

LEBANON SCHOOL DISTRICT

POLICY: 004
TITLE: MEMBERSHIP
ADOPTED: JULY 18, 1994
REVIEWED: JANUARY 15, 2018

004. MEMBERSHIP

Section 1. Number

The Board of School Directors does consist of nine (9) members¹.

The Superintendent shall have a seat on the Board and the right to speak on all matters, but not the right to vote².

Section 2. Qualifications

Each member of the Board shall meet the following qualifications³:

- a. S/He shall be of good moral character, eighteen (18) years of age, shall have been a resident of the district for at least one (1) year prior to the date of his/her election or appointment, and shall not be a holder of any office or position of profit under any government in the Lebanon School District nor shall s/he be a member of the municipal council.
- b. S/He shall not have been removed from any office of trust under federal, state or local laws for any malfeasance in such office⁴.
- c. Except as provided by law, s/he 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.
- d. S/He shall, before entering the duties of the office, take and subscribe to the oath or affirmation prescribed by statute.
- e. S/He shall file a statement of financial interest with the State Ethics Commission Board Secretary before taking the oath of office or entering

¹ SC 302-305

² SC 1081

³ SC 321-324

⁴ 65 Pa. CSA 1101 et. seq

upon his/her duties, annually by May 1 while serving on the Board and by May 1 of the year after leaving the Board⁵.

Section 3. Election

Election of members of the Board of School Directors shall be in accordance with law⁶.

All persons elected or appointed as school directors shall serve without pay. Before entering upon the duties of their offices each shall take and subscribe to the following oath or affirmation, which may be administered by any one qualified to administer an oath, or as provided in the School Code⁷.

"I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity."

Section 4. Vacancies

A vacancy shall occur by reason of death, resignation, removal from a district, or otherwise. 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 vacancy, of a person who shall serve until the first Monday in December after the first municipal election occurring more than sixty (60) days following his/her appointment, except that when a majority of the memberships are vacant, such vacancies shall be filled by the Court of Common Pleas of Lebanon County⁸.

Section 5. Term

The term of office of each school director shall be four (4) years and shall expire on the first Monday of December except that the term of each school director appointed to fill a vacancy shall expire on the first Monday of December after the municipal election occurring more than sixty (60) days after his/her appointment and the term of each school director elected to an unexpired term shall expire at the termination of that term⁹.

Section 6. Removal

⁵ 65 P.S. 404(d); 65 Pa. CSA 1102, 1104, 1105; Title 51 Sec. 15.2, 15.3

⁶ SC 301 et. seq

⁷ SC 331

⁸ SC 315-319; 65 Pa. CSA Sec. 701 et. seq

⁹ SC 315 et. seq; SC 303

Whenever a school director shall cease to be a resident of the School District of Lebanon, his/her membership on the Board shall cease forthwith¹⁰.

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

A school director who neglects or refuses 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 meeting neglects or refuses to act in his/her official capacity as a school director, may be removed from his/her office on the affirmative vote of a majority of the remaining members of the Board¹¹.

If a person elected or appointed as a school director, 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 Board¹².

Section 7. Expenses

School directors, a nonmember Secretary of the Board, and Board solicitor(s) shall be reimbursed for necessary expenses actually incurred as delegates to any State convention or association of school directors held within the Commonwealth, or for necessary expenses actually 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 meeting of the Board. No member shall be reimbursed for more than two (2) such out-of-state meetings in one (1) school year. Such 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 incurred¹³.

Section 8. Orientation

The Board believes that the preparation of each school director for the performance of Board duties is essential to the effectiveness of the Board's

¹⁰ SC 315; 65 PS Sec. 91

¹¹ SC 315, 319

¹² SC 319

¹³ SC 516.1

functioning. The Board shall encourage each new school director to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools and learn Board procedures. Accordingly, the Board shall give to each new school director for his/her use and possession during the term on the Board, the following items: a copy of the school code, a copy of the Board policy manual, the current budget statement, audit report and related fiscal materials, and the most recent District Long-Range Plan¹⁴.

Each new Board member shall be invited to meet with the Board President, the Superintendent, and the Board Secretary to discuss Board functions, policy, and procedure.

Section 9. Conferences

In keeping with its stated position on the need for continuing in-service training and development for its members, the Board encourages the participation of all members at appropriate school board conferences, workshops, and conventions. However, in order to control both the investment of time and expenditure of funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance¹⁵:

The Board will periodically decide which meetings appear to offer the most promise of direct and indirect benefits to the school district.

Funds for participation at such meetings will be budgeted on an annual basis.

When a conference, convention, or workshop is not attended by the full Board, those who do participate will be requested to share information recommendations and materials acquired at the meeting which will be beneficial to the school district.

Reimbursement to Board members for their travel expenses will be in accordance with Section 7 of Policy 004.

The aforesaid reimbursement shall be limited to actual expenses incurred, and shall not include or be construed to include compensation to individual Board members.

¹⁴ SC 519

¹⁵ SC 516, 516.1

Section 10. Code of Ethics¹⁶

A Board member should honor the high responsibility which his/her membership demands:

- a. By thinking always in terms of "children first".
- b. By understanding that the basic function of the Board members is "policy making," and not "administrative," and by accepting the responsibility of learning to discriminate intelligently between these two functions.
- c. By accepting the responsibility along with his/her fellow Board members of seeing that the maximum of facilities and resources is provided for the proper functioning of schools.
- d. By refusing to "play politics" in either the traditional partisan or in any petty sense.
- e. By representing at all times, the entire school community.
- f. By accepting the responsibility of becoming well-informed concerning the duties of Board members, and the proper functions of public schools.
- g. By recognizing responsibility as a state official to seek the improvement of education throughout the state.

A Board member should respect his/her relationships with other members of the Board:

- a. By recognizing that authority rests only with the Board in official meetings, and that the individual member has no legal status to bind the Board outside of such meetings.
- b. By recognizing the integrity of his/her predecessors and associates, and the merit of their work.
- c. By refusing to make statements or promises as to how s/he will vote on any matter which should properly come before the Board as a whole.
- d. By making decisions only after facts bearing on a question have been presented and discussed.

¹⁶ SC 301-305, 315, 319, 321-324, 516, 516.1, 519; 65 PS 404(d)

- e. By respecting the opinion of others and by graciously conforming to the principle of "majority rule."
- f. By refusing to participate in irregular meetings such as "secret" or "star chamber" meetings, which are not official and which all members do not have the opportunity to attend.

A Board member should maintain desirable relations with the Superintendent and his/her staff:

- a. By striving to procure, when the vacancy exists, the best professional leader available for the head administrative post.
- b. By giving the Superintendent full administrative authority for properly discharging his/her professional duties, and also by holding him/her responsible for acceptable results.
- c. By acting only upon the recommendation of the Superintendent in matters of employment or dismissal of school personnel.
- d. By having the Superintendent present at all meetings of the Board.
- e. By referring all complaints to the proper administrative office and by discussing them only at a regular meeting after failure of administrative solution.
- f. By striving to provide adequate safeguards around the Superintendent and other staff members to the end that they can live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis.
- g. By presenting personal criticisms of any employee directly to the Superintendent.

A Board member should meet his/her responsibilities to his/her community:

- a. By attempting to appraise fairly both the present and future educational needs of the community.
- b. By regarding it as a major responsibility of the Board to interpret the aims and the methods of the schools to the community.
- c. By vigorously seeking adequate financial support for the schools.

- d. By insisting that all school business transactions be on an open, ethical, and above-board basis.
- e. By refusing to use his/her position on a Board in any way whatsoever for personal gain or personal prestige.
- f. By refusing to discuss personnel matters or any other confidential business of the Board in his/her home, on the street, or in the office.
- g. By winning the community's confidence that all is being done in the best interests of school children.