

CARLISLE AREA SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: FUNCTIONS

ADOPTED: April 20, 2006

REVISED: November 21, 2019

003. FUNCTIONS

Section 1. Legislative

The Board shall exercise 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statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board. The proposed adoption, amendment or repeal must remain on the agenda for two successive Board meetings until approved or rejected. [1] [2] [3] [4] [5]

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.

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.

Board policies shall be adopted, amended or repealed by a majority vote of the Board. [6]

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. [7]

Section 2. 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. [8] [9]

The Superintendent shall be responsible for the preparation of administrative guidelines 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; and are binding on district employees and students when issued. [3] [5]

The Superintendent shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law. [12]

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 unless explicitly stated otherwise.

Section 3. 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] [10]

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. [11]

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. Communication Between Board And Staff

All official business between the Board and the employees of the district shall be through the Superintendent. The only exception to this policy shall be in such negotiation or grievance procedure as might be included in any contract or agreement between the Board and organizations representing employees of the Board, but the Superintendent shall be given the opportunity to participate with the Board. Employees shall have the right of appeal to the Board from the Superintendent's decision.

Section 5. Outside Consultants

Outside consultants may be used to work with the Board and administrative team. Such consultants may provide expertise in specific areas as determined by the Board. Consultant services may be on a per diem or contractual basis.

Consultants shall have no administrative authority over any facet of the district schools, but shall act solely as advisors to the Board and its officers and employees. Such services may be provided from professions other than education.

Legal References

1. SC 301
2. SC 407
3. SC 510
4. SC 511
5. Pol. 000
6. Pol. 006
7. Pol. 007
8. SC 508
9. SC 1001
10. SC 1126
11. 2 Pa. C.S.A. 551 et seq
12. 65 Pa. C.S.A. 1101 et seq