



The Role of the School Board as Policy Maker



The board of education's role in a public school system is to establish policy, set goals, and evaluate whether is making progress in achieving those goals.

School board policies are intended to express the school system's mission and the guidelines and programs that support that mission. They create a framework within which the superintendent and the staff can discharge their duties with positive direction. They tell what is wanted. They may also indicate "why" and "how much."



It is inaccurate to simply state, "It is the board's role to make policy and the administration's role to implement policy." The board not only should adopt policies, but also should exercise the appropriate degree of oversight as the administration implements the policies. Are the policies, as adopted, being implemented? Are the policies achieving the desired results?

The Scope of the School Board's Authority

State law provides that “all powers and duties conferred and imposed by law respecting public schools, which are not expressly conferred and imposed upon some other official, are conferred and imposed upon the board.” School boards have “general control and supervision of all matters pertaining to the public schools in their respective administrative units and they shall enforce the school law in their respective units.” G.S. 115C-36.

Further, state law provides that “local boards of education, upon recommendation of the superintendent, shall have full power to make all just and needful rules and regulations governing the conduct of teachers, principals, and supervisors, the kind of reports they shall make, and their duties in the care of school property.” G.S. 115C-47(18).

As with all actions taken by the local board of education, personnel policies adopted by the board must uphold the United States Constitution, the North Carolina Constitution, and comply with applicable federal law and regulations, North Carolina law, regulations adopted by the State Board of Education and the Department of Public Instruction, and federal and state case law that interprets the various statutes and regulations.



Policies versus Regulations

Through policies, the board provides the superintendent and other school administrators with directions as to how to operate the school system.

Generally, policies do not contain the details. Instead, policies are usually implemented through “administrative regulations.”

The superintendent is directly responsible to the board for creating regulations to implement policies. The superintendent may delegate some of this responsibility to senior administrators.

Responsibility for Following Policies and Regulations

School principals and other administrators are responsible for being knowledgeable about both board policies and regulations in the day-to-day operation of their schools.

Failure to follow policy directives and regulations leaves the school system at risk of liability if someone is injured as a result of the failure to follow board policies.

Administrators may be held accountable on their performance evaluations and/or disciplined for failure to follow board policies and regulations.



FINAL THOUGHTS

A policy manual is never “done.” As the law changes and as times change, board policies and regulations will have to be reviewed and perhaps revised or repealed. Never assume that a policy that was legally current several years ago is still current today.



A policy manual, and even school regulations, will never “address every possible situation.” When in doubt, school administrators are encouraged to seek guidance from their supervisor or other more senior administrators. Some questions may require school officials to consult with the board attorney because sometimes the answer to the question is, “it depends”