

THE SCHOOL DISTRICT OF PHILADELPHIA

SECTION: Board

Procedures/Bylaws

TITLE: Functions

ADOPTED: August 16, 2018

REVISED:

002. FUNCTIONS

Purpose

The Board of Education shall govern The School District of Philadelphia and its duties as Philadelphia's charter authorizer by performing its legislative and executive responsibilities as outlined within this policy. [1][2][3][4][5]

Definitions

Administrative Procedures - written documents based on policy that outline and describe the means by which a policy should be implemented, specific responsibilities or action steps, consequences for violations, and could include sample forms or guides.

Board Policies - general written statement by the Board defining its expectations or position on a particular matter and authorizing or delegating responsibilities to implement appropriate actions to govern those expectations. Board policies authorize a framework within which the Superintendent and staff can implement assigned duties with positive direction. Policies are broad principles adopted by the Board to chart a course of action. Policies are guides for action by the administration, who then sets the rules and regulations to provide specific directions to school district personnel through administrative procedures.

Policy Manual - a governance tool that contains all policies adopted by the Board of Education.[5]

Authority

The Board of Education shall execute its duties and responsibility as the governing body and charter authorizer in Philadelphia by exercising its policy making and executive power. The Board shall establish policies and evaluation criteria to manage its legislative and executive duties. [1][2][3][4][5]

Legislative Responsibility

The Board is the policy making body for the School District of Philadelphia. The Board shall establish, review, and adopt policies for the organization and operation of the District. Board policies must be maintained in a Policy Manual which is accessible to the public, employees, students, family members, community members, and Philadelphia residents. [1][2][5]

Board policies must guide Board actions and be used as a tool to communicate the Board's standards and expectations to the public. All Board policies shall be adopted, amended, or

repealed by a majority vote of the Board. The adoption, modification, repeal or suspension of a Board policy shall be recorded in the minutes of the Board meeting. Proposed policies shall be submitted for consideration to the Board by the Superintendent or the Board's Policy Committee. [1][2][5]

Executive Responsibility

The Board shall exercise its governance responsibility by the appointment of a District Superintendent, who shall enforce the statutes of the Commonwealth, Board policies, and all applicable laws and regulations. The Superintendent shall be appointed and annually evaluated by the Board in accordance with established Board procedures and evaluation criteria. [1][2][5]

The Superintendent shall be responsible for implementing Board policies and establishing administrative procedures for the operation of the school district. Administrative procedures shall be consistent with state and federal statutes or regulations and Board Policies.

The Board delegates authority to the Superintendent to take necessary action in circumstances not provided for in Board policy. The Superintendent shall promptly inform the Board of such actions and the Superintendent's decision may be subject to review by the Board.

Whenever responsibility is delegated to the Superintendent, the Superintendent may designate a representative to act on his/her behalf.

Review

The Board may have jurisdiction over controversies or disputes arising within this school district. The Board's jurisdiction may be conveyed by statute or reserved by the Board through contract or Board policy. [1][2][3]

Pursuant to its jurisdiction, the Board may hold hearings which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

The Board shall comply with and adhere to the necessary requirements of due process. Hearings may vary in form and content. To the extent permitted by law, the Board may delegate the responsibility of conducting hearings to a hearing officer, while still retaining legal obligations for final adjudication of the dispute.

Legal References:

1. [Public School Code](#) – 24 P.S. Secs. 407, 508, 510, 511, 514, 696, 1001, 1081, 1106, 1715-A, 1717-A, 1729-A
2. [Home Rule Charter](#) – 12-209, 12-300, 12-301, 12-400
3. [Local Agency Law](#) – 2 Pa. C.S.A. Sec. 551 et seq.
4. [Public Officials and Employee Ethics Act](#) – 65 Pa. C.S.A. Sec. 1101 et seq.
5. Board Policy 000, 002.1, 002.2