

CHESTER COUNTY
 INTERMEDIATE
 UNIT 24

SECTION: BOARD PROCEDURES

TITLE: FUNCTIONS

ADOPTED: NOVEMBER 18, 2009

READOPTED: MAY 20, 2020

003. FUNCTIONS

Policy Section	Policy Description
Section 1. <u>Legislative</u>	<p>The Board shall exercise leadership through its rule-making power by adopting Board procedures and policies for the organization and operation of the Intermediate Unit. Board policies shall be adopted, amended or repealed by a majority vote of the Board members present and voting.</p> <p>Proposed policies shall be presented to the Board for a first reading during a regular meeting of the Board. No action will be taken on a proposed policy at first reading unless the Board, by a two-thirds vote of the members present, decides to act on the policy. Final approval of proposed policies shall occur at a subsequent meeting of the Board.</p> <p>Legal References: School Code 407, 964; Pol. 000</p> <p>Board procedures shall be adopted, amended or repealed by a two-thirds vote of the Board members present and voting, provided that the action has been proposed at a previous Board meeting.</p> <p>Legal Reference: Pol. 006</p> <p>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.</p> <p>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> <p>Legal Reference: Pol. 007</p>

<p>Section 2. <u>Executive</u></p>	<p>The Board shall exercise its executive power by the appointment of an Executive Director, who shall enforce the laws 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>Legal References: School Code 963, 964, 965; Pol. 302</p> <p>The Executive Director shall be responsible for the establishment of administrative regulations for the operation of the Intermediate Unit that are not inconsistent with state and federal laws or regulations; are dictated by the policies of this Board; are binding on 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>Legal References: School Code 964; Pol. 000</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 Intermediate Unit practices. However, the Board shall not adopt administrative regulations unless required by law or requested by the Executive Director. Such adoption and/or amendment of administrative regulations shall adhere to the policy for adoption and amendment of Board procedures and policies.</p> <p>Legal Reference: Pol. 003</p> <p>Action taken by the Executive Director shall be governed by established Board policy.</p> <p>When circumstances not provided for in Board policy exist, the Executive Director shall have the power to act. His/Her decisions are subject to review by the Board and shall not be considered an established precedent for future actions of the Board.</p> <p>The Executive Director shall inform the Board of such action and shall recommend a policy for Board consideration or revision to existing Board policy.</p> <p>The Executive Director shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.</p> <p>Legal References: 65 Pa. C.S.A.; Sec. 1101 et seq</p> <p>Whenever responsibility is delegated to the Executive Director or other administrator, it is understood that such individual may designate a representative to act on his/her behalf.</p> <p>The necessity to make administrative decisions at any time requires the availability of an administrator with decision-making authority.</p> <p>All administrative authority centers on the Executive Director. In the event of an unanticipated absence, matters of urgency shall be referred to the division director with the most seniority as a division director. Prior to a planned absence, the Executive Director shall designate an administrator to make administrative decisions.</p>
--	--

<p>Section 3. <u>Review</u></p>	<p>If the administrator designated by the Executive Director to act in his behalf is absent, the most senior administrator on duty shall make decisions on matters of urgency.</p> <p>The Intermediate Unit may assume jurisdiction over controversies or disputes arising within member school districts concerning any matter over which the Board has authority granted by law or where the Board has retained jurisdiction in contract or policies.</p> <p>Legal Reference: School Code 964</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>Legal Reference: 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 member school districts.</p> <p>Legal Reference: 2 Pa. C.S.A., Sec. 551 et seq</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 Executive Director, shall develop an annual plan.</p>
<p>Section 5. <u>Evaluation of Board Policies</u></p>	<p>All Board policies shall be reviewed on a systematic basis. Each section of the policy manual shall be reviewed at least once every five (5) years.</p> <p>The Board President shall appoint a committee to review the policy manual sections which are scheduled for review. The committee shall work with the administration and review each policy and make recommendations to readopt, readopt with revisions or delete each policy.</p>
<p>References:</p>	<p>School Code – 24 P.S. Sec. 963, 964, 965</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, 003, 006, 007, 302</p>