

NEW HAMPSHIRE SCHOOL BOARDS ASSOCIATION

AT YOUR FINGERTIPS

Policy Development Primer



Introduction: Policymaking is among the most fundamental responsibilities of any school board. Policies express the guidelines and philosophical statements which chart the district's course of action, and along with laws and regulations, create the framework within which the superintendent and staff discharge their assigned duties.

Policymaking is the tool through which a boards exercises the power to allow or require action, and the resulting policies constitute the law of the district. It is through strong policy that lay citizens can govern effectively, and many problems which a district might encounter can be prevented or resolved by the deletion of a poor policy or the adoption of a good policy. This issue of *At Your Fingertips* focuses on the some of the essential elements of policy development.

- A. Identification of the Need for New or Revised Policies:** Policy development begins: when the Board recognizes that it faces an issue or problem requiring a long-term solution or structural process/framework; when required by law or government regulations (over 75 of NHSBA's samples are required by either state or federal law/regulation); or when the Board becomes aware that the District has an ongoing need to be answered through a new or revised program or way of function. Some problems, issues, and needs will be of first-rank importance. Others may be less significant, but still demand solution.
- B. Establish Policy Development Responsibility:** Identify who is responsible in the first instance for monitoring policy needs and development. Although it is the whole Board which will ultimately approve policies, it is generally more efficient with respect to both meaningful and effective Board meetings as well as a productive, workable policy process, if the Board delegates the initial responsibility. Many boards create standing committees charged with policy development.
- C. NHSBA and Other Resources/Information:** First, the Board/policy committee should review available resources. The NHSBA Policy Service includes samples of the every growing number of policies "required", as well as "recommended" policies, which incorporate other legal requirements imposed upon boards, schools, students, parents, and/or others. NHSBA also provides many "optional" sample policies which address a vast array of school issues, and are often prepared in response to member board requests. Whether using NHSBA's Policy Service or not, the Board should investigate pertinent facts: How does state law control district actions or decisions on the issue? What costs are involved? How has this problem been solved in other school districts? Additionally, the Board/policy committee should seek input from pertinent stakeholders (persons who will administer policy, those who may have expertise on the specific subject matter, and those whom the policy will affect).
- D. Study, Discuss, Agree on Basic Substance:** The Board/policy committee must have time to study the problem and background materials. As it sifts suggestions, discussions and debates, the Board/policy committee should pinpoint basic content-key-points that its policy should cover and try to reach agreement on the Board's position – or, if a policy committee, then agreement on the position to recommend to the Board.
- E. First Reading:** Once drafted, the policy proposal is placed on a Board meeting agenda for a "first-reading" (actual reading at the meeting is not necessary). At the first reading, the whole board reviews, and makes changes as approved by a majority of the Board. Those changes are incorporated into a new draft to be reviewed by the board at a subsequent meeting. The Board may also give further direction for additional information gathering to support the rationale, need, etc. of the proposed policy.

F. Second Reading, Adoption: The period between the first and second reading also allows for additional review of the reasons behind the policy, as well as further research and examination of the facts, alternatives, and divergent points of view. The final draft presented to the will reflect such changes in position and modifications as determined by the Board at the first reading. The Board is then ready to vote.



G. Inform and Disseminate: Adopting a policy is not enough. It must be made known to the persons affected by it and/or required to administer it. If it is a policy important to teachers, make sure that they receive a copy. If it is a policy of interest to parents, use certain means to inform them. Generally, it is up to the administrators to see that new policies will get into the hands of the person who will implement them.

H. Implement: Few policies are self-starting. There has to be a push behind a policy. It is essential that policies remain readily available and accessible to the persons who must enforce or abide by them. The administration has extensive responsibilities in the implementation of Board policy through the development of accompanying regulations – a process that is carried out best in tandem with the development of the policy.

I. Enforce, Evaluate, and Revise: Periodically, the Board/policy committee may want to ask administrators how the policy and its regulations are being enforced. Are they working? Do they need revision? A Board relies on its administration for the enforcement of policy and, to a large extent, for evaluation of how new policies work out. And just as the policy development process never ends, neither can the ongoing administrative support for policy making. With this in mind, every board is encouraged to review its policies on an ongoing basis, such that every policy is reviewed and/or revised, if necessary, every three to five years.

Regulations/Procedures and Forms: Regulations will set forth specific requirements; they may list do's and don'ts; they may include step-by-step procedures; they may assign specific responsibility. Regulations provide the details for carrying out policy and enforcing it. In most instances, regulations/procedures are administrative in nature and, pursuant to New Hampshire laws and regulations, should be left to the Superintendent for creation and implementation. Boards can exercise oversight by requiring periodic review of administrative regulations/procedures, and overriding them when necessary. In some instances, the procedural requirements of a specific state or Federal law/regulation, are so specific, that the procedures should be established by the Board at the same time as the policy.

Checklist for Policy Drafts:

1. The proposal is legally correct, and includes legal references when applicable.
2. The proposal contains a brief statement of intent, either incorporated, clearly obvious from context, or set out as a preamble/statement of purpose.
3. The proposal conforms to the District's stated philosophy, goals and objectives.
4. The proposal does not conflict with other policies or regulations. If it does precipitate changes in other Board statements, these changes are included in an accompanying set of recommendations.
5. Those who will be affected by the policy have had an opportunity to react to it.
6. Several people have read the draft to make sure its meaning is clear.
7. Regulations or procedures, if needed, are presented; these are concise and easily identified.
8. The proposal deals with one basic topic, or there is a compelling reason to combine topics.
9. The proposal is properly coded and prepared in correct format.
10. The draft has been proofread for typographical and spelling errors.