

SECTION: LOCAL BOARD PROCEDURES

TITLE: FUNCTIONS

ADOPTED: November 8, 2010

REVIEWED: February 12, 2018

ST. MARYS 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statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda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Pol. 006	Board procedures shall be adopted, amended or repealed by a two-thirds vote of the full Board.
Pol. 006	Board policies shall be adopted, amended, or repealed by a majority vote of the full Board.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>SC 510 Pol. 000</p>	<p>The Superintendent shall be responsible for implementing Board policies and establishment of 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>The Board delegates authority to the Superintendent to take necessary action in circumstances not provided for in Board policy. The Superintendent shall promptly inform the Board of such action. The Superintendent's decision may be subject to review by the Board. It shall be the duty of the Superintendent to inform the Board promptly of such action and of the potential need for policy.</p>
<p>65 Pa. C.S.A. Sec. 1101 et seq</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>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>

2 Pa. C.S.A.
Sec. 551 et seq

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.

Section 4. Evaluation Of Board Procedures

The Board shall plan an annual evaluation of its functions as a Board. The Board may evaluate Board procedures, relationships, or activities, or focus on a particular area or issue.

The Board President, working with the Superintendent, shall develop an annual plan.

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