The Sequence of Policy Development

Education is the one issue in the state policy structure that most clearly has multiple partners developing or influencing policies. The governor can create policy through executive order; the legislature can create policy through the development of law; the chief state school officer makes policy through implementation and policy development; and the state board of education creates policy through a variety of measures including rule making, regulation, and—in some states—self-executing powers. Regardless of how education policy evolves in a state, it is bound to be a subject of debate and discussion. Thus, policymakers who use an inclusive systemic approach to policy development are more likely to withstand scrutiny of the policies they enact, even when people disagree with part or all of the policy.

Although education policy can originate in any number of venues, state boards of education, in partnership with departments of education, are in the best position to ensure policy continuity from investigation to evaluation. By following the sequence of policy development, boards have an opportunity to align policies with identified education goals and evaluate their effectiveness in achieving those goals. The sequence of policy development is as follows.

Issue Statement

Many issues come to the attention of state boards of education, although not all of them warrant policy actions. When an issue is brought before the board, a determination should be made on how appropriate state board action is regarding the particular issue; how the issue relates to the board’s strategic goals; what is the board’s view toward the issue; and what would be the anticipated outcomes of board actions. A board may determine early in the process that policies for a particular issue are best determined at the local level.

Issue Evaluation

Once the board has agreed that it should explore the policy options of an issue, it should commit some time to studying it as a group to create a common core of knowledge about the issue. The board should determine the current status of the issue in the state, what research says about the issue, which, if any, local communities are already engaged in activities that address the concerns the issue has raised, and what other states are doing in this particular area.

Data Gathering

As the board is expanding its basic knowledge about the issue, the department of education should be gathering the data the board needs in order to formulate its views and policy parameters. Such data will advise the board how many and which students the policy will affect and what resources are already available to those who will be responsible for implementation both at the state and local levels.
Public Engagement

Engagement of the public and the education community on the need and purpose of the policy must be meaningful and comprehensive. While there are multiple ways to develop public engagement forums, the critical issue is to ensure that the information that is gained is useful for the policy development process. It is also important that the board identify non-traditional forms of public engagement to hear from constituencies who may be impacted by the policy, but who generally do not have a voice in the policymaking process. In addition to public engagement forums, the board should evaluate the political climate for the policy. Interactions with the governor, the legislature, and the education community can disclose important information for the development of the policy. It can also lay the groundwork for future support.

Drafting Policy

The board should be clear about its role in the drafting of policy. Boards do not need to write the policy. They simply guide its development. Before any specific policy language is brought to the board, the elements the board wishes to see included in the policy should be conveyed to staff. Staff members should also advise the board if they feel additional elements should be included in the policy before specific language is brought before the board for its approval.

Additional Engagement

Boards may find it useful to have additional targeted engagement with selected individuals or groups around the drafted language. Misinterpretation of the policy’s intention can be avoided if draft language is circulated among key constituencies and policy partners for their reactions and input.

Policy Statement

Once the board has taken the above steps, the final language is adopted and disseminated. Dissemination should include acknowledgment of those who provided input during the development phase of the policy and note the important modifications that were made as a result of the public engagement process.

Implementation and Oversight

Generally, the state department of education, in partnership with local education agencies, is responsible for the implementation of the board’s policy, but the board’s oversight responsibilities can include receiving data reports on the status of implementation and the impact of the policy on students. The board should also report to interested constituencies and policy partners on the status of the policy’s impact on students, teachers, and the system.

Policy Evaluation

Every policy adopted by the board should include a timeline for demonstrated results and criteria for a policy review cycle. This allows for full disclosure to the local districts that are responsible for implementing the policy and it assures the public that the board is not walking away from an issue once the policy, rule, or regulation has been created.