

## **PROCEDURE FOR ADOPTING BOARD POLICY**

The Board is the policy-making body for the Unit. The policies of the Board shall be within the framework of state and federal laws, and regulations.

It is the Board's intention that the written policies serve as guides for the discretionary action of those to whom it delegates authority and as a source of information and guidance for individuals interested in or affected by the district schools.

### **Development**

Policies may be proposed by a school Board member, employee, student or resident of the Districts. Proposed policies or ideas shall be submitted to the Director for review prior to possible placement on the Board agenda. The Board shall determine if a need exists and shall direct the Director or Board policy committee to draft a policy statement for presentation to the Board.

The Director and policy committee are authorized to seek expert assistance with policy development within financial parameters as directed by the Board.

When no Board policy exists that provides guidance on a matter, the Director is authorized to act appropriately under the circumstances, keeping in mind the educational philosophy and financial condition of the Unit. Under these circumstances, the Director will advise the Board of the need for a policy and may present a recommended policy to the Board for approval.

### **Adoption**

The Board shall adopt new policies and delete/modify existing policies when appropriate or required by law. Proposed policies and policy amendments shall be supplied to all Board members and administration prior to a properly scheduled meeting at which the policy revision/draft will be discussed.

Adoption of any policy or substantive amendment to a policy shall require two readings. If an expedited process is deemed necessary, the Board may waive, by a 2/3rds majority of the Board, the second reading by citing this policy in the motion. Thus, the policy is adopted or amended with one reading and the procedure below shall not apply.

Substantive amendments and new policies cannot undergo more than one reading at any meeting of the Board. During the second reading of a new policy or substantive amendment, Board action on the proposal shall be final if the proposal is approved in an identical form as passed at the previous meeting. If a revised form of the proposal is approved, or if approval includes an amendment, the proposal shall be resubmitted for action at a future Board meeting. Action shall be by majority vote of those Board members present.

The Board shall repeal or reaffirm existing Board policy in one reading. Past practice shall govern Unit operations, covered by the former policy, until the Board adopts a new policy.

Policies and amendments adopted by the Board shall be attached to, and made part of, the minutes of the meeting at which action was taken and be included in the unit's Board policy manual.

### **Board Regulations & Policy Exhibits**

The Board may develop regulations (-BR) to implement policy when the Board determines that this task is not appropriate to delegate to administration, when regulations are created on a highly litigious matter, or when law requires Board approval on regulations. Board regulations shall require one reading.

Policy administrative regulations (-AR) and exhibits (-E) shall be developed when needed to help implement policy but shall not be adopted by the Board. Policy exhibits include, but are not limited to, summaries of law, forms, and other informational material.

### **Policy Implementation**

Administrators are responsible for informing subordinates of existing policies and regulations and ensuring that they are implemented in the spirit intended. Continuous disregard for Board policy and regulations may be interpreted as insubordination and/or willful neglect of duty. In such circumstances, subordinates may be subject to appropriate disciplinary action including, but not limited to a reprimand, suspension, or a recommendation for termination/discharge in accordance with applicable law and/or policy.

### **Policy Review and Revision**

The Board shall review policies at least once every three years. The Director is responsible for developing a system of periodic review, addressing approximately one third of the policies annually. The Director shall promptly notify the Board when policies are out of date or in need of revision.

Should any policy of the Unit be found to conflict with requirements in law or be declared illegal by a court of competent jurisdiction, said policy shall be automatically rescinded to the extent that it violates the law. The remaining policies shall remain in full force and effect until rescinded or amended by the Board.

### **Suspension of Policy**

Only those policies not established by law or negotiated agreement may be temporarily suspended and then only by a two-thirds vote of Board members present at a regular or special meeting.

### **Policy Manuals**

Each unit Board member shall have access to the unit's policy manual. A copy of the manual shall be kept in the Unit office. The policy manual will be accessible on the Unit's website [www.ecsped.k12.nd.us](http://www.ecsped.k12.nd.us) and available to the public in accordance with state law and Unit policy.

All policy manuals distributed shall remain the property of the East Central Special Education Unit and shall be considered "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary by the Director or Board, whether for updating or other good cause.

The **Policy Liaison** is responsible for keeping policy manuals current.

**Policy Liaison**

The Board designates the **Director** as the Unit's Policy Liaison. The Policy Liaison shall be the caretaker of all unit policies and in charge of updating the Policy Manual once policies are approved by the Board.

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Complementing NDSBA Templates (may contain items not adopted by the Board)

- BDA-E, Policy Acknowledgement Form
- CBAA, Administrative Regulations

**End of East Central Center for Exceptional Children Policy BDA ..... Adopted:4.21.21**

**First Reading: 3.17.21**

**Second Reading: 4.21.21**