

# WALLINGFORD- SWARTHMORE SCHOOL DISTRICT

SECTION: LOCAL BOARD PROCEDURES

TITLE: MEETINGS

ADOPTED: January 22, 2001

REVISED: February 23, 2015  
November 26, 2018

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| <p>SC 407<br/>65 Pa. C.S.A.<br/>Sec. 701 et seq</p> <p>SC 422</p> <p>SC 405, 426, 427,<br/>428</p> <p>65 Pa. C.S.A.<br/>Sec. 703, 709</p> | <p style="text-align: center;">006. MEETINGS</p> <p>Section 1. <u>Quorum</u></p> <p>A quorum shall consist of a majority of the members of the School Board then elected or appointed. No business shall be transacted at a meeting without a quorum, but the School Board members present at such a meeting may adjourn to another time.</p> <p>No individual, including any re-elected School Board member, may be seated and become a member of the present School Board until that individual has subscribed to the Oath of Office for the present term for which the individual was elected or appointed.</p> <p>Section 2. <u>Presiding Officer</u></p> <p>The President shall preside at all meetings of the School Board. In the absence, disability or disqualification of the President, the Vice-President shall act instead. If neither person is present, a School Board member shall be elected President pro tempore by a majority of those present and voting to preside at that meeting only. Where no such majority is achieved on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes.</p> <p>Section 3. <u>Notice</u></p> <p>Notice of all public School Board meetings, including committee meetings and work sessions, shall be given by publication of the date, place, and time of such meetings in the newspaper(s) of general circulation designated by the School Board and the posting of such notice at the administrative offices of the School Board.</p> |
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| <p>65 Pa. C.S.A.<br/>Sec. 703, 709</p>       | <p>a. Notice of regular meetings shall be given by publication and posting of a schedule showing the date, place and time of all regular meetings for the calendar year at least four (4) days prior to the time of the first regular meeting.</p>   |
| <p>65 Pa. C.S.A.<br/>Sec. 703, 709</p>       | <p>b. Notice of all special meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting, except that such notice shall be waived when a special meeting is called to deal with an actual emergency involving a clear and present danger to life or property. In the case of an emergency meeting, the School Board will give such public notice as may be practical under the circumstances.</p> |
| <p>65 Pa. C.S.A.<br/>Sec. 703, 709</p>       | <p>c. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting.</p>   |
| <p>65 Pa. C.S.A.<br/>Sec. 703</p>            | <p>d. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of the meeting and sending copies of such notice to interested parties.</p>   |
| <p>65 Pa. C.S.A.<br/>Sec. 709</p>            | <p>e. Notice of all public meetings shall be given to any newspaper(s) circulating in Delaware County and a radio or television station which so requests. Notice of all public meetings shall be given to any individual who so requests and provides a stamped, addressed envelope for such notification.</p>  |
| <p>SC 423<br/>65 Pa. C.S.A.<br/>Sec. 709</p> | <p>Notice of all regular meetings of the School Board shall be given to each School Board member prior to the time of the meeting.</p>   |
| <p>SC 423<br/>65 Pa. C.S.A.<br/>Sec. 709</p> | <p>Notice of all rescheduled meetings and special meetings shall be given to each School Board member no later than twenty-four (24) hours prior to the time of the meeting.</p>   |
| <p>65 Pa. C.S.A.<br/>Sec. 709</p>            | <p>Notice of executive sessions, if not previously announced, shall be provided in writing to each School Board member at least twenty-four (24) hours prior to the executive session.</p>   |
| <p>65 Pa. C.S.A.<br/>Sec. 701 et seq</p>     | <p>Section 4. <u>Official Meetings</u></p> <p>An official meeting of the School Board shall be any prearranged and advertised gathering of School Board members which is attended or participated by a quorum held for the purpose of deliberating about school district business or taking official action.</p>   |

SC 421  
65 Pa. C.S.A.  
Sec. 701 et seq

Official meetings include, but are not limited to, business meetings, committee meetings, special meetings, and emergency meetings of the School Board. All official meetings of the School Board shall be open meetings.

Section 5 Regular Business Meetings

- a. The School Board shall conduct one or two monthly business meeting in accordance with a schedule determined at the annual organization meeting in December.

Business meetings follow an agenda prepared, with supplemental material, four (4) days in advance and distributed to each School Board member. Copies of the agenda are made available to the public at the meeting.

It is the desire of the School Board that meetings follow the agenda in an orderly procedure with time allotted for local resident contributions to agenda items or other relevant statements pertaining to the District.

- b. Order of Business

The regular business meetings of the School Board shall use the following agenda:

Call to Order

Opening

Announcement of Executive Session (*if needed*)

Student Representative's Report

Superintendent's Report

Focus Topic(s)

Audience Recognition: Response to Items for Action on the Agenda

Items for Action and Information: (*as applicable*)

1. Minutes
2. Personnel
3. Policy
4. Curriculum
5. Finance
6. Facilities

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| <p>SC 423, 426<br/>65 Pa. C.S.A.<br/>Sec. 701 et seq</p> <p>SC 426</p> <p>SC 423</p> <p>65 Pa. C.S.A.<br/>Sec. 701 et seq<br/>Pol. 903</p> | <p>Audience Recognition: Response to Any Other Topics</p> <p>Old Business</p> <p>New Business</p> <p>Adjournment</p> <p><i>Control of the Agenda –</i></p> <p>Nothing herein contained shall preclude the School Board from:</p> <p>a. Acting on a matter in a normal manner if the Superintendent or the President of the School Board declares that an emergency exists. An emergency shall exist when School Board action is necessary to prevent physical injury to persons or property, to comply with law, or to meet deadlines which, if allowed to lapse, would subject the school district or its officers and employees to loss of funds, additional expense, civil or criminal penalties, or civil liability.</p> <p>b. Amending and acting upon, in the normal manner, any item properly placed on the agenda other than an additional matter in accordance with this policy.</p> <p>Section 6. <u>Special Meetings</u></p> <p>Special meetings shall be public and may be called for special or general purposes.</p> <p>The President may call a special meeting at any time and shall call a special meeting upon presentation of the written requests of three (3) School Board members. Upon the President's failure or refusal to call a special meeting, such meeting may be called at any time by a majority of the School Board members.</p> <p>No business shall be transacted at any special meeting except that named in the call sent to School Board members for such special meeting.</p> <p>Section 7. <u>Public Participation</u></p> <p>District residents or taxpayers present at a meeting of the School Board may address the School Board in accordance with law and the School Board's policy and rules. Where the orderly administration of business or the need to allow multiple parties to be heard so requires, the School Board may set limits upon the time allotted for public presentation.</p> |
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| <p>SC 324</p> <p>SC 609</p> <p>SC 687</p> | <p>Section 8. <u>Voting</u></p> <p>No item may be voted upon at any meeting unless placed on the agenda by the administration or any official committee of the School Board; or in accordance with the following procedures:</p> <ol style="list-style-type: none"> <li>a. Any motion or resolution will be placed on the agenda for a meeting if requested in writing setting forth the recommended action and a brief statement of the rationale for the action, in the appropriate format, signed by any member of the School Board and delivered to the School Board Secretary by the close of the business day of the Wednesday preceding the scheduled meeting.</li> <li>b. Such a motion or resolution shall be referred to as an "Additional Matter" and shall be considered after New Business.</li> <li>c. If an Additional Matter is moved and seconded, it shall be a proper subject for debate; otherwise, the Additional Matter shall be deemed defeated.</li> <li>d. Upon the call of the question, the Additional Matter shall be adopted if it receives any combination of at least five (5) affirmative votes and abstentions totaling nine (9) (i.e., all members present, majority approval and no negative votes). If any member of the School Board is absent or less than five (5) negative votes are cast, the Additional Matter shall be placed on the agenda for the next business meeting of the School Board under New Business, at which time it shall be considered in the normal manner. If five (5) or more negative votes are cast, the Additional Matter shall be defeated.</li> </ol> <p>The following action(s) require(s) the unanimous consent of all remaining members of the School Board:</p> <ol style="list-style-type: none"> <li>a. Appoint as attorney or solicitor of the School Board a School Board member who has served for two (2) consecutive terms of four (4) years each, after resigning one's School Board member office.</li> </ol> <p>The following actions require the recorded affirmative votes of two-thirds of the full number of School Board members:</p> <ol style="list-style-type: none"> <li>a. Transfer of budgeted funds during the first three (3) months of the fiscal year.</li> <li>b. Incur a temporary debt to meet an emergency or catastrophe.</li> </ol> |
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| SC 324                  | c. Elect to a teaching position a person who has served as a School Board member and who has resigned.                 |
| SC 707                  | d. Convey land or buildings to the municipality coterminous with the school district in accordance with law.           |
| SC 803                  | e. Adopt or change textbooks without the recommendation of the Superintendent.   |
| SC 1129                 | f. Dismiss, after a hearing, a tenured professional employee.  |
|                         | The following actions require the recorded affirmative votes of a majority of the full number of School Board members: |
| SC 508                  | a. Fixing the length of school term.   |
| SC 508<br>Pol. 108      | b. Adopting textbooks recommended by the Superintendent.   |
| SC 508, 1071,<br>1076   | c. Appointing the district Superintendent and Assistant Superintendent(s).   |
| SC 508                  | d. Appointing teachers and principals.   |
| SC 508<br>Pol. 604      | e. Adopting the annual budget.   |
| SC 508<br>Pol. 005, 606 | f. Appointing tax collectors and other appointees.   |
| SC 508<br>Pol. 605      | g. Levying and assessing taxes.  |
| SC 508                  | h. Purchasing, selling, or condemning land.  |
| SC 508                  | i. Locating new buildings or changing the location of old ones.  |
| SC 508<br>Pol. 107      | j. Adopting planned instruction.   |
| SC 508                  | k. Establishing additional schools or departments.   |

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| SC 508, 621          | l. Designating depositories for school funds.  |
| SC 687<br>Pol. 612   | m. Expending district funds.   |
| SC 508<br>Pol. 610   | n. Authorizing the transfer of any unencumbered balance, or portion thereof, from one appropriation to another, or from one spending agency to another during the last nine (9) months of the fiscal year. |
| SC 508               | o. Entering into contracts of any kind, including contracts for the purchase of fuel or any supplies where the amount involved exceeds \$100 (including items subject to bid requirements).                |
| SC 224               | p. Fixing salaries or compensation of officers, teachers, or other appointees of the School Board.   |
| SC 508               | q. Combining or reorganizing into a larger school district.  |
| SC 508, 514,<br>1080 | r. Entering into contracts with and making appropriations to the intermediate unit for the district's proportionate share of the cost of services provided or to be provided by the intermediate unit.     |
| SC 212               | s. Dismissing, after a hearing, a nontenured employee.   |
| SC 702               | t. Adopting a corporate seal for the district.   |
| SC 708               | u. Determining the location and amount of any real estate required by the school district for school purposes.   |
| SC 1503              | v. Vacating and abandoning property to which the School Board has title.   |
| Pol. 004             | w. Determining the holidays, other than those provided by statute, which shall be observed by special exercises and those on which the schools shall be closed for the whole day.                          |
| Pol. 003             | x. Declaring that a vacancy exists on the School Board by reason of the failure or neglect of a School Board member to qualify.  |
|                      | y. Adopting, amending or repealing School Board policy or procedure.   |

Section 9. Abstention from Voting

A School Board member shall be required to abstain from voting when the issue involves either one of the following:

1. Conflict of interest under Ethics Act.

Prior to the vote being taken, the School Board member shall verbally disclose the nature of the conflict in public, and shall also provide the School Board Secretary with a written memorandum stating the nature of the conflict, which shall be attached to the Board minutes as a public record.

**Conflict of interest** – use by a public official of the authority of one’s office or any confidential information received through one’s holding public office for the private pecuniary benefit of oneself, a member of one’s immediate family or a business with which one or a member of one’s immediate family is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official, a member of official’s immediate family or a business with which official or a member of official’s immediate family is associated.

**De minimis economic impact** – an economic consequence which has an insignificant effect.

**Immediate family** – parent, spouse, child, brother or sister.

**Business with which associated** – any business in which the person or a member of the person’s immediate family is a director, officer, owner, employee or has a financial interest.

2. Relative recommended for appointment to or dismissal from a teaching position.

**Relative** – father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first cousin, sister-in-law, brother-in-law, uncle, or aunt.

Section 10. Minutes

The School Board shall cause to be made, and shall retain as a permanent record of the district, minutes of all open meetings of the School Board. Said minutes shall be comprehensible and complete and shall show:

SC 518  
65 Pa. C.S.A.  
Sec. 706



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| <p>65 Pa. C.S.A.<br/>Sec. 705</p>                   | <ul style="list-style-type: none"> <li>a. The date, place, and time of the meeting.</li> <li>b. The names of School Board members present.</li> <li>c. The presiding officer.</li> <li>d. The substance of all official actions.</li> <li>e. Actions taken.</li> <li>f. Recorded votes and a record by individual members of all roll call votes taken.</li> <li>g. The names of all District residents and taxpayers who appeared officially and the subject of their testimony.</li> </ul> |
| <p>SC 407</p>                                       | <p>The School Board Secretary shall provide each School Board member with a copy of the minutes of the last meeting prior to the next regular meeting.</p>   |
| <p>SC 433</p>                                       | <p>The minutes of School Board meetings shall be approved at the next succeeding meeting and signed by the School Board Secretary.</p>   |
| <p>SC 407<br/>Pol. 800, 801</p>                     | <p>Notations and any tape or audiovisual recordings shall not be the official record of a public School Board meeting, but may be available for public access, upon request, in accordance with School Board policy. Any notations and/or audiovisual recordings of a School Board meeting shall be retained and disposed of in accordance with the district's records retention schedule.</p> <p>Section 11. <u>Recess/Reconvene</u></p>  |
| <p>65 Pa. C.S.A.<br/>Sec. 703, 709<br/>Pol. 006</p> | <p>The School Board may at any time recess or reconvene to a reconvened meeting at a specified date and place, upon the majority vote of those present. The reconvened meeting shall take up its business at the point in the agenda where the motion to recess was acted upon. Notice of the reconvened meeting shall be given as provided in School Board policy.</p> <p>Section 12. <u>Executive Session</u></p>  |
| <p>65 Pa. C.S.A.<br/>Sec. 707, 708</p>              | <p>The School Board may hold an executive session, which is not an open meeting, before, during, at the conclusion of a public meeting, or at some other time. The presiding officer shall announce the reason for holding the executive session; the announcement can be made at the public meeting prior to or after the executive session.</p>  |

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| <p>65 Pa. C.S.A.<br/>Sec. 701, et seq<br/>Pol. 006</p> <p>65 Pa. C.S.A.<br/>Sec. 703, 709<br/>Pol. 006</p> <p>65 Pa. C.S.A.<br/>Sec. 701, et seq</p> | <p>The School Board may discuss the following matters in executive session:</p> <ol style="list-style-type: none"><li>1. Employment issues.</li><li>2. Labor relations.</li><li>3. The purchase or lease of real estate.</li><li>4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints which may lead to litigation.</li><li>5. Matters which must be conducted in private to protect a lawful privilege or confidentiality.</li><li>6. To plan, review or discuss matters related to school safety, the disclosure of which, if conducted in public, would:<ol style="list-style-type: none"><li>a. Be reasonably likely to impair the effectiveness of such measures; or</li><li>b. Create a reasonable likelihood of jeopardizing the safety or security of an individual or a District building, public utility, resource, infrastructure, facility, or information storage system.</li></ol></li></ol> <p>Official actions based on discussions held in executive session shall be taken at a public meeting.</p> <p>Section 13. <u>Work Sessions</u></p> <p>The School Board may meet as a Committee of the Whole in a public meeting to vote on or to discuss issues. Public notice of such meetings shall be made.</p> <p>Section 14. <u>Committee Meetings</u></p> <p>Committee meetings may be called at any time by the committee chairperson, with proper public notice, or when requested to do so.</p> <p>A majority of the total membership of a committee shall constitute a quorum.</p> <p>Unless held as an executive session, committee meetings shall be open to the public, other School Board members, and the Superintendent.</p> |
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|  | <p>References:</p> <p>School Code – 24 P.S. Sec. 212, 224, 324, 405, 407, 408, 421, 422, 423, 426, 427, 428, 433, 508, 514, 518, 609, 621, 634, 665, 671, 687, 702, 707, 708, 803, 1071, 1075, 1076, 1077, 1080, 1111, 1129, 1503</p> <p>Sunshine Act – 65 Pa. C.S.A. Sec. 701 et seq.</p> <p>Board Policy – 003, 004, 005, 005.1, 006, 107, 108, 604, 605, 606, 610, 612, 800, 801, 903</p> |
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