

# THE SCHOOL DISTRICT OF PHILADELPHIA

No. 003.2

SECTION: Board Bylaws

TITLE: Policy Setting

ADOPTED: August 16, 2018<sup>1</sup>

REVISED: October 19, 2023

## 003.2 POLICY SETTING

### **Purpose**

This policy sets forth the policy setting process by which the Board of Education (“Board”) serves as the policy making body for The School District of Philadelphia (“District”).

### **Definitions**

**Administrative Procedures:** written documents that outline and describe the means by which the District should implement a policy. Examples include documents that outline specific responsibilities or action steps, consequences for violations, or sample forms and guides.

**Board Operating Guidelines:** written documents that outline and describe the means by which the Board should implement a policy. Examples include documents that outline specific responsibilities or action steps, consequences for violations, or sample forms and guides.

**Board Policy:** a 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 District personnel through Administrative Procedures.

**First Reading:** Policy item is on the agenda of a meeting of the full Board for review and public comment. No formal action can be taken on these items.

**Second Reading:** Policy item is on the agenda of a meeting of the full Board for consideration and adoption by the Board. Items may only be considered for their Second Reading once they have been considered for a First Reading. Formal action shall be taken on these items.

### **Authority**

The Public School Code and Philadelphia Home Rule Charter permit the Board to adopt and enforce such reasonable rules and regulations as it may deem necessary and proper for its governance as well as the management of the affairs of the District and its operations. [1][2][3][4][5]

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<sup>1</sup> This policy was originally adopted as Policy 002.1: Policy Manual

## **Delegation of Responsibility**

The Board shall review and implement Policies regarding the operations of the Board and the conduct of its members. The Board or Board staff may develop and update Board Operating Guidelines as necessary. Board Operating Guidelines are the implementing procedures for Board Policy and may be altered by staff of the Office of the Board of Education without official action by the Board. Policies and Board Operating Guidelines shall be consistent with local, state, and federal law or regulations and Board Policies.

The Board directs the Superintendent or their designee to periodically review each Board Policy. The Superintendent shall be responsible for implementing Board Policies regarding the operations of the District and establishing Administrative Procedures. The Board directs the Superintendent to include language within each Policy to delegate responsibilities to the appropriate individuals or offices within the District to develop Administrative Procedures describing the implementation of the Policy. Administrative Procedures are the implementing procedures for Board Policy and may be altered by the Administration without formal action by the Board. Policies and Administrative Procedures shall be consistent with local, state, and federal law or regulations and Board Policies.

The Board may, upon review at a public meeting, direct the Superintendent or their designee to revise, rescind, or alter Administrative Procedures when it considers the procedures to be inconsistent with Board Policy, District practice, or when adopting a new Policy.

All Board Members, Board staff, and District staff will comply with all applicable Policies contained in the Policy Manual.

Board Policies and Administrative Procedures must be disseminated to students, family members/guardians, and staff who are affected by them each time updates are made and by updating the Policy Manual on the Board website and as set forth in the updated Policy itself.

## **Core Requirements**

Board Policies shall 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 Policy Committee prior to its First Reading. [3]

Policies shall be periodically amended by the Board, pursuant to statutory mandates, in keeping with applicable laws. Board Policies shall be consistent with law, have a rational and substantial relationship to a legitimate purpose of the Board, and be directed towards the maintenance and support of a thorough and efficient system of public education in this District.

The Policy Manual shall be considered a public record and shall be available for inspection and access by the public on the Board website and in the Board's offices during regular office hours. [6][7]

Those Policies which are not dictated by state or federal law, regulations of the State Board of

Education, or ordered by a court of competent authority may be adopted, amended, or repealed at any meeting of the Board, provided the proposed Policy has been presented for a First Reading and is on the agenda for its Second Reading.

Changes to a proposed Board Policy at the Second Reading which are inconsistent with the underlying purpose of the proposed Policy or proposed amendment shall cause that reading to constitute a First Reading. Otherwise, the Policy may proceed to adoption at the Second Reading. [1]

The Board may, upon a majority vote, cause to suspend at any time the operation of a Board Policy, provided the suspension does not conflict with legal requirements. Such suspension shall be effective until the next meeting of the Board, unless an earlier time is specified in the motion to suspend.

Board Policies may be adopted or amended at a single meeting of the Board, by waiving consideration by the Policy Committee and the First Reading.

### *Policy Committee*

The Policy Committee shall review existing Policy, review recommended revisions, or review new policy and shall make recommendations to the Board on the changes necessary to maintain a current Policy Manual. [1][2][3][6][9]

All recommendations for Policy creation or revision sent by other Board committees will receive priority consideration and review by the Policy Committee in order to expedite recommendations for the consideration of the Board. [9]

All current Policies shall be maintained in the Board's Policy Manual and disseminated appropriately. [6][8]

### **Legal References:**

1. [Public School Code](#) – 24 P.S. §4-407
2. [Public School Code](#) – 24 P.S. §5-510
3. [Home Rule Charter](#) – §12-209
4. [Home Rule Charter](#) – §12-200
5. [Home Rule Charter](#) – §12-300
6. [Board Policy Manual](#)
7. [Right-to-Know Law](#) – 65 P.S. §§67.101 et seq.
8. [Policy](#) 007 - Public Engagement
9. [Policy](#) 006 - Meetings

### **Related Information:**

1. [Board Review Cycle Overview](#)
2. 003.2 Policy Setting Board Operating Guidelines