POLICY 101

February 4, 2021

Poll 1

Please tell us a little about your role pertaining to policy.

Who is Responsible for Policy?

16 V.S.A. Section 563(1):

"The school board shall determine the educational policies of the school district . . .

What is Policy?

- Board policy describes **what** should be done.

- Board policy should be a fairly **broad statement of intent**.

- The administrative details should be left to the people most qualified to carry out the board's intent: the school administration.

Why is Policy a Priority?

- Allows the board to articulate school district goals

- Describes the board's expectations

- Provides direction to the board and administrators

- Clarifies responsibility of the board as compared to administration

- Provides stability for the district as staff comes and goes

- An essential component of a risk management program

- Helps guide actions when controversy arises

Vermont School Board U

What are Procedures?

- Procedures implement board policies

- Procedures provide tools such as process and forms

- Not every policy requires a procedure

- The administration develops procedures

- The board does not adopt procedures but it may approve or disapprove procedures proposed for the conduct and management of public schools in the district

School Board U
Vermont

When is Policy Needed?

- Required policies

- Recommended policies

- Policies to consider

- https://www.vtvsba.org/copy-of-model-policy-manual

Required Policies: What?

- A state or federal law or regulation states, or a regulatory agency advises, that a school district must have a policy governing its activities in a certain area.

- Examples:
  - Firearms Policy
  - Class Size Policy
  - Proficiency Based Graduation Requirements Policy

NOTE: AOE-required policies:
  - B8: Electronic Communications between Employees
  - C10: Prevention of Harassment, Hazing & Bullying of Students

Recommended Policies: When?

VSBA recommends policies when:

- They will lend predictability and consistency to a board operational practice; or
- They will enable the board to give direction to administrators in areas where the law may be unclear, or where operational parameters should be established.

Recommended Policies: What?

Recommended policies should:

- Indicate the objectives the board wishes to achieve
- Assign responsibility for achieving those objectives
- Establish accountability systems to determine if the objectives are met

Examples:
- Professional Development Policy
- Community Use of School Facilities Policy

Temporary Policies

In effect during State of Emergency due to COVID-19 and recommended that districts adopt *one* of these policies:

- A25: Delegation of Authority During State of Emergency Due to COVID-19 Pandemic

- D22: Modes of Instruction During State of Emergency Due To COVID-19 Pandemic

Process for Developing Policy

- Create a committee of the SU/SD board
- Ask administrative team to research legal requirements, analyze different approaches and draft language
- Determine whether administration's proposal will accomplish the board's goals
- Seek legal review of any areas of concern
- Present model language to board for possible adoption

Legal Requirements for Adopting Policy

16 VSA Section 563(1):
- Policies shall be adopted at a regular or special board meeting
- Policies shall be adopted after 10 days notice to the public, stating the **substance of the proposed policy**
  - *Unless* your board has a policy on policy adoption that outlines a different process
- Board policies shall be:
  - of general application to the district,
  - in writing,
  - codified, and
  - available to the public

Supervisory Union- and Supervisory District-Wide Policy Adoption

Some SU/SD policies are required by law

- Example: 16 V.S.A. Section 261a sets forth the duties of the SU Board, including (12) "Adopt supervisory union-wide truancy policies consistent with the model protocols developed by the Secretary."

Link to VSBA Student Attendance Policy

Value of Uniform Policies

- 16 VSA Section 563(1) provides that individual school districts are responsible for adopting education policies

- This means each district within a supervisory union or supervisory district (SU/SD) must go through the policy adoption process, even if all districts adopt the same policies

- Uniformity across all districts in an SU/SD is not always possible. Variability is more likely to exist if there are operating and non-operating districts within the same SU/SD

Benefits of Uniform Policies

- Uniform SU/SD policies have the following benefits:
  - Create efficiency and accuracy
    - Efficient use of central office resources
    - Reduce liability stemming from different policies for each member district
  - Shared responsibilities/uniform expectations
    - Special education, transportation
    - Procedures created by superintendent
  - Partnerships and best practice
    - SU/SD policy discussions lead to innovative SU/SD-wide practice

Case Study #1: Consistency Across Districts

A math coach who divides time in two different school districts complains that the principal of school #1 will not allow cigarette smoking on the employee's break in the employee parking lot, even though the principal at school #2 allows the practice.

Link to tobacco prohibition policy

Case Study #2: Consistency At Board Meetings

The school board chair does not have any guidance on how to handle public comment. Incidents are handled differently based on the topic and/or the members of the public who are present. One night a large crowd shows up at the board meeting expecting to be able to weigh in throughout the evening.

Link to public participation policy

Monitoring Policy

- Create a cycle for review at the SU/SD level
  - All policies reviewed for accuracy every 3 years

- Pay close attention to policies required by law
  - Have legislative changes or court decisions changed the requirements?

- Conduct an audit to determine the next steps for the board

Amending, Replacing & Rescinding Policy

Amending policy:

- VSBA model policies have been vetted by VSBIT, including legal counsel
- VSBA recommends that required policies be adopted as written or that the board seeks legal counsel as it considers an amendment
- when amending an existing policy, follow the same procedures for policy adoption (10 day warning, public discussion)

Replacing policy:

- warn a new policy
- motion should address adopting a new policy, replacing policy xxx

Rescinding policy (not replacing):

- no statutory guidance
- best practice = use the same warning procedures for policy adoption under 16 VSA Section 563(1)

Poll 2 Multiple Choice

When is the last time your district's policy manual was updated?

VSBA's Model Policies

- Are drafted by in house staff and reviewed by VSBIT attorneys, for risk management purposes

- Are reviewed by other entities such as the AOE and VASBO, depending on content

- Are reviewed regularly, with priority to those needing updates due to changes in the law

Note: Changes to the model policy manual webpage are highlighted in a blue box at the top of the page

Vermont Education Policy Service

Vermont School Boards Association's Education Policy Service provides:

- Model Policies

- Policy Review

- Policy Development

- Specialized Services

Contact Sandra Cameron at 802-223-3580 or scameron@vtvsba.org for details

Poll 3 Multiple Choice

Which policy does your board rely on most frequently?

Feedback

What do you think is missing from the VSBA Policy Manual?

Please answer in the question box. Thank you.

Thank You

Thank you for attending the Policy 101 webinar

If questions arise after the webinar please contact:

Sandra Cameron

Director of Public Policy

scameron@vtvsba.org