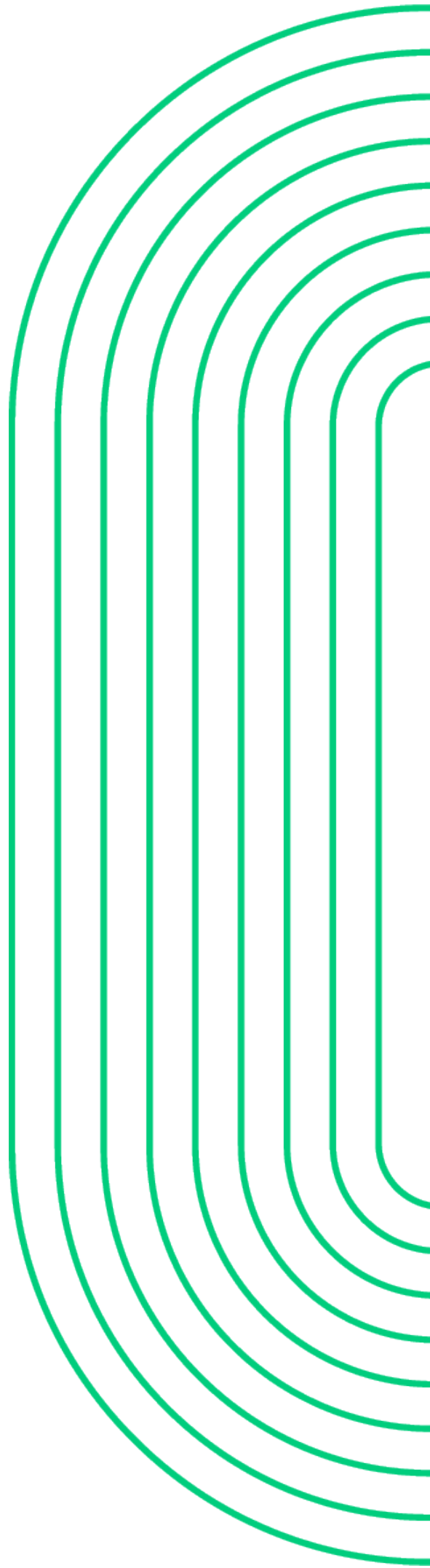


POLISHING UP YOUR POLICIES

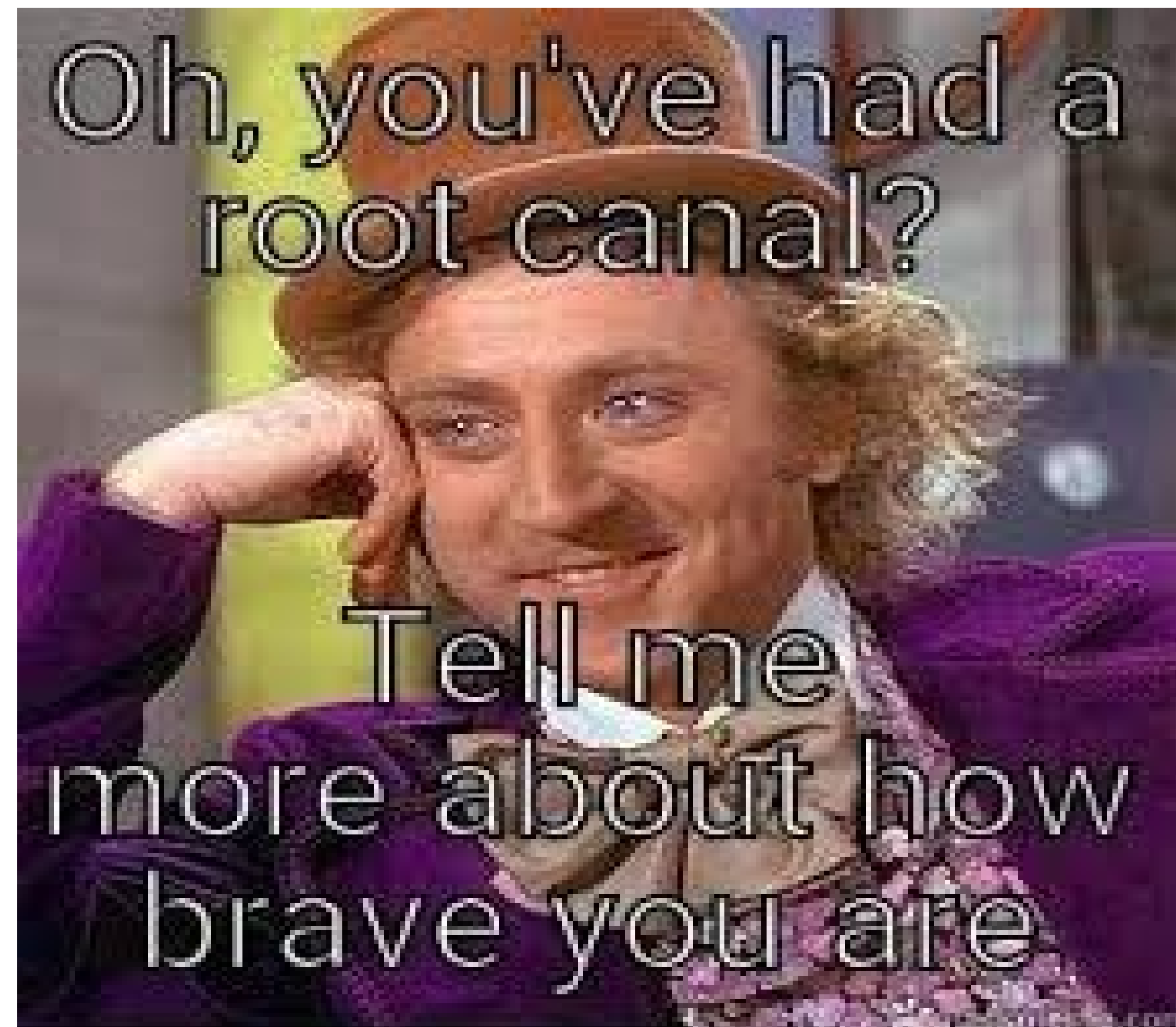
The Role of Board Policies in Good Governance – Practical Do's and Don't's

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Board Policies – Initial Reactions



Our Starting Point

Our starting point is our assessment of what policies have become:

Policies have become almost an end in themselves, almost a distraction, that are expensive in both time and money, but have very limited impact on student learning and District governance. Yes, you need policies to satisfy certain legal obligations, but they should be viewed as tools to effective action rather than an end in themselves.



Let's Start with the Basics

- MASB says these are some of the elements high-performing schools share:
 - Clear and shared focus
 - High standards and expectations of students
 - Effective school leadership
 - High levels of collaboration and communication
 - High levels of parent and community involvement.

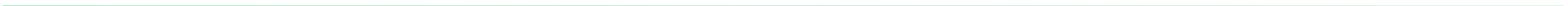
MASB: Building Blocs of High-Performing Schools



- Basic functions of the Board
 - Duty of Care
 - Board members exercise reasonable care in decisionmaking – what an “ordinarily prudent person” would do
 - Duty of Loyalty
 - Avoid conflicts of interest and appearance of conflicts
 - Duty of Obedience
 - Act in a way that is consistent with the board’s best interests



- More on the Duty of Obedience:
 - Hire and supervise the Superintendent
 - Ensure that students are receiving a world-class education in a safe environment that supports learning;
 - Ensure the Board operates legally and ethically;
 - Ensure that the Board approves or has cognizance of all key contracts;
 - Ensure that public money is subject to good stewardship.



We Cannot Assume

- That Superintendents are 'mind-readers';
- That all board members come onto the board knowing these duties;
- That the district's staff knows exactly how to operate;
- That the public can easily discern how the district operates.



MOST IMPORTANTLY

- We cannot assume that, in a tense or tough situation we will all be able, “in the moment”, to agree on basic processes
 - Conflicts of interest
 - Use of facilities
 - Procurement
 - Student discipline
 - Parliamentary procedure



Hence – Policies!

- But to what end?



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- Do we draft for all potential issues?
- Do we draft general suggestions?
- Do we repeat the law?
- Do we summarize the law?
- Do we try to be “comprehensive”?
- Do we try to be “suggestive”?

- This “policy book” illustrates my point:



- Clark Hill's “3-C's” of policy development:
 - Policies should be: Complete
 - Policies should be: Concise
 - Policies should be (and remain): Correct



Policies Should be Complete

- Policies should contain enough information to give the Board's perspective on how operational issues should be resolved.
- Two main categories:
 - Legally required;
 - Prudentially required.



Policies Should be Complete

- Typical outline of policy sections:
 - Board Bylaws
 - Administration
 - Curriculum and Instruction
 - Students
 - Personnel
 - Finances
 - Facilities and Operations
 - Community Relations



Policies Should be Concise

- MASB identifies common policy pitfalls as:
 - Paraphrasing the law
 - Restating the law
 - Inconsistent usage
 - Preaching – sending messages
 - Philosophy and beliefs
 - Multiple policy topics
 - Inappropriate headings
 - Lack of clarity
 - Combining or confusing policy and procedures
 - Adding legal considerations
 - Bureaucratization



Policies Should be Concise

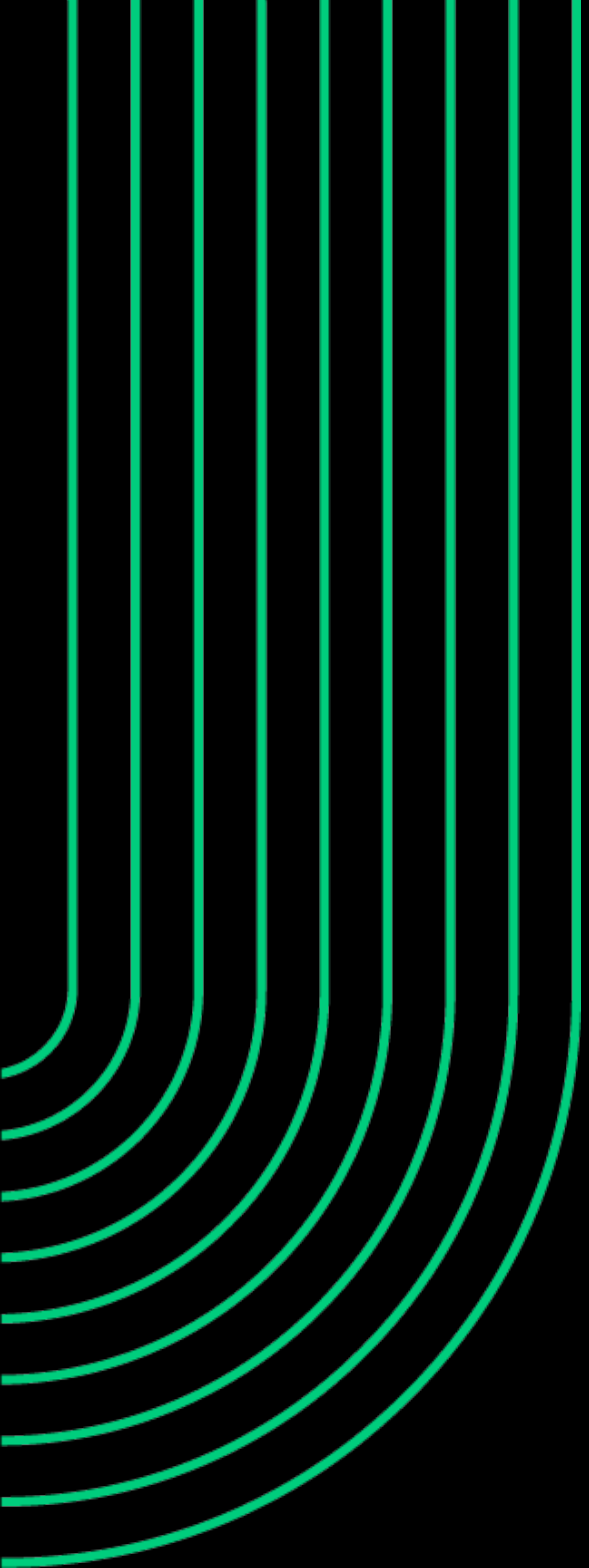
- MASB asks:
- Why?
 - Why is this policy needed? How does it align with our mission/vision/values?
How does this law help educate children?
- What?
 - What will show us that this policy is accomplishing its objective?
- Who?
 - Who will make this outcome happen?



Policies Should be Correct

- They should not conflict with the law;
- They should not conflict with other district documents;
- They should not contradict common sense;
- Less is generally more.





Polishing Up Your Policies

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Thank You

Legal Disclaimer

This document is not intended to give legal advice. It is comprised of general information. Employers facing specific issues should seek the assistance of an attorney.