

PENN MANOR SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: MEMBERSHIP

ADOPTED: September 13, 2010

REVISED: May 21, 2012
January 5, 2015

	004. MEMBERSHIP
	Section 1. <u>Number</u>
SC 303	The Board shall consist of nine (9) members.
SC 1081	The Superintendent shall have a seat on the Board and the right to speak on all matters, but not the right to vote.
	Section 2. <u>Qualifications</u>
	Each member of the Board shall meet the following qualifications:
SC 322	a. Be of good moral character, be at least eighteen (18) years of age, have been a resident of the district for at least one (1) year prior to the date of his/her election or appointment, and not be a holder of any office or position as specified in Section 322 of the School Code; nor shall the individual be a member of the municipal council.
SC 323	b. Shall not have been removed from any office of trust under federal, state or local laws for any malfeasance in such office.
SC 324 65 Pa. C.S.A. Sec. 1101 et seq	c. Shall not be engaged in a business transaction with the school district, be employed by the school district, or receive pay for services from the school district, except as provided by law.
SC 321	d. Shall take and subscribe to the oath or affirmation prescribed by statute before entering the duties of the office.
65 Pa. C.S.A. Sec. 1102, 1104, 1105 Title 51 Sec. 15.2, 15.3	e. Shall file a statement of financial interests with the Board Secretary or designee at the following times: <ol style="list-style-type: none"> 1. Before taking the oath of office or entering upon his/her duties. 2. Annually by May 1 while serving on the Board.

<p>SC 301 et seq</p>	<p>3. By May 1 of the year after leaving the Board.</p> <p>Section 3. <u>Election</u></p> <p>Election of members of the Board shall be in accordance with law.</p>
<p>SC 315, 316, 317, 318, 319 65 Pa. C.S.A. Sec. 701 et seq</p>	<p>Section 4. <u>Vacancies</u></p> <p>A vacancy shall occur by reason of death, resignation, removal from a district or region, or otherwise. Such vacancy shall be filled in accordance with the School Code and Sunshine Act and by appointment by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the vacancy. The Board member so appointed shall serve for the remainder of the unexpired term or, if earlier, until the first Monday in December after the first municipal election occurring more than sixty (60) days following his/her appointment. When a majority of the memberships are vacant, such vacancies shall be filled by the Court of Common Pleas of Lancaster County.</p>
<p>SC 315, 407 65 Pa. C.S.A. Sec. 701 et seq</p>	<p><i>Temporary Vacancy – Active Military Service –</i></p> <p>A temporary vacancy shall be declared when a Board member is ordered to active duty in the military forces of the United States for a period of more than thirty (30) days. The temporary vacancy shall be filled in accordance with the School Code and Sunshine Act and by appointment by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the temporary vacancy. The Board member so appointed shall serve either until the Board member returns from active duty or until expiration of the term for which s/he was elected, whichever occurs first.</p>
<p>SC 303, 315</p>	<p>Section 5. <u>Term</u></p> <p>The term of office of each Board member shall be four (4) years and shall expire on the first Monday of December, except for a Board member appointed or elected to fill a vacancy. A Board member appointed to fill a vacancy shall serve for the remainder of the unexpired term or, if earlier, until the first Monday in December after the first municipal election occurring more than sixty (60) days following his/her appointment. The term of a Board member elected to an unexpired term shall expire at the termination of that term.</p>
<p>SC 315 65 P.S. Sec. 91</p>	<p>Section 6. <u>Removal</u></p> <p>Whenever a Board member is no longer a resident of Penn Manor School District or the region s/he represents, his/her eligibility to serve on the Board shall cease.</p>

<p>SC 319 Pol. 006</p>	<p>If a Board member shall neglect or refuse to attend two (2) successive regular meetings of the Board, unless detained by sickness or prevented by necessary absence from the district, or if in attendance at any meeting s/he shall neglect or refuse to act in his/her official capacity as a school director, the remaining members of the Board may declare such office vacant on the affirmative vote of a majority of the remaining members of the Board.</p>
<p>SC 319 Pol. 006</p>	<p>If a person elected or appointed as a Board member, having been notified, shall refuse or neglect to qualify as such director, the remaining members may, within ten (10) days following the beginning of his/her term of office, declare said office vacant on the affirmative vote of a majority of the remaining members of the Board.</p> <p>Section 7. <u>Expenses</u></p>
<p>SC 516.1</p>	<p>Board members, a nonmember Board Secretary, and solicitor(s) shall be reimbursed for necessary expenses incurred as delegates to any state convention or association of school directors' convention held within the state, or for necessary expenses incurred in attendance authorized by the Board at any other meeting held within the state or at an educational convention out-of-state. All such expenses shall be itemized and made available for public inspection at the next succeeding Board meeting. Expenses shall be reimbursed by the Treasurer in the usual manner, upon presentation of an itemized, verified statement.</p>
<p>SC 516.1</p>	<p>Advance payments may be made upon presentation of estimated expenses to be incurred, to be followed by a final itemized, verified statement of such expenses actually incurred, and a refund shall be made to the district of such funds remaining, or an additional payment shall be made by the district to meet the verified expenses actually incurred.</p> <p>No member shall be reimbursed for more than two (2) out-of-state meetings in one (1) school year.</p> <p>Section 8. <u>Orientation</u></p> <p>The Board believes that the preparation of each Board member for the performance of duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools, and review Board procedures and policies.</p>

<p>SC 519</p>	<p>Accordingly, the Board shall provide access to each new Board member, no later than his/her first regular meeting, for use during his/her term on the Board the following items:</p> <ul style="list-style-type: none">a. A copy of the School Code.b. A copy of the Board Policy Manual.c. A copy of the district Administrative Regulations Manual.d. The current budget statement, audit report and related fiscal materials.e. District information on comprehensive planning, curriculum, assessments, facilities planning and district programs.f. A copy of the Board's adopted Code of Conduct and Standards for Effective School Governance. <p>Each new Board member shall be invited to meet with the Board President, Superintendent, and select members of the administrative leadership team to discuss Board functions, procedures and policy.</p> <p>Section 9. <u>Board Member Education/Training</u></p> <p>The Board places a high priority on the importance of a planned and continuing program of inservice education and training for its members. The purpose of the planned program shall be to enhance the quality and effectiveness of the Board's governance and leadership.</p> <p>The Board, in conjunction with the Superintendent, shall plan specific inservice education programs and activities designed to assist Board members in their efforts to improve their skills as policy-making leaders; expand their knowledge about issues, programs, and initiatives affecting the district's educational programs and student achievement; and deepen their insights into the nature of leadership, governance and community engagement.</p>
<p>Pol. 901</p>	<p>The school community shall be kept informed about the Board's continuing inservice education and training and the anticipated short and long-term benefits to the district and its schools.</p> <p>The Board shall annually budget funds to support its planned program of inservice education and training.</p> <p>The Board establishes the following activities as the basis for its planned program of</p>

	<p>inservice education and training:</p> <ul style="list-style-type: none"> a. Participation in School Board conferences, workshops and conventions. b. District-sponsored inservice education and training programs designed to meet Board needs. c. Subscriptions to publications addressed to Board member concerns. d. Maintenance of resources and reference materials accessible to Board members. <p>Section 10. <u>Conference Attendance</u></p> <p>In keeping with its stated priority on the importance of continuing inservice education and training for its members, the Board encourages the participation of all members at appropriate School Board conferences, workshops, and conventions. In order to control both the investment of time and expenditure of funds necessary to implement this planned program, the Board establishes the following guidelines:</p> <p>The Board shall identify annually the issues, objectives, and cost benefits that can be ascribed to participation by Board members in conferences, workshops and conventions.</p> <ul style="list-style-type: none"> a. The Superintendent shall inform Board members, in a timely manner, of upcoming conferences, workshops and conventions. b. The Board shall periodically decide which meetings appear to offer the most direct and indirect benefits to the district. c. Each Board member shall receive Board approval prior to attending a conference, workshop or convention at Board expense. d. Funds for conference attendance shall be budgeted on an annual basis. e. When a conference, workshop or convention is not attended by the full Board, those who do participate shall share information, recommendations and materials acquired at the meeting that will be beneficial to the school district.
<p>SC 516, 516.1</p> <p>Pol. 004</p>	<ul style="list-style-type: none"> f. Reimbursement to Board members for their travel expenses shall be in accordance with Board procedures and policy. g. The requirements regarding reimbursement for Board members for travel expenses shall be strictly enforced, and no payment shall be made until

<p>SC 321</p>	<p>receipts for reimbursable expenses are submitted to the Business Manager or designee.</p> <p>h. Reimbursement shall be limited to actual expenses incurred, and shall not include or be construed to include compensation to individual Board members.</p> <p>Section 11. <u>Student Representation</u></p> <p>The Board authorizes student representation on the Board in order to facilitate effective communication and to provide an opportunity for students to participate in school governance.</p> <p>References:</p> <p>School Code – 24 P.S. Sec. 301, 303, 315, 316, 317, 318, 319, 321, 322, 323, 324, 407, 516, 516.1, 519, 1081</p> <p>Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.</p> <p>Public Officials and Employee Ethics Act – 65 Pa. C.S.A. Sec. 1101 et seq.</p> <p>Removal of Residence; Forfeiture of Office – 65 P.S. Sec. 91</p> <p>State Ethics Commission Regulations – 51 PA Code Sec. 15.2, 15.3</p> <p>Board Policy – 004, 006, 331, 901</p> <p>NOTES:</p> <p>PSBA/NSBA – SC 516</p> <p>Board members may receive mileage expenses for travel to and from regular Board meetings (and IU members) – SC 516.1</p> <p>Election By Regions – change language in section 6 to say “is no longer a resident of the region s/he was elected to represent”</p>
---------------	---

	<p>If district has existing language on Board member conflict of interest that reads “if vote was determinate and the personal interest was pecuniary, then the action by the Board shall be considered void”—discuss with Legal about keeping in policy or moving to BOGs, see <i>Reckner v. School District of German Township</i>, 341 Pa. 375, 19 A.2d 402 (1942)</p> <p>PSBA Revision 11/14 © 2014 PSBA</p>
--	---