

# **LEBANON SCHOOL DISTRICT**

POLICY: 005

SECTION: LOCAL BOARD PROCEDURES

TITLE: ORGANIZATION

ADOPTED: JULY 18, 1994

REVISED: FEBRUARY 20, 2017

## **005 – Organization**

### Section 1. **Organization Meeting**

The school directors shall meet and organize annually during the first week in December. Notice of the time and place of the organization meeting shall be given to all members of the Board of School Directors by mail at least five (5) days before the proposed meeting by the Secretary of the Board. The organization meeting shall be a regular meeting.<sup>1</sup>

### Section 2. **Order**

The organization meeting shall be called to order by the past President who shall preside over the election of a temporary President from among the hold-over members of the Board. The Secretary of the Board shall be secretary of the meeting. The certificates of the election or appointment of all new school directors shall be read, and a list of the legally elected or appointed and qualified school directors prepared by the Secretary of the Board.<sup>2</sup>

The temporary President shall administer the oath or affirmation of office to such school directors as have not previously taken and subscribed the same.<sup>3</sup>

### Section 3. **Officers**

Election of officers shall be by a majority of those present and voting. Where no such majority is achieved on the first ballot, a second ballot shall be cast for the two candidates who received the greatest number of votes.

The school directors shall annually, during the first week in December, elect from their members a President and Vice-President who shall serve for one (1) year.

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<sup>1</sup> SC 401

<sup>2</sup> SC 421

<sup>3</sup> SC 402

The President shall preside at all meetings of the Board and may call special meetings at any time. S/He shall call a special meeting whenever requested in writing by any three members of the Board. Should s/he fail or refuse to do so, a special meeting may be called at any time by a majority of the legally qualified and acting members of the Board.

The President shall be the executive office of the Board, and as such, s/he together with the Secretary, when directed by the Board, shall execute any and all deeds, contracts, warrants to tax collectors, reports and other papers pertaining to the business of the Board, requiring the signature of the President. S/He shall, after the Board has acted on and approved any bill or account for the payment of money authorized by this act, sign an order on the Treasurer for the payment of the same. S/He shall in no case, except as this section otherwise provides, sign any order for any sum unless the same has first been acted upon and approved by the Board, and the amount thereof and the name of the payee properly inserted. Any orders which shall be for the payment of amounts owing under any contracts which shall previously have been approved by the Board, and by the prompt payment of which the district will receive a discount or other advantage, may be signed without the approval of the Board having been secured. All such orders shall be presented to the Board at its next meeting. The President shall perform such other duties as the Board may direct and as pertain to his/her office. <sup>4</sup>

In the absence of the President, the Vice-President shall preside at all meetings, call special meetings whenever so requested by any three (3) members of the Board, and when directed by the Board shall execute any and all deeds, contracts, warrants to tax collectors and other papers pertaining to the business of the Board, and perform all other duties imposed on the President. <sup>5</sup>

In the absence of both the President and Vice-President, or of the Secretary, the Board may elect a President or Secretary pro tempore for such meeting only, and the appointment of such temporary officer shall be noted on the minutes of such meeting. <sup>6</sup>

The school directors shall annually, during the month of May, elect a Treasurer who shall serve for one (1) year beginning the first day of July after such election. The Treasurer may be a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth, and s/he may be a member of the Board. <sup>7</sup>

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<sup>4</sup> SC 427

<sup>5</sup> SC 428

<sup>6</sup> SC 405

<sup>7</sup> SC 404 b

The school Treasurer shall not enter upon his/her duties until s/he has furnished bond in accordance with law and with the approval of the Board. The school Treasurer shall be compensated in such a manner and at a rate as the Board shall determine.<sup>8, 9</sup>

The Treasurer shall receive all state appropriations, district school taxes, and other funds belonging to the school district, and make payments out of the same on proper orders approved by the Board. The Treasurer may pay out of such funds on orders which have been prepared for and signed by the Secretary and the President without approval of the Board having been secured, for the payment of the amounts owing under any contracts, which shall previously have been approved by the Board and by prompt payment of which the district will receive a discount or other advantage.

The Treasurer shall deposit the funds belonging to the school district in the school depository as directed by the Board, and shall at the end of each month make a report to the Board of the amount of funds received and disbursed by him/her during the month. All deposits of school funds by the Treasurer shall be in the name of the school district.<sup>10, 11, 12</sup>

The Treasurer shall perform such other acts and duties pertaining to the district as the Board may direct, or as may be required of him/her by law.

The school directors shall, during the month of May in every fourth year, elect a secretary who shall serve a term of four (4) years beginning the first day of July following such election.

The Secretary of the Board shall perform the following duties:

1. S/He shall keep a correct and proper record of all the proceedings of the Board, and shall prepare such reports and keep such accounts as are required by the provisions of this act.
2. S/He shall, after the Board has acted on and approved any bill or account for the payment of money authorized by this act, prepare and sign an order on the Treasurer for the payment of the same. S/He may prepare and sign orders on the Treasurer for the payment of which the district will receive a discount or other advantage, without the approval

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<sup>8</sup> SC 436

<sup>9</sup> SC 438

<sup>10</sup> SC 439

<sup>11</sup> SC 440

<sup>12</sup> SC 442

of the Board first having been secured.

3. S/He shall attest, in writing, the execution of all deeds, contracts, reports, and other instruments that are to be executed by the Board.
4. S/He shall furnish, whenever requested, any or all reports concerning the school affairs of the district, on such form and in such manner, as the State Board of Education or the Secretary of Education may require.
5. S/He shall have general supervision of all the business affairs of the school district, subject to the instructions of the Board and the Superintendent.
6. S/He shall be the custodian of all the records, papers, office property, and official seal of school district, and at the expiration of his/her term shall turn the same over to his/her successor.
7. S/He shall keep correct accounts with each receiver of taxes, school treasurer, or school collector of the district, reporting a statement of the same, together with a statement of the finances of the district, at each regular meeting of the Board, which statement shall be entered in full upon the minutes.
8. S/He shall perform such other duties pertaining to the business of the district as are required by this act or as the Board may direct.

Vacancies in any office shall be filled by the school directors and such appointed officers shall serve for the remainder of the unexpired term.

The same school director may not hold more than one (1) office of the Board. No commissioned officer or professional employee of the Board shall serve, temporarily or permanently, as an officer of the Board. Officers of the Board may be removed from office for incompetency, intemperance, neglect of duty, violation of the school laws of the Commonwealth, or other improper conduct, provided that the officer charged shall have been given due notice of the reasons there for and an opportunity for a hearing and provided that said removal has been approved by the affirmative vote of a majority of the full number of school directors.<sup>13</sup>

#### Section 4. **Appointments**

The Board shall appoint:

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<sup>13</sup> SC 404, 405, 514

- a. a tax collector, where a tax collector is not elected to collect taxes, or where there is a vacancy or where an elected tax collector refuses to qualify <sup>14</sup>
- b. school physician<sup>15</sup>
- c. school dentist<sup>16</sup>
- d. an independent auditor<sup>17</sup>
- e. delegates to a State convention or association of school directors
- f. such other assistants, clerks and employees as the Board deems proper.

The Board shall also appoint a solicitor whose duties shall include:

- a. Advise and furnish the Board legal opinions, verbally and in writing, as directed, on all matters and questions of law requested, including interpretations on old and new statutes. The Superintendent shall be the intermediary between the solicitor and the Board.
- b. Attend all regular meetings and prepare legal instruments including resolutions for any subject, advertising, and all other legal papers as directed by the Board and the Superintendent.
- c. Commence and prosecute all action brought by the Board for all or any account or subject.
- d. Perform other duties assigned by the Board.

Appointees of the Board may be removed from office for incompetency, intemperance, neglect of duty, violation of the school laws of the Commonwealth, or other improper conduct, provided that the officer charged shall have been given due notice of the reasons therefore and an opportunity for a hearing and provided that said removal has been approved by the affirmative vote of a majority of the full number of school directors. <sup>18</sup>

## Section 5. **Resolutions**

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<sup>14</sup> SC 683

<sup>15</sup> SC 1410

<sup>16</sup> SC 1410

<sup>17</sup> SC 406

<sup>18</sup> SC 514

The Board may at the organization meeting but shall prior to July 1 next following:

- a. designate a depository for school funds<sup>19</sup>
- b. designate a newspaper of general circulation as defined in accordance with law<sup>20</sup>
- c. designate a normal day, place and time for regular meetings. <sup>21</sup>

## Section 6. **Committees**

Committees of school directors shall, when specifically charged to do so by the Board, conduct studies, make recommendations to the Board and act in an advisory capacity, but shall not take action on behalf of the Board.

Committees shall consist of no more than three (3)members.

Members shall be appointed by the President who shall serve as an ex-officio member on all committees along with the Vice-President and Superintendent.

A member may request or refuse appointment to a committee. Refusal to serve on any one committee shall not be grounds for failure to appoint a member to another committee.

Each Board committee shall be convened by a chairperson who shall report for the committee and shall be appointed by the President.

The President may appoint as soon after the organization meeting as practicable members of the Board to the following standing committees where they shall serve a term of one (1) year: Athletic Council, Community Relations, Curriculum, Finance, Negotiations, Personnel, Property, PSBA Legislative Policy Council, Earned Income Tax Bureau, Career and Technology (CTC) Joint Operating Committee, Harrisburg Area Community College (HACC), Lebanon Campus Advisory Board, Lebanon County Tax Collection Committee, Suspension and Expulsion, Economic Development, and the Intermediate Unit Board. <sup>22</sup>

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<sup>19</sup> SC 612

<sup>20</sup> SC 106

<sup>21</sup> SC 421

<sup>22</sup> SC 106, 324, 401, 402, 404, 405, 406, 421, 434, 436, 438, 514, 516, 621, 683, 1401

Ad hoc committees may be created, charged, and assigned a fixed termination date which may be extended from time to time by the President, or a majority of the school directors present at any meeting at which the need for a committee becomes evident.

Members of committees shall serve until the committee is discharged.