An Introduction to School Board Policy
The intricacies of the TASB Localized Policy Manual
This introduction to policy is intended to help school board members better understand the workings of their district’s *Localized Policy Manual*. That manual is the result of collaboration between the district and TASB Policy Service; similar manuals may be found in nearly all Texas school districts. All these manuals share a uniform policy coding structure (alphabetical) and consistent document format (“Legal,” “Local,” etc.). Each manual, however, is as unique as the district it serves. Each defines the legal foundation upon which a particular local school district is built, and each defines local priorities and principles.*

*TASB is the Texas Association of School Boards, a nonprofit statewide organization providing technical support to local districts. The organization is governed by the TASB Board of Trustees, elected by school boards across Texas, and a Delegate Assembly consisting of representatives of local school boards. TASB Policy Service is an optional, fee-based service available to member districts. See page 16 for further information on Policy Service.*
The board’s role in policymaking

State law provides the local school board with the authority to “oversee the management of the district” and to ensure that the superintendent implements and monitors plans, procedures, and systems to achieve the board’s desired results in the major areas of district operations. Policy is the primary means through which these fundamental legal responsibilities are accomplished.

Policy defines the board’s vision for the district, the structure for accomplishing the vision, and the system of accountability for all involved in realizing the vision. Board policy directs the actions of students, parents, and staff. It also directs those of the board itself:

• In responding to emerging issues, conflict, and controversy;
• In clarifying its own roles and responsibilities and those of the superintendent and staff;
• In defining the decision-making process; and
• In ensuring timely evaluation of programs, personnel, and activities.
Good business practice and, in many instances, the law itself require the board to adopt written policies governing the operations of the schools and to make these policies easily accessible to school employees, parents, and the general public.

Because policymaking is central to the board’s governance and oversight responsibilities, it is imperative that adopted policy be clearly written, up-to-date, and legally viable.

The board and staff have specific roles in policy development, adoption, implementation, review, and evaluation.

- Policy development is a cooperative effort involving the board, the staff, and the community.
- Policy adoption is the responsibility of the board.
- Policy implementation is the responsibility of the superintendent and staff.
- Policy review and evaluation is the responsibility of the board based on information received from the staff, community, and other sources.

The policymaking process should result in policy that (1) reflects the board’s intent and articulates a definite course of action, (2) delegates key responsibilities, and (3) declares desired outcomes. Written board policy fosters stability and continuity, establishes a legal record—and a legal basis—for many board actions, forms the core of the district’s written communication system, and provides a framework for the superintendent and staff to confidently assign duties and execute those assignments.
There are two types of policy manuals: the *TASB Policy Reference Manual* and the *Localized Policy Manual*. It is helpful to understand the purpose and function of each.

The *TASB Policy Reference Manual* is a “generic” reference tool that the superintendent and other key administrators will need to consult from time to time. It is accessible online via myTASB (https://www.tasb.org/apps/ca/ca_login1.cfm). This manual contains legally referenced policies applicable to all Texas school districts. The recited legal authorities include provisions of the U.S. and Texas Constitutions; federal and state statutes; rules of the State Board of Education, the State Board for Educator Certification, and other relevant state agencies; federal regulations; case law; Commissioner of Education decisions; and Attorney General opinions that affect the governance and management of Texas public schools. This manual also contains a small number of forms and notices called “exhibits” that address legal requirements. The *TASB Policy Reference Manual* provides the legal background for local control of Texas’ school districts; it is not appropriate for adoption as a local policy manual.

The *Localized Policy Manual*, on the other hand, defines local governance. It contains (1) legally referenced policies applicable to the individual district and (2) local policies reflecting the decisions of the board regarding the educational needs of students and the priorities and values of the community. Only the local policies are adopted by the board; each should bear the date of adoption.

The districts that contracted with TASB Policy Service for the development of a *Localized Policy Manual* initially completed a questionnaire profiling the basic programs and practices of the district. Questionnaire responses permitted Policy Service staff to identify legal requirements that specifically applied to the district and to draft and prepare local policies that accurately reflected the practice and intention of the district. Local policies required by legal authority or recommended by TASB formed the heart of the local pol-
icy component of the policy manual. Other local policies were added, as needed, by the district during this process. Once the board verified the appropriateness of the manual’s content, the local policies were adopted and the manuals were distributed to key users and sites throughout the district or, alternately, the manual was made accessible via the Internet, through Policy Service’s Policy On Line user interface. The *Localized Policy Manual* in hard-copy form is printed with the district’s name in the upper left corner of each page. (See page 9 for more information regarding the organization of the manual.)
What makes good policy?

Policy must be carefully and accurately phrased to convey the board’s intent and describe the district’s programs and practices. Simple, direct, unambiguous statements are invaluable to district staff in fulfilling board mandates and help ensure that the policies are readily understood by all.

In general, policies that point to a course of action should give clear guidance by defining governing principles and designating responsibility but should not unduly limit administrative discretion or professional judgment. In other words, these policies should define what the board intends or requires, leaving the “how” of implementation and administration to the superintendent or designees.

Some policies, however, necessarily run against this grain. Policies that define procedural due process (such as grievance procedures) or that grant specific rights or benefits (such as sick-leave benefits) should be both explicit and detailed. The topic and intent of any policy define a balance between general and specific statements, suggest where board directive ends and where administrative discretion begins, and guide the use of mandatory or permissive language (e.g., “shall” or “may”).

Regulation versus policy

A process or plan implementing district policy is commonly defined as an administrative regulation or procedure. The development and implementation of these regulations or procedures are appropriately left to the district’s administrators. Local regulations guide implementation of policy, define standard operating procedure, and generally allow room for professional discretion and judgment, as appropriate. Regulations should be reviewed and revised by administrators as policy changes or circumstances warrant. Regulations are not adopted by the board.

Policy development

As the board develops or refines policy, the following considerations and steps will keep the process focused and efficient and the result durable:
• Keep in mind that a specific place exists within the design of the manual for virtually every imaginable topic. Familiarity with the manual’s seven sections (each with its own table of contents) will be helpful. The “generic” cross-index, more often than not, will indicate the code at which a specific topic may be found.

• When both legally referenced and local policies are found in the same policy code, they should be read together. The local policy will usually expand on or qualify directives or options provided by law [e.g., BJA (LEGAL) and BJA (LOCAL)]. Text found in legally referenced policy generally should not be repeated in local policy.

• Each local policy should reflect the essential board governance statements: a broad authorization of programs and services; specific directives or standards; restrictions; delegation of responsibility; and/or expected outcomes. In focusing on the substance of local policy, consider whether any of these elements is missing and, if so, whether the board as a whole believes the missing element is best addressed at the board table or by administrative determination. Avoid becoming involved in administrative detail or micromanaging the district from the boardroom.

• Specific procedures and details, unless law or other legal authority requires otherwise, should be reserved for administrative discretion and implementation. The board’s time is limited. It is entirely appropriate for the board (1) to allow professional staff to decide how best to implement board policy and (2) to hold the superintendent accountable for its implementation.

• Solicit input. The recommendations of professional staff, legal counsel, decision-making committees, and other advisory committees and informal input from the community should guide the policy determinations of the board. Input also might be sought from your district’s Policy Service consultant. His or her familiarity with policy issues, work with other districts, and access to thousands of policy samples may save the local policy writer much time and toil.
Adoption and Policy Service review of the policy comes next. The district should submit the proposed policy for editorial and legal review either:

- **Prior** to board adoption so the board may see the policy in final form and be assured it has received editorial review by Policy Service and, if appropriate, legal review by TASB attorneys and that Policy Service records include this policy, OR
- **After** preliminary board adoption. If revisions are recommended by Policy Service or, if sent for legal review, by TASB attorneys, the board may need to reconsider the policy. If the resulting policy differs from the policy initially submitted, the district must provide Policy Service the revised policy so that Policy Service records can be adjusted.

The option chosen depends on a variety of factors, including prior consultation with Policy Service, use of a policy sample, the complexity and urgency of the issue, or the district’s customary practice. The district’s policy adoption process may make one option more practical than the other. Most districts adopt policy in a single reading, although some have opted for multiple readings [see your district’s BF (LOCAL)].

In either case, the adopted policy must be submitted to TASB Policy Service so that the records of the district’s manual can be updated. Policy Service uses these records to reprint the manual, to revise Policy On Line, and to form the basis for future recommendations in response to changes in the legal landscape.

- For new policies to be implemented successfully, individuals who are affected by the policy must know what the policy is. Policy copies need to be distributed promptly to all holders of hard-copy policy manuals, and key policy changes should be highlighted in news releases, internal publications, and staff meetings. Districts using Policy On Line may want to publish via intranet or e-mail hyperlinks to those policies that have changed. Your Policy Service consultant can help your district design reliable procedures for distributing and maintaining the accuracy of hard-copy and electronic manuals.
How does the manual work?

The *Localized Policy Manual* is organized according to the TASB codification system that has evolved with the changing legal landscape and with emerging local issues. The manual’s seven sections are devoted to the following areas of school governance:

A Basic District Foundations  
B Local Governance  
C Business and Support Services  
D Personnel  
E Instruction  
F Students  
G Community and Governmental Relations

Each section of the policy manual has its own table of contents that lists the policy topics in that section with their respective codes. In print the tables of contents are “generic,” common to the *TASB Policy Reference Manual* as well as all *Localized Policy Manuals*. Your district’s manual, therefore, may or may not have a policy at a given code. (In Policy On Line, however, the tables of contents reflect only what the district has in its own unique policy manual.)

Cross-index

The cross-index is also “generic”: a comprehensive compilation of topics and key terms designed to accommodate expansion into new areas. As with the tables of contents, not all codes identified in the cross-index will be addressed in any particular *Localized Policy Manual*.

Types of policies

Your *Localized Policy Manual* contains two types of policies: legally referenced policies and local policies, both of which are reviewed by the board before they become part of the manual. The legally referenced policies
reflect the evolving legal context for local policy and implementation. Legally referenced policies are statements of law, are recommended for inclusion in your manual, but are NOT adopted. Local policies reflect board positions, however, and must be adopted. For the convenience of users, your manual also might contain administrative procedures and exhibits. These administrative documents—not adopted by the board—are often housed separately, in a manual of administrative procedures or in specific handbooks and guides.

As in the *TASB Policy Reference Manual*, legally referenced policies recite state or federal laws or regulations and other sources of legal authority. These policies can be identified by the word “(LEGAL)” in the upper right corner and the lower left corner of each page.

Often the legally referenced material applies to all school districts. These policies are designated in the lower left corner with a characteristic identifier [e.g., “BDAF (LEGAL)-P,” with the “P” standing for a universally applicable policy]. If a legally referenced policy contains provisions that are specific to certain districts (size, organization, county, etc.), the *Localized Policy Manual* will contain a version that reflects the provisions applying specifically to the district. These versions are identified by “(LEGAL)” followed by a letter other than “P” and possibly a number, such as “(LEGAL)-A” or “(LEGAL)-B3.” Please refer to your manual’s introduction for further information on citations found in the legally referenced policies.

Any local policy will be identified in the upper right corner by the policy code and, on the second line, the word “(LOCAL)”:

\[
\text{BDAF (LOCAL)}
\]

In the lower left corner, you also will find the policy code “(LOCAL),” followed by a sequence of characters that further identify the local policy as one of two types:

1. Unique to the district: the word “(LOCAL)” will be followed by an “X.”

2. Versions common to a number of districts: the word “(LOCAL)” will be followed by a sequence of characters that define the version adopted by the district [e.g., “BDB (LOCAL)-A12”].
Formalized administrative procedures are identified as “(REGULATION)” in the upper right corner of each page; exhibits are identified in the upper right corner of each page as “(EXHIBIT).” These identifiers will be repeated in the lower left corner, followed by the usual array of characters identifying whether the “(EXHIBIT)” is a version or unique local material.

The policy page

Each page of policy text is “mapped” with margin notes defining key policy components. These components are usually listed in the cross-index. Scanning the margin notes on a policy page can help users find specific policy provisions. Please observe that some margin notes are indented to show subtopics within the defined topic.

In addition to margin notes, all legally referenced and local policies in the manual include notes in the lower left corner of each page. These notes show the DATE ISSUED—the most recent date on which a policy was issued by TASB to the district. On the line beneath the DATE ISSUED, each policy shows the most recent TASB numbered update (e.g., Update 80) or the Local District Update number. (See below for more information on updating.)

Local policies also display an ADOPTED entry—the space where the district should enter the date of board action in the official copy of the manual.

Page numbers of policy text follow the sequence 1 of 1; 1 of 2; 2 of 2; etc.

A quick glance at the bottom of a policy page provides information regarding the type of policy and dates of issue. This information is very useful when reviewing or comparing manuals for accuracy.
Policy revisions

All things change; policy is no exception. Changing leadership, priorities, resources, needs, and mandates all render policy dynamic. Consequently, regular policy review and maintenance are essential for effective and accountable local control.

TASB numbered updates

Keeping abreast of changes in federal and state law is a demanding job for district officials. TASB Policy and Legal Services assist districts by monitoring, researching, and digesting these changes. Policy Service accumulates these changes into numbered updates to the *TASB Policy Reference Manual* and individualized update packets for the over one thousand districts with *Localized Policy Manuals*. These packets are prepared by Policy Service consultants, who review computer records of the policies of each district to determine what effect statutory and case law changes will have on the district’s manual. The update packets detail new legal requirements and recommended local policy changes.

Each localized update packet contains a cover letter that includes highlights of the update and instructions on how to process it. Included are:

- Suggestions for posting and adopting the local policies contained in the update.
- An instruction page that lists the codes and the actions to be taken.
- Explanatory notes that give information about why, where, and how the policy text was revised. Explanatory notes also are used to send advisory information.
- *Vantage Points*, executive summaries of each localized update. These documents—printed on yellow paper and accompanying your district’s localized update packets—are intended to help decision makers understand the legal changes and to focus attention on local policy issues.
associated with the update. An update packet contains one copy of the
\textit{Vantage Points} for each trustee, plus an extra for the superintendent.
\textit{Vantage Points} are posted online at
http://policy.tasb.org/publications/vantage/.

District superintendents also receive access to several electronic resources
through myTASB:

- A PDF of the update,
- An annotated comparison of each (LOCAL) policy with its precursor,
- A file of editable (LOCAL) policy text,
- An insert for the notice of the board meeting at which the board will
act upon the policy, and
- A PDF of \textit{Vantage Points}.

These resources are designed to help administrators prepare update policies
for the board's review and adoption.

All policies in a numbered update should be reviewed by district administra-
tors in preparation for board consideration. Specific attention should be
directed to the local policy provisions. The packet contains recommended
adjustments to local policy to maintain compatibility with changing legal
authority. In reviewing these recommendations, district officials should
ensure that the suggested policies accurately reflect district intent and prac-
tice.

\textbf{Local District Updates}

While numbered updates help keep the manual tuned to statutory and
regulatory changes, the superintendent and board are responsible for keeping
the manual tuned to changing local needs and priorities. Locally initiated
changes must be submitted to Policy Service so that its record of the dis-
trict's manual accurately reflects the manual—and so that the recommenda-
tions contained in the numbered updates are relevant.
Each locally initiated policy change—termed a “Local District Update”—is reviewed also for editorial and legal concerns by the district’s Policy Service consultant. The consultant will work with the superintendent regarding any editorial adjustments that are not merely grammatical or stylistic. If the consultant sends the policy for legal review, any legal concerns raised by a TASB attorney will be addressed in an advisory letter to the superintendent and, if appropriate, the board president. Often a minor adjustment is all that is needed to strengthen the policy editorially or legally. The superintendent will convey these concerns and suggestions to the board for its consideration. The board, of course, has the option of making changes or leaving the language as initially submitted. Policy Service must be notified of any adjustments made by the board so that its records remain accurate.

**Policy Review Sessions**

Districts may contract with Policy Service to have their manuals comprehensively analyzed. This process, called a Policy Review Session, includes an audit of the manual against Policy Service’s record and a careful inspection by a consultant for inconsistencies and missing policies. The consultant discusses his or her findings and recommendations in a review session with district administrators. The consultant continues the work with an executive summary to the board and board training on policy.

This thorough review ensures the accuracy of the manual and increases the board’s and administrators’ knowledge of policy content and policymaking procedures. Comprehensive review every few years assures that all policies are current and broadly understood; it also tends to reduce the possibility of inappropriate action and, concurrently, unintended legal exposure.

**Starting Points**

As issues requiring extensive local development arise, Policy Service will issue policy tool kits to all member districts. These kits, titled *Starting Points*, include detailed discussion of key issues, annotated legally referenced policy, and worksheets to assist the district in developing local policy.
Telephone assistance

Policy Service consultants are available by telephone to assist districts with policy questions and procedures. Districts may request sample text to assist with revisions or new policies. The toll-free number for policy assistance is 800-580-7529.
Questions board members often ask

Why is the manual so big? There’s a lot of stuff that doesn’t seem to apply to the board.

The manual reaches beyond the collection of board policies to become a blueprint for the governance and management of the district. It contains information critical for effective governance (an explicit system to guide the use of educator contracts, for instance) as well as information critical to effective day-to-day management. More than 60 percent of the manual is “(LEGAL)” and mirrors the extent of the legal and regulatory environment shaping local control of public education. That burden crosscuts every function of a school district; sound decision making hinges on an understanding of the legal context for the decision. Some examples include eligibility rules for participation in extracurricular activities (FM), professional standards of conduct (DH), and purchasing requirements (CH). In each of these areas, if the employee doesn’t have ready access to the legally referenced material, it’s easy to run afoul of the law.

Isn’t there an electronic alternative?

Yes! More than 90% of school districts use Policy Service’s Internet-based alternative to hard copy. Policy On Line allows users to easily search through the electronic manual to retrieve in an instant the policies they need and to save the time and trouble associated with maintaining hard-copy manuals. Don't know if your district has Policy On Line? Ask your superintendent, or call Policy Service at 800-580-7529.

How much does Policy Service cost?

Surprisingly little.

Most districts budget less than $2,500 per year for Policy Service, far less than would be the cost of independently combing through statutory, regulatory, and case law changes for policy implications.
Of this cost, $650 is Policy Service membership, a prerequisite for development and support of your *Localized Policy Manual*. Membership benefits include updates to the *TASB Policy Reference Manual* and the *TASB Regulations Resource Manual, Starting Points* policy development tool kits, the *Model Student Code of Conduct*, the *Model Student Handbook, Policy Alerts*, and a host of other resources.

The rest is the average cost, inclusive of printing, of maintaining your *Localized Policy Manual*.

Policy On Line districts pay an additional cost of $850 annually, funds that go toward the cost of sustaining and updating a reliable, round-the-clock Web server hosting their up-to-date localized manuals.

**Can you help us develop policies on a specific topic?**

We’re only a phone call away: 800-580-7529. The district’s policy consultant can help local officials explore policy issues before pen ever hits paper—what makes a good policy, what other districts are doing in this regard, what effect this policy will have on others in your manual, what sample policies are available, etc.

**Why don’t we adopt (LEGAL) policies?**

Two reasons: First, adoption of legally referenced material would tend to lock the language in place until it was superseded by action of the board and, second, some delay is inevitable between the time law is enacted and the board makes its policy determinations based on new law. The bottom line is that the most recently enacted law applies whether the legally referenced policy has been updated or not. Your BF (LOCAL) policy provides further guidance on how harmony with law is accomplished.