

Baldwin-Whitehall School District

Book	Policy Manual
Section	000 Local Board Procedures
Title	Functions
Code	003
Status	Active
Adopted	February 8, 2006

Legislative

The Board shall exercise its rule-making power by adopting Board procedures and policies for the organization and operation of the school district. Those procedures and policies which are not dictated by the statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda of each succeeding Board meeting until approved or rejected.[1][2][3][4][5]

The Board may, upon a majority vote, cause to suspend at any time the operation of a Board procedure or 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Board procedures shall be adopted, amended or repealed by a majority vote of the Board.

Board policies shall be adopted, amended or repealed by a majority vote of the Board.[6]

The adoption, modification, repeal or suspension of a Board procedure or policy shall be recorded in the minutes of the Board meeting. All current procedures and policies shall be maintained in the Board Policy Manual and disseminated appropriately.[7]

Executive

The Board shall exercise its executive power by the appointment of a district Superintendent, who shall enforce the statutes of the Commonwealth, the regulations of the State Board of Education, the policies of the Board, and all other applicable laws and regulations.[8][9]

The Superintendent shall be responsible for the preparation of administrative guidelines or regulations for the operation of the school district that are not inconsistent with state and federal statutes or regulations; are dictated by the policies of this Board; are binding on district employees and students when issued; and shall be submitted to the Board for review. The Board reserves the right to alter or rescind any such guideline or regulation.[3][5]

In situations that arise within the district where the Board has not provided policy for administrative action, the Superintendent shall have the power to act, his/her decisions shall be subject to review by action of the Board at its next meeting. It shall be the responsibility of the Superintendent to promptly inform the Board of such action and the possible need for a policy.

The Superintendent shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.[10]

Whenever responsibility is delegated to the Superintendent or other administrator, it is understood that such individual may designate a representative to act on his/her behalf.

Review

The Board may assume jurisdiction over controversies or disputes arising within this school district concerning any matter over which the Board has authority granted by statute or where the Board has retained jurisdiction in contract or policies. [\[12\]](#)[\[3\]](#)

In furtherance of its adjudicatory function, the Board may hold hearings in accordance with law which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter. [\[11\]](#)

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences that may flow from it, the difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district.

Legal	1. 24 P.S. 301
	2. 24 P.S. 407
	3. 24 P.S. 510
	4. 24 P.S. 511
	5. Pol. 000
	6. Pol. 006
	7. Pol. 007
	8. 24 P.S. 508
	9. 24 P.S. 1001
	10. 65 Pa. C.S.A. 1101 et seq
	11. 2 Pa. C.S.A. 551 et seq
	12. 24 P.S. 1126 et seq