



Book	BHASD Policies
Section	000 Local Board Procedures
Title	Membership
Number	004
Status	Active
Adopted	June 28, 2004
Last Revised	June 11, 2018
Last Reviewed	June 11, 2018

004. Membership

Number

The Board shall consist of nine (9) members.[\[1\]](#)

The Superintendent shall have a seat on the Board and the right to speak on all matters, but not the right to vote.[\[2\]](#)

Qualifications

Each Board member shall meet the following qualifications:

1. 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.[\[3\]](#)
2. Shall not have been removed from any office of trust under federal, state or local laws for any malfeasance in such office.[\[4\]](#)
3. 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.[\[5\]](#)[\[6\]](#)
4. Shall take and subscribe to the oath or affirmation prescribed by statute before entering the duties of the office.[\[7\]](#)
5. Shall file a statement of financial interests with the Board Secretary or designee at the following times:
[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)

- a. Before taking the oath of office or entering upon his/her duties.
- b. Annually by May 1 while serving on the Board.
- c. By May 1 of the year after leaving the Board.

Election

Election of members of the Board shall be in accordance with law.[\[13\]](#)

Vacancies

A vacancy shall occur by reason of death, resignation, removal from a district or region, or otherwise.

Applicants for the vacancy shall be interviewed by the Board at an open public meeting. Any such vacancy shall be filled by the appointment, by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the occurrence of the vacancy. The Board member o 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 except when a majority of the memberships are vacant, such vacancies shall be filled by the Court of Common Pleas of Berks County.[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

Temporary Vacancy – Active Military Service –

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.[\[14\]](#)[\[20\]](#)[\[19\]](#)

Term

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.[\[1\]](#)[\[14\]](#)

Removal

Whenever a Board member is no longer a resident of Brandywine Heights Area School District or the region s/he represents, his/her eligibility to serve on the Board shall cease.[\[14\]](#)[\[21\]](#)

The removal of a Board member who resigns shall become effective upon the presentation of the resignation to the Board President and upon the date specified.

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 meetings/s/he shall neglect or refuse to act in his/her official capacity as a Board member, 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.[\[18\]](#)[\[22\]](#)

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.[\[18\]](#)[\[22\]](#)

Expenses

Board member, 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 Commonwealth, or for necessary expenses incurred in attendance authorized by the Board at any other meeting held within the Commonwealth 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. No school director shall be reimbursed for more than two (2) out-of-state meetings in one (1) school year. Expenses shall be reimbursed only upon presentation of an itemized, verified statement, except that advance payments may be made upon presentation of estimated expenses to be incurred. Prior to attending a conference a list of expenses must be submitted to the Board President. Expenses shall be reimbursed only upon presentation of an itemized, verified statement, except that advance payments may be made upon presentation of estimated expenses to be incurred. Expenses are not to exceed the annual budgeted amount.

[\[23\]](#)

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.[\[23\]](#)

Orientation

The Board believes that the preparation of each Board member or 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.

Accordingly, the Board shall give to each new school director, no later than his/her first regular meeting, for use during his/her term on the Board the following items:

1. Access to the School Code.[\[24\]](#)
2. Access to the Board Policies .
3. The current budget statement, audit report and related fiscal materials.
4. Copy of all employees contracts.
5. Copy of administrative job descriptions.

6. Copy of Robert Rules of Order.
7. A copy of the Pennsylvania Sunshine Law.
8. Access to district information on comprehensive planning, curriculum, assessments, facilities planning and district programs.
9. A copy of the Board's adopted Principles for Governance and Leadership.[25]

The above mentioned items shall be returned to the Superintendent's Office within thirty days after leaving the Board.

Each new Board member shall be invited to meet with the Board President, Superintendent, and Board Secretary to discuss Board functions, policy and procedures. Each new Board member shall also be given a tour of all the facilities and the opportunity to have a mentor.

School Director Education/Training

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.

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. The Board and Superintendent will select appropriate providers for the training.

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.[26]

The Board shall annually budget funds to support its planned program of inservice education and training.

The Board establishes the following activities as the basis for its planned program of inservice education and training:

1. Participation in School Board conferences, workshops and conventions.
2. District-sponsored inservice education and training programs designed to meet Board needs.
3. Subscriptions to publications addressed to Board members' concerns.
4. Maintenance of resources and reference materials accessible to Board members.

Conference Attendance

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:[23][27]

1. Each school director shall receive Board approval prior to attending a conference, workshop or convention at Board expense.

2. Funds for conference attendance shall be budgeted on an annual basis.
3. 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.
4. Reimbursement to Board members for their travel expenses shall be in accordance with Board procedures and policy.[28]

Student Representation

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. The representative and an alternate shall be selected by the building administrators to represent the student body.

Code of Ethics

As a member of my local Board of Education, representing all the citizens of my school district, I recognize:

1. That my fellow citizens have entrusted me with the educational development of the children and youth of this community.
2. That the public expects my first and greatest concern to be in the best interest of each and every one of these young people without distinction as to who they are or what their background may be.
3. That the future welfare of this community, of this state, and of the nation depends in the largest measure upon the quality of education we provide in the public schools to fit the needs of every learner.
4. That my fellow Board members and I must take the initiative in helping all the people of this community to have all the facts, all the time, about their schools, to the end that they will readily provide the finest possible school program, school staff, and school facilities.
5. That legally, the authority of the Board is derived from the General Assembly which ultimately controls the organization and operation of the school district and which determines the degree of discretionary power left with the Board and the people of this community for the exercise of local autonomy.
6. That I must never neglect my personal obligation to the community and my legal obligation to the state, nor surrender these responsibilities to any other person, group, or organization; but that, beyond these, I have a moral and civic obligation to the nation which can remain strong and free only so long as public schools in the United States of America are kept free and strong.
7. In view of the foregoing considerations, it shall be my constant endeavor:
 - a. To devote time, thought, and study to the duties and responsibilities of a School Board member so that I may render effective and creditable service.
 - b. To work with my fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points at issue.
 - c. To base my personal decision upon all available facts in each situation; to vote my honest conviction in every case, unswayed by partisan bias of any kind; thereafter to abide by and uphold the final majority decision of the Board.
 - d. To remember at all times that as an individual I have no legal authority outside the meetings of the Board, and to conduct my relationships with the school staff, the local citizenry, and all

media of communication on the basis of this fact.

- e. To resist every temptation and outside pressure to use my position as a School Board member to benefit either myself or any other individual or agency apart from the total interest of the school district.
- f. To recognize that it is as important for the Board to understand and evaluate the educational program of the schools as it is to plan for the business of school operation.
- g. To bear in mind under all circumstances that the primary function of the Board is to establish the policies by which the schools are to be administered, but that the administration of the educational program and the conduct of school business shall be left to the employed Superintendent of Schools and the professional and non-professional staff.
- h. To welcome and encourage active cooperation by citizens, organizations, and the media of communication in the district with respect to establishing policy on current school operation and proposed future developments.
- i. To support my state and national School Board associations.
- j. Finally, to strive step by step toward ideal conditions for most effective School Board service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our respective democracy.

References:

School Code – 24 P>S> Sec. 301, 303, 315, 316, 317, 318, 319, 321, 322, 323, 324, 516, 516.1, 519, 1081–

Sunshine Act – 65 Pa. C.S.A. Sec. 701 35. seq.

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

Removal of residence; Forfeiture of Office – 65 P.S. Sec. 91

State Ethics Commission Regulations – 51 PA Code Sec. 15.2, 15.3

Board Policy – 004, 006, 331, 901

Legal

1. 24 P.S. 303
2. 24 P.S. 1081
3. 24 P.S. 322
4. 24 P.S. 323
5. 24 P.S. 324
6. 65 Pa. C.S.A. 1101 et seq
7. 24 P.S. 321
8. 65 Pa. C.S.A. 1102
9. 65 Pa. C.S.A. 1104
10. 65 Pa. C.S.A. 1105
11. 51 PA Code 15.2
12. 51 PA Code 15.3
13. 24 P.S. 301 et seq
14. 24 P.S. 315
15. 24 P.S. 316
16. 24 P.S. 317
17. 24 P.S. 318
18. 24 P.S. 319
19. 65 Pa. C.S.A. 701 et seq
20. 24 P.S. 407
21. 65 P.S. 91
22. Pol. 006
23. 24 P.S. 516.1
24. 24 P.S. 519
25. Pol. 011
26. Pol. 901
27. 24 P.S. 516
28. Pol. 004
- Pol. 331

Last Modified by Katharine Ege on June 12, 2018