

# Ten School and College Policy Revisions to Prioritize Now

PUBLISHED ON  
**April 17, 2020**

---

A [federal court opinion published this week](#) analyzed the definition of a "live" hearing in a university's student code of conduct, serving as a timely reminder for schools and colleges to tailor policies and handbooks for remote educational operations.

With the rapid evolution of the current health crisis, schools and colleges have spent the last few weeks pivoting to keep up with changing guidance and new laws while also implementing remote learning solutions. The information overload required swift, practical action that has outpaced official policy action. Certain policies may need to be suspended entirely for the duration of school building closure, and others need to be amended or temporarily modified to reflect the unique scenarios that may arise.

Using a strategy to prioritize policies to be revised and relying on outside resources will help lessen the administrative burden. Since specific issues impact multiple policies, group issues together to help identify the ancillary policies that may also need to be reviewed. Here are some issues to start with:

- Board governance, meeting attendance, finances, electronic signatures
- Employee leave of absence
- Student attendance, grading and degree eligibility
- Harassment, bullying, terroristic threats, weapons, substances (faculty and student policies)
- Student and employee conduct or discipline hearings
- Enrollment and homeless students
- Federal fiscal accountability
- Accessibility, trauma and mental health, and equity (College and K-12); Special education referrals, documentation, procedures (K-12)
- Acceptable use of student and faculty virtual relations
- Record keeping and maintenance, privacy of student information

The comprehensive nature of this review and the costs associated with noncompliant policies and conflicting rules may appear to present a daunting administrative burden. School administrators already are working tirelessly to implement remote learning solutions, and their boots-on-the-ground expertise cannot be outsourced. The process of seeking recommended changes to existing policies can be, and often is, outsourced.

Including legal counsel in the policy review process is always recommended, especially when the subject matter of a policy carries a heightened risk of liability exposure or when a change in the law necessitated a policy revision. Both of

those scenarios apply here.

The [Pennsylvania School Board Association Policy Service](#), which provides starting templates for official school board policies, has a list of suggested modifications to its templates. Exercise caution when relying on templates, however. Independent policies must work together and be consistent with handbooks and administrative regulations.

The entire school community benefits from clearly communicated expectations and consistent, even-handed application of school rules. Even a perfect policy manual carries little value if administrators, employees, and families are deviating from the prescribed course of action in practice. Make sure administrators understand and enforce school board policies, and that employees implement the policies as they are written. The public should be made aware of a school board's intent to modify policies at public meetings, and families should be kept apprised of changes in the policy scheme.

The education group at Barley Snyder regularly reviews and revises policies and handbooks for schools and colleges. Please reach out to any member of the [Barley Snyder Education Practice Group](#) if you have any questions about continued legal obligations related to coronavirus or any education-related legal question.

**DISCLAIMER:** As we face an unprecedented time of legal and business uncertainty, we are working to provide updates on the status of important legal news related to COVID-19. It is important to note that the situation is changing rapidly and the information provided in our alerts is not intended to create an attorney-client relationship. The information contained in our alerts is for general informational purposes only and should not be construed as legal advice or a substitute for legal counsel. If you have questions about your legal situation or about how to apply information contained in this alert to your situation or about how any other information found on our website may affect your business, you should reach out to one of our attorneys. We assume no responsibility for the accuracy or timeliness of any information provided herein or by any linked site. As information changes rapidly, users are strongly advised to verify any information before relying upon it.