

SECTION: LOCAL BOARD PROCEDURES

TITLE: MEMBERSHIP

ADOPTED: April 26, 2004

REVISED: November 20, 2017

EPHRATA AREA SCHOOL DISTRICT

	004. MEMBERSHIP
	<u>Number</u>
24 P.S. 303	The Board shall consist of nine (9) members.
24 P.S. 1081	The Superintendent shall have a seat on the Board and the right to speak on all matters, but not the right to vote.
	<u>Qualifications</u>
	Each school director shall meet the following qualifications:
24 P.S. 322	a. 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.
24 P.S. 323	b. Shall not have been removed from any office of trust under federal, state, or local laws for any malfeasance in such office.
24 P.S. 324 65 PA C.S.A. 1101	c. 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.
24 P.S. 321	d. Shall take and subscribe to the oath or affirmation prescribed by statute before entering the duties of the office.
65 PA C.S.A. 1102, 1104, 1105 51 PA Code 15.2, 15.3	e. Shall file a statement of financial interests with the Board Secretary or designee at the following times:

	<ol style="list-style-type: none"> 1. Before taking the oath of office or entering upon his/her duties. 2. Annually by May 1 while serving on the Board. 3. By May 1 of the year after leaving the Board.
<p>24 P.S. 301</p>	<p><u>Election</u></p> <p>Election of members of the Board shall be in accordance with law.</p>
<p>24 P.S. 315, 316, 317, 318, 319 65 PA C.S.A. 701</p>	<p><u>Vacancies</u></p> <p>A vacancy shall occur by reason of death, resignation, removal from a district or region, or otherwise. Such 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 vacancy. The school director so 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. When a majority of the memberships are vacant, such vacancies shall be filled by the Court of Common Pleas of Lancaster County.</p>
<p>24 P.S. 315, 407 65 PA C.S.A. 701</p>	<p><u>Temporary Vacancy – Active Military Service</u></p> <p>A temporary vacancy shall be declared when a school director 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 school director so appointed shall serve either until the school director returns from active duty or until expiration of the term for which s/he was elected, whichever occurs first.</p>
<p>24 P.S. 303, 315</p>	<p><u>Term</u></p> <p>The term of office of each school director shall be four (4) years and shall expire on the first Monday of December, except for a school director appointed or elected to fill a vacancy. A school director 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 school director elected to an unexpired term shall expire at the termination of that term.</p>

	<p><u>Removal</u></p> <p>24 P.S. 315 65 P.S. 91</p> <p>Whenever a school director is no longer a resident of Ephrata Area School District or the region s/he represents, his/her eligibility to serve on the Board shall cease.</p> <p>24 P.S. 319 Pol. 006</p> <p>If a school director 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 meeting s/he shall neglect or refuse to act in his/her official capacity as a school director, 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.</p> <p>24 P.S. 319 Pol. 006</p> <p>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 Board.</p> <p><u>Expenses</u></p> <p>24 P.S. 516.1</p> <p>Board members, 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 state, or for necessary expenses incurred in attendance authorized by the Board at any other meeting held within the state or at an educational convention out-of-state. Expenses shall be reimbursed by the Treasurer in the usual manner, upon presentation of an itemized, verified statement.</p> <p>24 P.S. 516.1</p> <p>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.</p> <p>No school director shall be reimbursed for more than two (2) out-of-state meetings in one (1) school year.</p> <p><u>Orientation</u></p> <p>The Board believes that the preparation of each school director for the performance of duties is essential to the effectiveness of the Board's 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 review Board procedures and policies.</p>
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<p>24 P.S. 519</p>	<p>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:</p> <ul style="list-style-type: none"> a. A copy of the School Code. b. The current budget statement, audit report, and related fiscal materials. c. Access to district information on board policy, comprehensive planning, curriculum, assessments, facilities planning, and district programs.
<p>Pol. 011</p>	<ul style="list-style-type: none"> d. A copy of the Board's adopted Principles for Governance and Leadership. <p>Each new school director shall be invited to meet with the Board President, Superintendent, and Board Secretary to discuss Board functions, policy, and procedures.</p> <p><u>School Director Education/Training</u></p> <p>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.</p> <p>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.</p>
<p>Pol. 901</p>	<p>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.</p> <p>The Board shall annually budget funds to support its planned program of inservice education and training.</p> <p>The Board establishes the following activities as the basis for its planned program of inservice education and training:</p> <ul style="list-style-type: none"> a. Participation in School Board conferences, workshops, and conventions. b. District-sponsored inservice education and training programs designed to meet Board needs.

	<p>c. Subscriptions to publications addressed to Board members' concerns.</p> <p>d. Maintenance of resources and reference materials accessible to Board members.</p> <p><u>Conference Attendance</u></p> <p>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:</p> <p>a. The Board shall identify annually the issues, objectives, and cost benefits that can be ascribed to participation by Board members in conferences, workshops, and conventions.</p> <p>b. The Superintendent shall inform Board members, in a timely manner, of upcoming conferences, workshops, and conventions.</p> <p>c. The Board shall periodically decide which meetings appear to offer the most direct and indirect benefits to the district.</p> <p>d. Each school director shall receive Board approval prior to attending a conference, workshop, or convention at Board expense.</p> <p>e. Funds for conference attendance shall be budgeted on an annual basis.</p> <p>f. 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.</p>
<p>24 P.S. 516, 516.1</p>	
<p>Pol. 004</p>	<p>g. Reimbursement to Board members for their travel expenses shall be in accordance with Board procedures and policy.</p> <p>h. The requirements regarding reimbursement for Board members for travel expenses shall be strictly enforced, and no payment shall be made until receipts for reimbursable expenses are submitted to the Business Manager or designee.</p>
<p>24 P.S. 321</p>	<p>i. Reimbursement shall be limited to actual expenses incurred, and shall not include or be construed to include compensation to individual Board members.</p>

24 P.S. 325	<p><u>Offering Bribes – Penalty</u></p> <p>Every person who shall, individually or by or through an agent or representative, directly or indirectly promise, pay, or give to any Board member, any sum of money or other valuable thing; make any promise of any office or appointment of any kind, in order to influence or secure the voting for, or the appointment of, him/herself or any other person, to any position connected with the public schools; or for the purpose of having his/her salary increased while holding any appointment, shall be guilty of a misdemeanor punishable by fine and/or imprisonment. Any person convicted shall be ineligible to be engaged as a teacher or hold any office or appointment under the provisions of law.</p> <p><u>Employment of Immediate Family</u></p> <p>In an effort to reduce any conflict of interest, no active Board member's immediate family shall be considered for employment in the district. For the purposes of this policy, immediate family shall be defined as parents, parents-in-law, brothers, sisters, spouse, and children/stepchildren.</p> <p><u>Student Representation</u></p> <p>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.</p> <p>References:</p> <p>School Code – 24 P.S. 301, 303, 315, 316, 317, 318, 319, 321, 322, 323, 324, 325, 407, 516, 516.1, 519, 1081</p> <p>Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.</p> <p>Public Officials and Employee Ethics Act – 65 Pa. C.S.A. 701, 1101, 1102, 1104, 1105</p> <p>Removal of Residence; Forfeiture of Office – 65 P.S. Sec. 91</p> <p>State Ethics Commission Regulations – 51 PA Code Sec. 15.2, 15.3</p> <p>Board Policy – 004, 006, 011, 901</p>
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