establish a procedure for handling problems**
- **Save time and effort**
- **Establish a legal record**
- **Improves relationships with superintendent and staff**
- **Reduces crisis decision making**
- **Helps with the orientation of new board members and staff**

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Policy Process Best Practices

Best practices...

- **Establish a policy review schedule.**
- **Establish a policy development and review checklist.**
- **Check all policies and administrative rules for consistency with state law, SCDE regulations, federal laws and guidelines, and court rulings.**
- **Make sure policies are up-to-date in policy manual and online.**
- **Be sure that all policies reflect current district practice.**
- **Review related policies during the same timeframe.**
- **Be flexible.**

Tips for Current and New Board Members

How to fulfill your policy making responsibilities?

- **Practice, practice, practice.**
- **Develop or improve decision-making, communication, leadership, public and personnel relations, and organization skills.**
- **Stay current with issues affecting K-12 education.**
- **Be aware of problems and issues in your district that require policy solutions.**
- **Be proactive.**
- **Be familiar with your district's policy manual.**

SCSBA Policy Services



Policy Update Services

Policy Update Service

Below is a brief synopsis of what the \$850 policy update service involves.

- SCSBA will review all new or revised policies formally adopted by the board for content, format and legal compliance.
- SCSBA will review the board's proposed policy updates prior to adoption at the district's request.
- SCSBA will review board meeting minutes for board decisions which may be significant enough to warrant new policy or a change in existing policy and for board action which is contradictory to board policy or FOIA laws.
- SCSBA will provide model policies on "hot" topics throughout the year as they are developed.
- SCSBA will provide the annual Policy and Legislative Update publication which includes information regarding newly passed legislation, local laws, state and federal regulations, and court decisions.
- SCSBA will provide limited legal opinion, answers to policy and parliamentary procedure questions at the board's and/or administrative staff's request.
- SCSBA will provide model policy samples at the district's request. However, these are limited per section. Districts are encouraged to enter a minor revision contract for any section that needs extensive updating.

Manual Customization

Manual Customization

Recodification

The major revision of a board's policy manual is based on our governance model policies. All policies are revised under a codification system developed based on the four roles of the board. These policies are current with state and federal laws and regulations and contain language to ensure compliance with state accountability requirements as well as Southern Association of Colleges and Schools Council on Accreditation and School Improvement (AdvancED/SACS CASI) accreditation.

Onsite consultant work with the board is available through this contract. The board receives an electronic copy of the completed manual. Districts that maintain an online policy website through SCSBA will have the website updated with the new policy information through their online contract. Any printed copies, binders and tabs ordered by the district are at the expense of the district.

Manual and Section Revisions

Manual Revision

Under a major policy revision, SCSBA will review a district's current policy manual to determine which specific policies the board needs to revise and/or adopt as new policies. This review will focus on federal, state and local laws and regulations that have been promulgated since the district's last major revision as well as any new language or model policies SCSBA may recommend. Drafts of the recommended policies and an accompanying chart will be prepared for review by the appropriate individual or group in the district (superintendent, designated administrator, board committee, etc.).

Onsite consultant work with the board is available through this contract. The board receives an electronic copy of the completed manual. Districts that maintain an online policy website through SCSBA will have the website updated with the new policy information through their online contract. Any printed copies, binders and tabs ordered by the district are at the expense of the district.

Section Revision

Under a minor or section policy revision, SCSBA will review a specific section to determine which policies the board needs to revise and/or adopt as new policies. This review will focus on federal, state and local laws and regulations that have been promulgated since the district's last major revision as well as any new language or model policies SCSBA may recommend. Drafts of the recommended policies and an accompanying chart will be prepared for review by the appropriate individual or group in the district (superintendent, designated administrator, board committee, etc.).

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Policies Online

Policies Online

SCSBA has a service to post your local board policy manual on the Internet. SCSBA, in conjunction with Microscribe Publishing, will use Folio® Infobase, a powerful electronic publishing tool, to post your board policy manual with a link from your district website and provide unlimited revisions, legal links, a search engine and a multi-district search feature. There is a one-time development fee of \$4,175 and a yearly subscription fee of \$1950 for this service.

Please contact Stephanie N. Lawrence, Esq.,
Director of Policy and Legal Services
(803)988-0258 or slawrence@scsba.org
for information about any of our policy services.

“The more effective the board, the better a school district’s students perform”

Questions



THANK YOU

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