

SECTION: SCHOOL REFORM
COMMISSION

THE SCHOOL DISTRICT OF PHILADELPHIA

TITLE: SCHOOL REFORM COMMISSION
POLICY/ADMINISTRATIVE
PROCEDURES

ADOPTED: October 5, 2011

REVISED:

<p>SC 407, 510, 696 HRC 12-209, 12-300</p> <p>Pol. 011</p> <p>HRC 12-308</p>	<p style="text-align: center;">000. SCHOOL REFORM COMMISSION POLICY/ ADMINISTRATIVE PROCEDURES</p> <p>Section 1. <u>Authority</u></p> <p>The policies adopted by the School Reform Commission establish the general parameters within which the daily operations of the school district are to be governed. Administrative procedures for carrying out and implementing School Reform Commission policies are developed and implemented by the administration, under the direction of the Superintendent. As applicable, all members of the school community are expected to comply with both School Reform Commission policy and administrative procedures, subject to stated limitations and exceptions. However, failure of the School Reform Commission or the administration to comply with policy or administrative procedures shall not invalidate any lawful action taken.</p> <p>Section 2. <u>Contents</u></p> <p>School Reform Commission policies shall consist of the following separate documents:</p> <ol style="list-style-type: none"> a. Policies contained in the adopted Policy Manual. b. Strategic Plan. c. Courses of study in district schools. d. List of authorized textbooks. e. Code of Student Conduct. f. Employee Code of Ethics. g. Job descriptions and personnel regulations adopted by the School Reform Commission.
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- h. Administrative Compensation Plan.
- i. Any other documents the School Reform Commission determines to be policy.

Administrative procedures are not part of School Reform Commission policy and may be altered by the administration without School Reform Commission action. Administrative procedures may not conflict with School Reform Commission policy or with applicable law.

Section 3. Limitations

School Reform Commission policies and administrative procedures are not intended and shall not be construed to supersede or preempt any applicable law. All School Reform Commission policies and administrative procedures shall be interpreted and administered in a lawful manner. The School Reform Commission shall make the final interpretation of its policies, and the administration shall make the final interpretation of its procedures.

School Reform Commission policies and administrative procedures are limited by legal constraints, as are the rights of those to whom School Reform Commission policies and administrative procedures apply, and are not intended to give an individual a cause of action not independently established in law.

School Reform Commission policies and administrative procedures shall not preempt, create, supplant, expand or restrict the rights or liabilities of students, employees, residents or others within the school community beyond those established in law.

Section 4. Rules Of Construction

In ascertaining the intent of the School Reform Commission in adopting a policy or of the administration in establishing a procedure, the following presumptions, among other legally applicable presumptions, may be used:

- a. That neither the School Reform Commission nor the administration intends a result that is absurd, impossible of execution, or unreasonable.
- b. That neither the School Reform Commission nor the administration intends to violate federal or state Constitutions, Home Rule Charter or any other applicable law.

If any policy or administrative procedure can be given multiple interpretations, the School Reform Commission and the administration intend that only constitutional and lawful interpretations shall be valid, and that neither an unconstitutional nor an unlawful interpretation was intended.

References:

School Code – 24 P.S. Sec. 407, 510, 696

Home Rule Charter – 12-209, 12-300, 12-308

School Reform Commission Policy – 011