



Public Schools of North Carolina

State Board of Education (SBE) Governing Rules and Regulations

August 1, 2018

Session Law 2018- 118 (HB 374)

- **Repealed SBE Policies**

- SBOP-011 - (Responsibilities of the SBE in supervising/administering the public school system of NC and the funds provided for its support)
- SBOP-013 - (Delegation of Authority from the State Board of Education to the Superintendent of Public Instruction)



Session Law 2018- 118 (HB 374)

- **SBE Adoption of Rules and Policies**

“The State Board of Education may readopt rules or policies related to internal management that are not inconsistent with the statutory requirements of S.L. 2016-126, including, but not limited to, the requirements of G.S. 115C-11, 115C-19, 115C-21, and 143A-441.”



SBE Governing Rules and Regulations

- **5 Draft Rules**

- (1) Reservation of Authority
- (2) SBE Responsibilities
- (3) Superintendent Duties Related to Licensure
- (4) DPI Organizational Structure
- (5) Designation of Rules



SBE Governing Rules and Regulations

- **Draft Rule - Reservation of Authority**

The State Board of Education expressly reserves all powers, duties, and authority granted to it by the Constitution of North Carolina and statute regarding the general supervision and administration of the North Carolina public school system.



SBE Governing Rules and Regulations

- The Board has responsibilities and obligations further illustrated in the draft rule:
 - North Carolina Constitution
 - State law
 - Federal law
 - Its own polices



SBE Governing Rules and Regulations

- **Draft Rule – SBE Responsibilities**

- Rule captures examples of the Board’s responsibilities:

- Policymaking
- Supervise and administer funds
- Meet statutory requirements
- Apply for federal fund
- Accept and disburse private funds
- Adopt rules defining mechanics of relationship with SPI, DPI departments
- Rules Review Council
- Board Office oversight

*** Examples of shared governance are not identified in this rule*



SBE Governing Rules and Regulations

- **Draft Rule - Superintendent Duties Related to Licensure**
 - Delegate Board's authority to Superintendent to:
 - Execute licensure rules
 - Execute and issue license documents
 - Execute and issue disciplinary documents
 - Report disciplinary actions to Chair of the Board



SBE Governing Rules and Regulations

- **Draft Rule – DPI Organizational Structure**
 - Draft policy seeks to balance Board's needs with day-to-day administration at DPI
 - State Board acts through and relies upon DPI staff to meet constitutional and statutory duties
 - Organization of DPI is important to the success of NC public schools and advancement of Board's goals and agenda
 - Key principles: Communication, transparency, compliance, effective governance, Board's continued ability to fulfill its responsibilities



SBE Governing Rules and Regulations

- **Draft Rule – Designation of Rules**
 - Board has the power and duty to create rules that “govern the mechanics of the relationship between the Board and the Superintendent of Public Instruction, as well as how their respective departments will operate internally.”
 - This rule designates other items in the Policy Manual as governance rules



Closing Remarks & Questions

