



Book	BHASD Policies
Section	000 Local Board Procedures
Title	Functions
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003. FUNCTIONS

Legislative

The Board shall exercise its rule-making power by adopting Board policies for the organization and operation of the school district. Those 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statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda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. Changes in a proposed Board policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

The Board may, upon a majority vote, cause to suspend at any time the operation of a Board 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.[\[2\]](#)

These 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 rule 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 the students or employees of the district.[\[6\]](#)

Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution in final form.

Board policies shall be adopted, amended or repealed by a two-thirds vote of the full Board.

[6]

The adoption, modification, repeal or suspension of a Board procedure or policy shall be recorded in the minutes of the Board meeting. Procedures will be developed and implemented by the Superintendent or designee to enact the approved Board policy where applicable. All current policies shall be maintained and disseminated appropriately to the Board, staff and public through resources such as the district website.[7]

Some of the other major duties and responsibilities of the Board are:

1. To provide personnel for staffing the school program upon the recommendations of the Superintendent and his/her staff.
2. To levy needed taxes.
3. To select the Superintendent who will assume the responsibility of carrying out Board policy.
4. To take necessary legal action whenever so required.
5. To adopt an annual school budget.
6. To function as a Board, rather than individuals.

Executive

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.[5][6]

The Superintendent may prepare guidelines for the administration of the school district which are not inconsistent with statutes or regulations of the State Board and are dictated by the policies of this Board and which shall be binding on the employees of this district and the students in the schools of this district when issued.[3][5]

The Superintendent shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action be reported to the Board at the next meeting.

It shall be the policy of the School Board that the Superintendent shall be empowered to act in any emergency situations so as to preserve and protect the lives and property of students and staff.

The Superintendent shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.[\[11\]](#)

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.

Review

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.[\[3\]](#)

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.[\[12\]](#)

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.[\[12\]](#)

Board/Staff Relationships

The working relationship between the Board and the Superintendent, between the Superintendent and administrative-supervisory personnel, between the administrative-supervisory personnel and their respective staffs shall be clarified through Board policy and job descriptions and shall be such that they promote cooperative and effective relationships to promote student achievement.

Each Board member shall recognize the importance of a "chain of command." The Superintendent shall be the intermediary between the Board and the employees of the district. Requests for information by the board shall be made through the Superintendent and not directly to staff. Members of the Board shall consider a professional employee's request only after the request has been screened and recommended for consideration by the Superintendent.

Legal

1. 24 P.S. 301
2. 24 P.S. 407
3. 24 P.S. 510
4. 24 P.S. 511
5. Pol. 000
6. Pol. 006
7. Pol. 007
8. 24 P.S. 508
9. 24 P.S. 1001
11. 65 Pa. C.S.A. 1101 et seq
12. 2 Pa. C.S.A. 551 et seq

Last Modified by Katharine Ege on June 12, 2018