

Multnomah Education Service District

Code: **BFC-AR**
Adopted: 12/21/10
Amended:
Reviewed:

Adoption and Revision of Policies Procedure

The Multnomah Education Service District Board has set policies for the management of policies as follows:

1. BF - Policy Development
2. BFC - Adoption and Revision of Policies
3. BFCA - Administrative Regulations
4. BFE - Administration in the Absence of Policy
5. BFF - Suspension of Policies; and
6. BFG - Board Policy Review

Based on the above policies, the following information is supplied for a better understanding of how the policies of MESD are developed, revised, and administrated, along with procedures to be followed.

Alpha Numbering System

Board Policies were converted to the EPS Policy Classification System for codifying Board Policies and Administrative Rules. This system is compatible with the Oregon School Boards Association (OSBA) policy system. The system is contained in 12 sections, or chapters as follows:

- A Foundations and Basic Commitments
- B School Board Governance and Operations
- C General School Administration
- D Fiscal Management
- E Support Services
- F Facilities Development
- G Personnel
- H Negotiations
- I Instruction
- J Students
- K School-Community Relations
- L Education Agency Relations

Each section has its own family of subcategories/subcodes and terms called “descriptors” which provide suggested titles for policy statements.

The order in which terms appear in the classification system does not imply importance; the order established is a logical sequence for filing policies and regulations.

New descriptors and codes can and should be added to accommodate the special policy needs of local districts and new policy concerns brought with the changing times.

The system calls for the use of the letter symbols -R and -E following letter codes to provide a distinction, in addition to color coding, between policies, regulations, and supplementary reference material (Exhibits).

Guide for Board Policy Responsibilities

	Policy	Administrative Rule
Definition	A guiding principal or intent	Statement of actions to implement a policy
Who approves	Board of Directors	Superintendent
Code	Example ABA or EEAF	Example ABA-AR or EEAF-AR

There is no statutory language requiring first and second readings, only Board adoption. In some circumstances, there may not be enough time for a first and second reading - especially if there are new federal or state mandates with emergency-implementation clauses. The Superintendent can request and the Board may grant a single-reading adoption. See Appendix for OSBA Policy Update Review and Adoption Guidelines.

OSBA Policy/AR Update Process

Background Information

The MESD receives from OSBA quarterly, via electronic notification the *Policy Update* Summary and sample policy changes to help the Board to develop new policy or revise existing policy. This is best used as a starting point for discussion and guidance for policies which may need to be written.

The suggested policy is developed for an ESD’s particular circumstances. OSBA recommends that you do not adopt every sample policy in the Policy Update nor are they meant to replace the advice of local district legal counsel. It is, however, critical for policies to be up to dated, legal and reflect current district practice.

OSBA Policy updates are categorized as:

1. Required - Mandated by Oregon Revised Statutes, Oregon Administrative Rules or federal law and must be adopted by the ESD. Due to the limited discretion to change the language in the OSBA sample required policy as they reflect required language in statute, if an ESD elects to change the language, it must be approved by OSBA and ODE before making the change. The OSBA sample required policies have very little - that is, language that is optional and usually written to make the required policy more comprehensive than law requires it to be.

2. Conditionally Recommended - are not required in particular circumstances, such as kindergarten tuition. When a conditionally required policy is submitted, it will be explained thoroughly in the summary.
3. Highly Recommended - written in response to a current statute, legal case or hot topic, or because there is substantial potential for litigation. Districts are not required to adopt them.
4. Optional - result from district or ESD requests, recommendations from other OSBA departments or legislative initiatives. Districts are not required to adopt them.

Process

Administrative Policy Review Team: Superintendent, Chief Program Officer, Board Secretary

1. Draft 1 - Board Secretary:
 - a. Receives update and creates a matrix of OSBA updates requiring review
 - b. Prepares individual files that include:
 - (1) Board Policy Review Check Off List - which is used to track the Policy/AR from first draft through submission to OSBA for upload to web;
 - (2) OSBA Policy Update Summary - which provides background and proposed language changes;
 - (3) MESD Current Policy/AR; and
 - (4) First draft of amended Policy/AR reflecting changes.
2. Administrative Policy Review Team:
 - a. Reviews and prioritizes policies/ARs based on:
 - (1) whether they are required, highly recommended, conditionally recommended or optional;
 - (2) non-compliance issues;
 - b. Reviews first draft for additional edits (Draft 2)
 - c. Identifies Cabinet Director(s) impacted by the changes and provides copies to review with their staff for additional impacts, changes in language, etc
 - d. Sets deadline for return to Board Secretary
3. Draft 2 -Cabinet Directors:
 - a. Review second draft and submit to Board Secretary any additional impacts, changes in language, etc.
4. Draft 3 - Board Secretary
 - a. Incorporates changes from Director(s).
 - b. Reviews changes with Administrative Policy Review Team

- c. Sends to Legal Services for review of:
 - (1) ORS Reference(s) and OAR References(s)
 - (2) Legal Citation(s)
 - (3) MESD Policy Cross Reference(s)
 - (4) Policy Language Review

- 5. Draft 4- Board Secretary
 - a. Incorporates any additional changes from Legal Services and prepares for Board First Reading
 - b. Sends notice to all Cabinet Directors to review Policy/AR changes prior to Board Packet cut off date

- 6. Board Packet- First Reading:
 - a. Policies categorized into groupings based on a thematic model or mandatory required language changes, editorial edits only, new language for ease in processing.
 - b. A First Reading can occur at any meeting where a quorum of the Board is present. This can include work sessions or policy committee workgroups.
 - c. Such meetings fall under Oregon's Public Meetings Law.
 - d. It is not necessary to read the policy aloud for it to be entered into the minutes.
 - e. The purpose of a First Reading is to provide notice and to allow for the opportunity for input from Board members and others.
 - f. Comments do not need to be made or recorded at the First Reading as long as someone is designated to receive any such input.

- 7. Board Packet - Second Reading
 - a. Board Secretary incorporates any changes suggested by the Board from the First Reading.
 - b. If no input is received after a First Reading, MESD policy allows for the policy to be placed on the Consent Agenda for approval.
 - c. A motion and majority vote of the Board to adopt is required.
 - d. Policies needing additional edits or further discussion after the first reading, at the direction of the Board, will be listed for second reading in the Action Agenda.

- 8. Upon approval of Policy by Board the Board Secretary shall:
 - a. Prepare approved Policies/Administrative Regulations/table of contents for the MESD Master electronic file, hard copy file and OSBA Policy Department
 - b. Maintain/retain a record of all Policies/Administrative Regulations updates for future reference in the Superintendent's office and update the Matrix
 - c. Review OSBA web for accuracy and notify OSBA of any discrepancies
 - d. Once OSBA web is approved, notification of policy changes will be sent to the Board, Directors, Supervisors, and secretaries.

Board Policy/AR Change Requests other than OSBA Update

If a Board Member, Cabinet Director, Supervisor, or staff member requests a policy or administrative regulation be created or amended outside of the OSBA Policy Updates, the following procedure shall be followed:

1. Written request submitted to the Administrative Policy Review Team
2. Draft 1 - Board Secretary:
 - a. Prepares individual files that include:
 - (1) Board Policy Review Check Off List - which is used to track the policy/AR from first draft through submission to OSBA for upload to web;
 - (2) Written request for creation or amendment;
 - (3) MESD Current Policy/AR; and
 - (4) First draft of amended Policy/AR reflecting changes.
3. Administrative Policy Review Team:
 - a. Reviews and prioritizes policies/ARs based on:
 - (1) whether they are required, highly recommended, conditionally recommended or optional;
 - (2) non-compliance issues;
 - b. Reviews first draft for additional edits (Draft 2)
 - c. Identifies Cabinet Director(s) impacted by the changes and provides copies to review with their staff for additional impacts, changes in language, etc
 - d. Sets deadline for return to Board Secretary
4. Draft 2 -Cabinet Directors:
 - a. Review second draft and submit to Board Secretary any additional impacts, changes in language, etc.
5. Draft 3 - Board Secretary
 - a. Incorporates changes from Director(s).
 - b. Reviews changes with Administrative Policy Review Team
 - c. Sends to Legal Services for review of:
 - (1) ORS Reference(s) and OAR References(s)
 - (2) Legal Citation(s)
 - (3) MESD Policy Cross Reference(s)
 - (4) Policy Language Review

6. Draft 4- Board Secretary
 - a. Incorporates any additional changes from Legal Services and prepares for Board First Reading
 - b. Sends notice to all Cabinet Directors to review Policy/AR changes prior to Board Packet cut off date

7. Board Packet- First Reading:
 - a. Policies categorized into groupings based on a thematic model or mandatory required language changes, editorial edits only, new language for ease in processing.
 - b. A First Reading can occur at any meeting where a quorum of the Board is present. This can include work sessions or policy committee workgroups.
 - c. Such meetings fall under Oregon's Public Meetings Law.
 - d. It is not necessary to read the policy aloud for it to be entered into the minutes.
 - e. The purpose of a First Reading is to provide notice and to allow for the opportunity for input from Board members and others.
 - f. Comments do not need to be made or recorded at the First Reading as long as someone is designated to receive any such input.

8. Board Packet - Second Reading
 - a. Board Secretary incorporates any changes suggested by the Board from the First Reading.
 - b. If no input is received after a First Reading, MESD policy allows for the policy to be placed on the Consent Agenda for approval.
 - c. A motion and majority vote of the Board to adopt is required.
 - d. Policies needing additional edits or further discussion after the first reading, at the direction of the Board, will be listed for second reading in the Action Agenda.

9. Upon approval of Policy by Board the Board Secretary shall:
 - a. Prepare approved Policies/Administrative Regulations/table of contents for the MESD Master electronic file, hard copy file and OSBA Policy Department
 - b. Maintain/retain a record of all Policies/Administrative Regulations updates for future reference in the Superintendent's office and update the Matrix
 - c. Review OSBA web for accuracy and notify OSBA of any discrepancies
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