

1 **612:3-5-13. Drafting of new or revised policy [AMENDED]**

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3 (a) The administrators in each division, at each school, and in the executive
4 offices are responsible for keeping informed of the statutes and regulations
5 which govern the operation of programs under their authority. These
6 administrators are also in the best position to know the needs of his or her
7 programs' consumers, staff, and service partners. Each Division
8 Administrator, Unit Administrator, and School Superintendent is therefore
9 responsible for ensuring that Departmental policies for his or her program
10 conform to the requirements of applicable statutes and regulations, and are
11 effective in achieving their program's mission. Whenever possible, drafting of
12 new or revised policies should begin at least twelve months in advance of
13 their intended effective date.

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15 (b) When an administrator, or the Director, decides there is a need to draft
16 new policy, or to amend existing policy, the Unit Administrator, Division
17 Administrator, Superintendent, ~~Deputy Director~~Chief of Staff or Director will
18 assure that sufficient opportunity for input on the needed changes will be
19 given to individuals and groups as designated by the administrator or
20 Director. The appropriate program administrator will provide the Policy
21 Development staff the reasons for changing policy as well as any budget
22 impact these changes may incur and is to consult with Policy Development
23 staff about the need to arrange for, announce, and hold any public forums.
24 Public comments and responses to them must be submitted to the Policy
25 Development Section for inclusion in the rulemaking record. Policy
26 Development staff assistance in developing a summary of comments and
27 responses is available.

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29 (c) The appropriate program administrator will initiate drafting of policy
30 content through whatever method deemed most effective by the
31 administrator. Policy Development Section staff will provide assistance as
32 requested. The Policy Development Section will be responsible for drafting
33 Departmental policy pages using the content drafts provided by the
34 appropriate program administrator. Once this first draft is completed, Policy
35 Development staff will consult with the appropriate administrator concerning
36 any needed revisions. When these are completed, the draft policy will be
37 distributed to Executive Team members for review and response.
38 Administrators will consider comments and revise drafts as appropriate,
39 providing final draft versions to the Policy Development Section. The
40 appropriate program administrator will determine when the draft policy is
41 ready for distribution to Departmental staff for comment. Staff comment will
42 be obtained as follows:

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44 (1) A memo will be addressed to all Departmental staff advising them that
45 the draft policy is being distributed for comment, and will include:

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(A) identification and summary of the draft policy being distributed;

(B) general instructions on where the draft policy can be accessed;

(C) how to submit comments, and the due date for submission of comments; and

(D) where to direct questions about the draft policy.

(2) Policy as drafted by the Policy Development Section will be distributed to each office of the Department (including alternative formats). The Bulletin Board memo will provide instructions for providing comments and where to direct questions about the draft policy. Alternative formats are also to be made readily available.

(3) Comments will be returned to the Policy Development Section where they will be collated, and a summary of them developed. The summary and collated comments will be provided to the appropriate program administrator. The appropriate program administrator will decide on what policy changes to make in response to the submitted comments, if any. The appropriate program administrator will draft responses to the comments, which will at a minimum explain any instance in which staff recommendations were not adopted and will be forwarded to the respective commentator as well as the Policy unit.

(4) Policy Development staff will work with the appropriate program administrator to finalize draft policy. This step will include a final check for consistency with existing policies, regulations, and applicable statutes. Policy Development staff will obtain authorization from the appropriate program administrator to proceed with promulgation of the draft policy.

(d) When the draft policy pages are submitted to the Policy Development Section for promulgation, the draft policy is then referred to as proposed policy. Policy Development staff will submit the proposed policy and/or notice, including executive summary and resolution, to the Director for review prior to submission to the Commission for discussion or action.