

MONTGOMERY
 COUNTY
 INTERMEDIATE
 UNIT #23

SECTION: BOARD PROCEDURES
 TITLE: BOARD POLICY/PROCEDURE/
 ADMINISTRATIVE
 REGULATIONS
 ADOPTED: FEBRUARY 25, 2009
 REVISED:

SC 407, 964	<p style="text-align: center;">000. BOARD POLICY/PROCEDURE/ADMINISTRATIVE REGULATIONS</p> <p>Section 1. <u>Authority</u></p> <p>The policies and procedures adopted by the Board establish the general parameters within which the daily operations of the Intermediate Unit are to be governed. Administrative regulations for carrying out and implementing Board policies are developed and implemented by the administration, under the direction of the Executive Director. As applicable, members of the school community are expected to comply with both Board policy and administrative regulations, subject to stated limitations and exceptions. However, failure of the Board or the administration to comply with policy or procedure shall not invalidate any lawful action taken.</p> <p>Section 2. <u>Contents</u></p> <p>Policies of the Board shall consist of the following separate documents:</p> <ol style="list-style-type: none"> a. Procedures and policies contained in the adopted Policy Manual. b. Code of Student Conduct. c. Administrative Meet and Discuss Plan. d. Support Staff Meet and Discuss Plan. e. Teacher Assistant/Paraprofessional Meet and Discuss Plan. f. Strategic Plan. g. List of Authorized textbooks. h. Any other documents that the Board determines to be policy. <p>Administrative regulations are not part of Board policy and may be altered by the administration without Board action. Administrative regulations may not conflict with Board policy or with applicable law.</p>
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Section 3. Limitations

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

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

Board policies and procedures and administrative regulations shall not preempt, create, supplant, expand or restrict the rights or liabilities of students, employees, residents or others within the Intermediate Unit community beyond those established in law.

Section 4. Rules of Construction

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

- a. That neither the Board nor the administration intends a result that is absurd, impossible of execution or unreasonable.
- b. That neither the Board nor the administration intend to violate the federal or state Constitutions or any other applicable law.

If any policy or procedure or administrative regulation can be given multiple interpretations, the Board 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, 964