

SECTION: LOCAL BOARD PROCEDURES

TITLE: FUNCTIONS

ADOPTED:

REVISED: May 19, 2014

DEER LAKES 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statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda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. Board procedures and policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this procedure as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of district students or employees.
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Pol. 006	Board procedures and policies shall be adopted, amended or repealed by a majority vote of the Board.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>SC 510 Pol. 000</p>	<p>The Superintendent or designee 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 and approval. 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. The Board shall not adopt administrative regulations unless required by law. 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 or designee to take necessary action in circumstances not provided for in Board policy. The Superintendent or designee shall promptly inform the Board of such action. The Superintendent's or designee's decision may be subject to review by the Board.</p>
<p>65 Pa. C.S.A. Sec. 1101 et seq</p>	<p>The Superintendent or designee 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>2 Pa. C.S.A. Sec. 551 et seq</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>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>Evaluation Of Board Procedures</u></p>
	<p>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.</p>
	<p>The Board President, working with the Superintendent or designee, shall develop an annual plan.</p>
	<p>Section 5. <u>Requesting Information</u></p>
	<p>The Board directs that all Board members make their requests for information through the Superintendent and that all Board requests be reviewed by the Board President. If the Board President feels that the information requested will require the central office to allocate valuable resources away from the day-to-day operation, the request for information will be placed on the next voting agenda for the entire Board's consideration. All information requested by a Board member will be distributed to all Board members so that they may at all times be fully informed.</p>
	<p>Section 6. <u>Utilization Of Solicitor</u></p>
	<p>The Board directs that all Board members requesting legal opinions of the district solicitor must make their requests through the Board President. If the Board President feels the legal opinion requested by a Board member(s) will require extensive research by the solicitor, the request for legal opinion will be placed on the next voting agenda for the entire Board's consideration. All legal opinions written by the district's solicitor or special counsel hired by the Board will be distributed to all Board members, so that all members may at all times be fully informed.</p>
	<p>References:</p>

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	<p>School Code – 24 P.S. Sec. 301, 407, 508, 510, 511, 1001, 1081</p> <p>Local Agency Law – 2 Pa. C.S.A. Sec. 551 et seq.</p> <p>Public Officials and Employee Ethics Act – 65 Pa. C.S.A. Sec. 1101 et seq.</p> <p>Board Policy – 000, 006, 007</p>
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