

BOARD POLICY DEVELOPMENT AND ADOPTION

Purpose

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 actions of those to whom it delegates authority; and
- establish its expectations of those who are involved in the operation of the county's schools.

The Board disseminates, reviews, and, as necessary, revises its policies in order to:

- make them available to the school community, the community at large, and all interested parties;
- evaluate how they have been executed and weigh the results; and
- keep abreast of changing conditions, laws, and needs.

Origination of Policy Proposals

Proposals regarding policies may originate with:

- any Board member;
- the Board's superintendent;
- any Board employee;
- any student of the county's public schools, or any such student's parent, guardian, or custodian;
- any resident of the county;
- any organization to which the Board or any such member, Superintendent, employee, student, parent, guardian, custodian, or resident belongs;
- any of the county's faculty senates;
- any of the county's local school improvement councils;
- a consultant hired by the Board;
- a committee appointed by the Board;
- the West Virginia Department of Education;
- the West Virginia Board of Education;
- the State Superintendent of Schools; or
- any government official or agency which monitors the county's public schools.

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:

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

Enactment of Board Policies

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Before a new or revised policy is enacted, and before an existing policy is repealed, the proposed action shall be given a first reading in open session at a Board meeting.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, and the agenda must state where a copy of the proposed action may be reviewed by interested parties.

- If a policy is being revised to bring it into compliance with current law or practice and does not have any substantive changes, the Board may, upon recommendation of the Superintendent, adopt said policy upon first reading.
- 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 grammatically correct and consistent in style with related policies, and that it is properly titled and coded in accordance with the Board's policy classification system.
- Board Action Following First Reading: Following the first reading, the Board in open session, shall:
 - direct that the proposed action, without modification, be returned to the Board for second reading; or
 - 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
 - fail to advance, or decide not to advance, the proposed action to second reading, in which case the proposed action shall die.

Second Reading Required

Following first reading, and before final action is taken to enact a new or a 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, and the agenda must state where a copy of the proposed action may be reviewed by interested parties.

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.

Board Action Following Second Reading

Following the second reading, the Board in open session, shall:

- adopt the proposed action, without modification which case no further action shall be required of the Board to enact the proposal;
- 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
- defeat, or fail to adopt, the proposed action, in which case the proposal shall die.

Dissemination and Effect of Board Policies

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

- 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 the 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.

Review of Board Policies

Outdated, Unnecessary, and Ineffective Policies

After a period of four years from the date of the Board's approval or last modification of a policy, the Superintendent shall notify the Board if the policy is out of date, seems unnecessary, or has proven ineffective, or whether it is in need of modification or repeal for any other reason.

Review as Needed

Nothing shall prohibit the superintendent from alerting the Board to more urgent reasons to modify, adopt, or repeal policy, especially when action is necessary to reflect changes in applicable state or federal law.

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.

Effective Date of Board Policies

Unless otherwise clearly indicated in a policy or by the Board's action approving, modifying, or repealing a policy, each policy, modification of policy, and repeal shall take effect upon the date of final Board action.

Duration of Board Policies

Unless otherwise clearly indicated in the policy or by the Board's action approving or modifying a policy, each policy and modification of policy shall continue from year to year until and unless changed or repealed by the Board.

Conflicts with State or Federal Law

In the event of a conflict between a policy of the Board and the requirements of state or federal law, the requirements of state or federal law shall prevail, and the conflicting provisions of this policy shall be considered null and void without further action by the Board.

Effective Date

This policy shall take effect upon its enactment by the Board.

Adopted: February 28, 2013

Revised: November 7, 2017

Reviewed: December 7, 2021