

THE BOARD OVERSIGHT FRAMEWORK

Master Legal Requirements Project

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Master Legal Requirements Project:

Providing better access to legal requirements to LEAs and the public education community

PHASE 1

Updated rules website that integrates rules and many other resources

PHASE 2

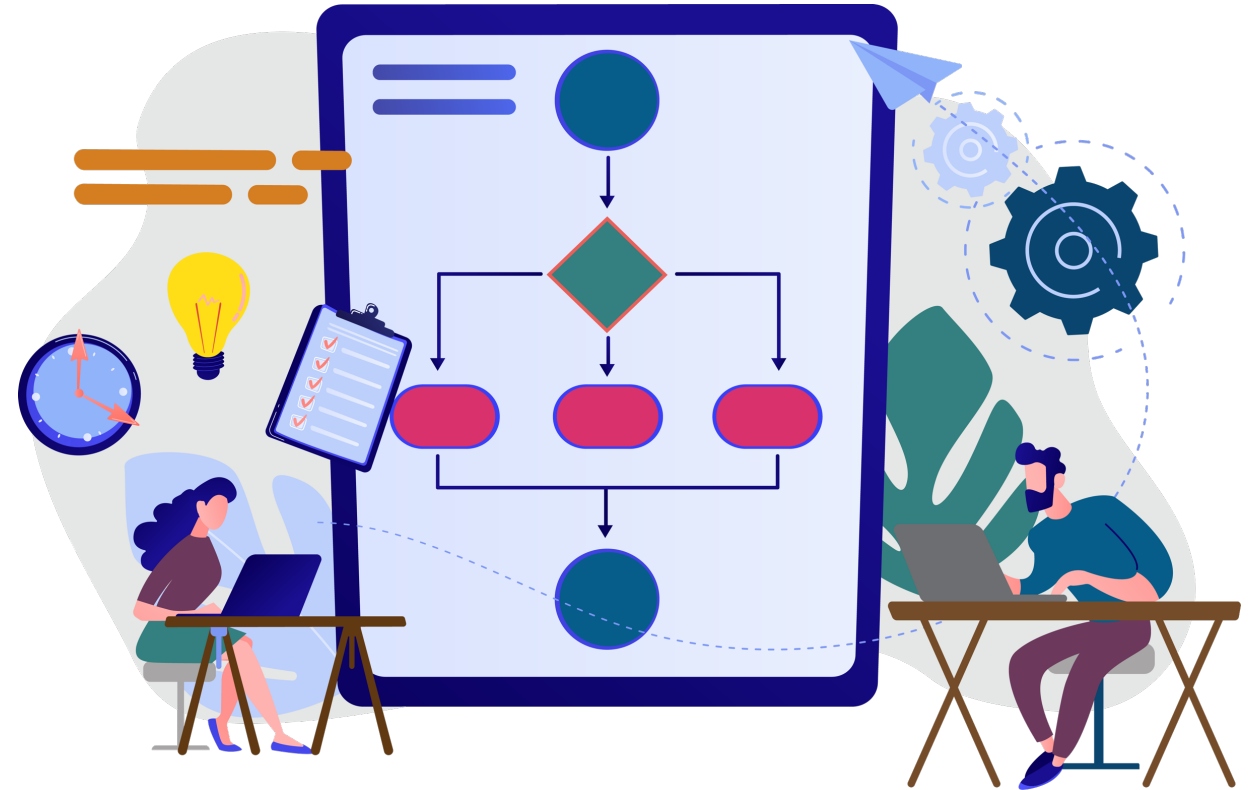
Create the oversight framework and simplify the assurances document

PHASE 3

Legislative Strategy

The Board Oversight Framework

- Organizational system for programs and requirements that indicates USBE's current oversight role
- Consists of four categories with increasing levels of USBE oversight
- But why do we need it?



Categories 1 & 2

- No dedicated staff
- No monitoring
- Local control: complaints referred back to LEAs, new rules website provides legal requirements and related resources to LEAs

Category 1

All local control, no
USBE resources

Category 2

Minor USBE
resources

Categories 3 & 4

- Dedicated staff
- Monitoring (frequency and type determines which category)
- Staff-driven corrective action

Category 3

Less frequent monitoring,
desk monitoring

Category 4

Annual or more frequent
monitoring, on-site visits

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Examples

Category 1

- School district boundaries
- LEA employment
- Patriotic, civic, character education
- Seal of biliteracy
- Foreign exchange students
- Taxation
- Electronic devices in public schools

Category 2

- Teacher/student success program
- LEA codes of conduct
- Student athletes and head injuries
- RESAs
- Necessarily existent small schools
- Open and dual enrollment
- Public school membership in associations

Examples

Category 3

- School fees
- Reading improvement program
- Adult education
- Work-based learning programs
- Enhancement for accelerated students program
- Dual language immersion
- Competency-based learning
- LEA policies on bullying, etc.

Category 4

- School LAND Trust Program
- Special Education
- Public School Data and Confidentiality
- School Safety Pilot Program
- Youth in Custody
- Pupil Accounting
- Data Standards
- Statewide Online Education Program

What the framework is NOT

- Creating the framework is not an opportunity to make changes to the level of oversight for a particular program.
- The framework does not commit the Legislature to anything; it's a tool to show related characteristics of public education programs.
- The framework does not define or control an LEA's specific oversight.

How will it work?

- **Analyze:** Superintendent will analyze the requirements, risk, and resources related to the program
- **Categorize:** Superintendent will categorize the program based on the analysis
- **Memorialize:** Results will go into the related rule
 - USBE category-specific oversight objectives and duties
 - Any implemented monitoring system



How will the oversight framework support compliance?

- Current practice (remains the same):
 - **Categories 1 & 2:** Board staff uses informal methods to resolve issues.
 - **Categories 3 & 4:** Board staff pursues corrective action based on evidence from monitoring.

How will the oversight framework support compliance?

- Additional proposed practice in rule draft:
 - Board may work informally on resolving concerns in any category
 - **Categories 1 & 2:**
 - Presumption that staff refer concerns back for local resolution, but still may work informally with local leaders
 - Board may use internal audit power to investigate and determine whether corrective action would be helpful

Where do we go from here?

- Staff has completed “preliminary” categorizations
- Board to consider amendments to Rule R277-114 and minor amendments to Rule R277-100 (definitions)
- Simplify assurances document to legally required assurances
- Implement a five-year process of analyzing and categorizing programs and requirements to finish by June 20, 2029

