

POLICY DEVELOPMENT, ENACTMENT AND REVISIONS

1 .0 Purpose

Development and Enactment of Policy. The Board of Education develops and enacts written policies to: Comply with laws which require county boards of education to adopt regulations; regulate its own affairs; guide the action of those to whom it delegates authority; and establish its expectations of those who are involved in the operation of the county's schools.

1.1 Policy Dissemination, Review, and Revision. The Board disseminates, reviews and, as necessary, revises its policies in order to:

1.2.1 Make them available to the school community, the community at large, and all interested parties;

1.2.2 evaluate how they have been executed and weigh the results;

1.2.3 keep abreast of changing conditions, laws, and needs.

1.2 Framework. The purpose of this policy is to establish the framework for those actions.

2.0 The Development of Board Policies

2.1 Origination of Policy Proposals. Proposals regarding policies may originate with:

2.1.1 Any Board member;

2.1.2 the Board's Superintendent;

2.1.3 any Board employee;

2.1.4 any student of the county's public schools, or any such student's parent, guardian, or custodian;

2.1.5 any resident of the county;

2.1.6 any organization to which the Board or any such member, Superintendent, employee, student, parent, guardian, custodian, or resident belongs;

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- 2.1.7 any of the county's faculty senates;
- 2.1.8 any of the county's local school improvement councils;
- 2.1.9 a consultant hired by the Board;
- 2.1.10 a committee appointed by the Board;
- 2.1.11 the West Virginia Department of Education;
- 2.1.12 the West Virginia Board of Education;
- 2.1.13 the State Superintendent of Schools; or
- 2.1.14 any government official or agency which monitors the county's public schools.

2.2 Form and Submission of Policy Proposals. All initial proposals regarding new or revised policy shall be made, in writing, to the Superintendent as secretary of the Board. The Superintendent shall forward each proposal to the Board's members along with the agenda for an upcoming Board meeting. The agenda shall list the proposals so forwarded. The Superintendent may require the party making a proposal to supply enough copies to serve the purposes of this paragraph.

2.3 Initial Motions Regarding Proposals. Once a proposal regarding a new or revised policy has been forwarded to the Board's members and listed on a meeting agenda, any Board member may make a motion in open session at a subsequent Board meeting to:

- 2.3.1 Gather information about the proposal; and/or
- 2.3.2 invite comments about the proposal; and/or
- 2.3.3 seek advice about the proposal and/or
- 2.3.4 draft or redraft a policy reflecting the proposal; and/or
- 2.3.5 draft or redraft a policy inspired by, but different from, the proposal; or
- 2.3.6 if the proposal is already in a form suitable for enactment, consider the policy on first reading at an upcoming Board meeting.

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2.4 Permitted Contents of Motion. Any such motion shall contain a time frame for the proposed course of action and may include other details for implementing the motion, such as the delegation of duties to the Superintendent or other Board employees; the kinds of information, comments, or advice to be sought, and how it shall be conveyed; the concepts to be addressed in the draft or redraft of a policy; and any items which are to appear on the agenda of a future board meeting.

2.5 Other Motions and Action. The fact that one motion under 2.3, above, has been made or approved concerning a proposal shall not preclude subsequent motions or actions concerning the same proposal.

2.6 No Motion of Action Required. Once a proposal regarding policy has been forwarded to the Board's members, there is no requirement that any member make a motion concerning the proposal or that the Board take action on the proposal.

3.0 The Enactment of Board Policies

3.1 First Reading Required. Before a new or revised policy is enacted, and before an existing policy is repealed, the proposed action shall be given a first reading in open session at a Board meeting. The agenda for the meeting must reflect that the proposed action will be given a first reading.

3.2 Form of Proposal on First Reading. Before a new or revised policy will be placed on an agenda for first reading, the Superintendent, as Secretary of the Board, must be satisfied that the new or revised policy is written in language which is grammatical and consistent in style with related policies, and that it is properly titled and coded in accordance with the Board's policy classification system.

3.3 Board Action Following First Reading. Following the first reading, the Board, in open session, shall:

- 3.3.1 Direct that the proposed action, without modification, be returned to the Board for second reading; or
- 3.3.2 direct that the proposed action be modified in specified respects, or modified by the Superintendent or a committee to meet certain standards, and returned to the Board for second reading; or

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- 3.3.3 direct that any of the actions described in 2.3.1, 2.3.2, 2.3.3, and 2.3.4, above, be taken, in which case the proposed action, with or without modification, may be enacted only following another first reading and after the other requirements of this part 3 are met; or
- 3.3.4 fail to advance, or decide not to advance, the proposed action to second reading, in which case the proposed action shall die.
- 3.3.5 A public comment period lasting a minimum of twenty (20) days will follow the first reading of any proposed new or revised policy. Copies will be distributed to school administrators, faculty senate chairpersons, and Local School Improvement Councils for comments. A copy will be made available to the general public for inspection and comments upon request at the Central Office. Comments received will be shared with the members of the Board of Education and changes, if any, will be made to the proposed new or revised policy prior to the second reading and Board action.

3.4 Second Reading Required. Following first reading, and before final action is taken to enact a new or revised policy or to repeal an existing policy, the proposed action shall be given a second reading in open session at a Board meeting. The agenda for the meeting must reflect that the proposed action will be given a second reading.

3.5 Timing of Second Reading. The second reading shall not occur sooner than the first Board meeting following the meeting at which the first reading occurred.

3.6 Board Action Following Second Reading. Following the second reading, the Board, in open session, shall:

- 3.6.1 Adopt the proposed action, without modification, in which case no further action shall be required of the Board to enact the proposal; or
- 3.6.2 adopt the proposed action, with modification, in which case no further action shall be required of the Board to enact the proposal unless the Board so directs; or
- 3.6.3 defeat, or fail to adopt, the proposed action, in which case the proposal shall die.

4.0 The Dissemination and Effect of Board Policies

4.1 Binding Effect. The Board's members, its superintendent, and its employees, are expected to know and observe all of the Board's policies.

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4.2 Policy Manual. The Superintendent shall be responsible for maintaining a manual containing all of the Board's written policies. From and after the date of this policy, the manual shall indicate the date of the Board's action approving each policy or modification of policy. If the effective date of a policy or modification was not also the date of its approval, the manual shall so indicate.

4.3 Dissemination. The Superintendent shall establish and maintain an orderly system for making all of the Board's policies accessible to the Board's members, the Board's employees, students of the county's public schools, the county's faculty senates, and the county's local school improvement councils. The Superintendent shall also maintain a system for making the Board's policies available to parents, guardians, and custodians of the Board's students, and to residents of the county. The Board's policies are public records, open for inspection at the Board's office.

4.4 Policy Revisions. The policies set forth in this manual are intended as guidelines on which the Board of Education will base its decisions. Whenever the welfare of our employees or the children in our educational program warrants, or whenever the facts of any given situation justify such action, this Board reserves the right upon a majority vote, to depart from rigid adherence to the precise wording of such policy when such adherence would, in the judgment presented by the Board upon making its decision, prove to be inequitable or in violation of the intention and spirit of that policy.

5.0 Miscellaneous

5.1 Urgencies Requiring Immediate Action. The Board may dispense with any and all of the procedures of this policy when, by vote in open session, the Board in its sole discretion determines that it should expedite the process to meet urgent conditions. However, in such case the approval, modification, or repeal of a policy shall be considered temporary only, and the procedures of this policy shall be followed in due course in order for the action to have permanent effect.

5.2 Conflicts with State or Federal Law. In the event of a conflict between a policy of the Board, on the one hand, and the requirements of state or federal law, on the other, the requirements of state or federal law shall prevail, and the conflicting provision of the policy shall be considered null and void without further action by the Board.

5.3 Effective Date. This policy shall take effect upon its enactment by the Board. The date of enactment is indicated below.

Source: Board of Education Minutes

Date: 4/28/98