

SECTION: LOCAL BOARD PROCEDURES

TITLE: FUNCTIONS

ADOPTED: April 26, 2004

REVISED: April 28, 2014

EPHRATA AREA SCHOOL DISTRICT

	003. FUNCTIONS
	Section 1. <u>Legislative</u>
SC 301, 407, 510, 511 Pol. 000	The Board shall exercise leadership through 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statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda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.
SC 407	Changes in a proposed Board procedure or policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.
SC 407	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.
Pol. 006	Board procedures shall be adopted, amended or repealed by a two-thirds vote of the Board.
Pol. 006	Board policies shall be adopted, amended or repealed by a majority vote of the Board.
Pol. 007	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.

<p>SC 508, 1001, 1081</p>	<p>Section 2. <u>Executive</u></p> <p>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.</p> <p>The Superintendent shall serve as the chief administrative officer of the school district and shall be responsible for the operation of the total school program and exercise concomitant authority for its administration. As such, s/he shall attend all meetings of the Board, including executive sessions, except at specific times when his/her own employment and/or salary may be under consideration.</p> <p>As the chief administrative officer, the Superintendent shall be responsible for the proper interpretation of policies and, in turn, s/he shall delegate to his/her assistants, the staff, and others responsible to him/her such portion of the policies which pertain to the various activities of the school program. The proper functioning of a school system can be achieved most advantageously when all persons concerned, under the leadership of the Superintendent, understand the policies which have been adopted by the Board.</p>
<p>SC 510 Pol. 000</p>	<p>The Superintendent shall be responsible for implementing Board policies and establishing administrative 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 administrative regulation.</p> <p>The Board reserves the right to review and to direct revisions of administrative regulations when it considers the regulations to be inconsistent with Board policy or district practices. However, the Board shall not adopt administrative regulations unless required by law or requested by the Superintendent. Such adoption and/or amendment of administrative regulations shall adhere to the policy for adoption and amendment of Board procedures and policies.</p>
<p>Pol. 616</p>	<p>In the event that a regularly scheduled meeting of the Board is cancelled, the Superintendent shall be authorized to:</p> <ol style="list-style-type: none"> a. Proceed with payment of bills properly due under contract or policies, or properly due by reason of other actions or transaction as approved by the Board. b. Implement the personnel transactions listed on the agenda for the cancelled meeting insofar as employment, resignation, retirement and changes of status including leaves of absence.

<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>c. Implement, after consultation with the Board President, any proposed action deemed to be essential to the ongoing conduct of district business.</p> <p>The Superintendent shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.</p> <p>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.</p> <p><i>Emergency Powers Of The Superintendent –</i></p> <p>From time to time, emergency situations may arise that call for immediate and decisive action by the Superintendent, which under more normal situations would clearly be beyond the scope of his/her duty and authority. It shall be the policy of the Board that the Superintendent shall act in emergency situations to preserve and protect the lives and property of students and staff.</p> <p>In situations that arise within district schools that are not provided for in Board policy, the Superintendent shall have power to act, but his/her decisions shall be subject to review by the Board. It shall be the duty of the Superintendent to inform the Board promptly of such action.</p>
<p>SC 510</p>	<p>Section 3. <u>Review</u></p> <p>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.</p>
<p>2 Pa. C.S.A. Sec. 551 et seq</p>	<p>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.</p>
<p>2 Pa. C.S.A. Sec. 551 et seq</p>	<p>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.</p> <p>Section 4. <u>Board Self-Evaluation</u></p> <p>The Board recognizes that student growth, district progress and community satisfaction are all affected by the Board's performance of designated functions.</p>

The Board shall evaluate their performance annually prior to July 1 in order to provide data relative to their performance. The purpose of this evaluation is to improve the functioning of the Board as the legally recognized body of lay citizens who represent the public in the district. The Board will employ a self-evaluation instrument, which will consist of a list of items pertaining to the operation of the Board and will form the basis for the annual self-evaluation. The evaluation shall be for the internal improvement of the Board, and is not intended to be used for any purposes other than improvement of Board operations.

It shall be the joint responsibility of the Superintendent and Board President to ensure that this process is completed.

References:

School Code – 24 P.S. Sec. 301, 407, 508, 510, 511, 1001, 1081

Local Agency Law – 2 Pa. C.S.A. Sec. 551 et seq.

Public Officials and Employee Ethics Act – 65 Pa. C.S.A. Sec. 1101 et seq.

Board Policy – 000, 006, 007, 616