

Book	Policy Manual
Section	000 Local Board Procedures
Title	Meetings
Code	006
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### **Parliamentary Authority**

All Board meetings shall be conducted in an orderly and business-like manner. Parliamentary Procedure shall govern the Board in its deliberations in all cases in which it is not inconsistent with law, state regulations or Board procedures.[\[1\]](#)[\[2\]](#)

### **Quorum**

A quorum shall be five (5) Board members present at a meeting. No business shall be transacted at a meeting without a quorum, but the Board members present at such a meeting may adjourn to another time.[\[3\]](#)

### **Presiding Officer**

The President shall preside at all Board meetings. In the absence, disability or disqualification of the President, the Vice-President shall act instead. If neither person is present, a Board member shall be elected President pro tempore by a plurality of those present to preside at that meeting only. The act of any person so designated shall be legal and binding.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

### **Notice**

Notice of all public 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 Board and posting of such notice at the district offices of the Kutztown Area School District.[\[8\]](#)[\[9\]](#)

1. 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 three (3) days prior to the time of the first regular meeting.[\[8\]](#)[\[9\]](#)
2. 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.[\[8\]](#)[\[9\]](#)
3. 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.[\[8\]](#)[\[9\]](#)
4. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of meeting and sending copies of such notice to interested parties.[\[8\]](#)

5. Notice of all public meetings shall be given to any newspaper(s) circulating in Berks County and any 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. [\[9\]](#)

Notice of all regular and special Board meetings shall be given to Board members by the Board Secretary prior to the time of the meeting. [\[10\]](#)

### **Regular Meetings**

Regular Board meetings shall be public and shall be held at specified places at least once every two (2) months. [\[11\]](#)[\[2\]](#)

1. Agenda

It shall be the responsibility of the Superintendent, in cooperation with the Board Secretary, to prepare an agenda of the items of business to come before the Board at each regular meeting.

The agenda, together with all relevant reports, shall be provided each Board member at least two (2) days before the meeting. There may be times additional items may be added to the agenda.

2. Order Of Business

The order of business for regular meetings shall be as follows, unless altered by the President or a majority of those present and voting:

Call to order

Roll call

Approval of minutes

Treasurer's report

Approval of bills for payment

Communications and reports

New business (Introduction of New Business by Board Members, followed by Public Comment)

Discussion items

Adjournment

### **Special Meetings**

Special meetings shall be public and may be called for special or general purposes. [\[2\]](#)

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) 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 Board members. [\[5\]](#)

The order of business shall be as follows, unless altered by the Board President:

Call to order

Roll call

Announcement

Reading of notice of meeting

Transaction of business for which meeting was called

Other matters

Adjournment

### **Public Participation**

District residents and taxpayers present at a Board meeting may address the Board in accordance with law and Board procedures and policy. [\[2\]](#)[\[12\]](#)

### **Voting**

All motions shall require for adoption a majority vote of those Board members present and voting, except as provided by statute.

1. The following actions require the recorded affirmative votes of two-thirds of the full number of Board members:
  - a. Transfer of budgeted funds during the first three (3) months of the fiscal year. [\[13\]](#)[\[14\]](#)
  - b. Incur a temporary debt to meet an emergency or catastrophe. [\[14\]](#)
  - c. Elect to a teaching position a person who has served as a Board member and who has resigned. [\[15\]](#)
  - d. Convey land or buildings to the municipality co-terminus with the school district in accordance with law. [\[16\]](#)
  - e. Adopt or change textbooks without the recommendation of the Superintendent. [\[17\]](#)
  - f. Dismiss, after a hearing, a tenured professional employee. [\[18\]](#)
  - g. Adopting, amending or repealing a Board procedure.
2. The following actions require the recorded affirmative votes of a majority of the full number of Board members:
  - a. Fixing the length of school term. [\[19\]](#)
  - b. Adopting textbooks recommended by the Superintendent. [\[19\]](#)[\[20\]](#)
  - c. Appointing the district Superintendent and Assistant Superintendent(s). [\[19\]](#)[\[21\]](#)[\[22\]](#)
  - d. Appointing teachers and principals. [\[19\]](#)
  - e. Adopting the annual budget. [\[19\]](#)[\[23\]](#)
  - f. Appointing tax collectors and other appointees. [\[19\]](#)[\[24\]](#)[\[25\]](#)

- g. Levying and assessing taxes.[\[19\]](#)[\[26\]](#)
- h. Purchasing, selling, or condemning land.[\[19\]](#)
  - i. Locating new buildings or changing the location of old ones.[\[19\]](#)
  - j. Adopting planned instruction.[\[19\]](#)[\[27\]](#)[\[19\]](#).
  - k. Establishing additional schools or departments.
    - l. Designating depositories for school funds.[\[19\]](#)[\[28\]](#)
- m. Expending district funds.
  - 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.[\[14\]](#)[\[29\]](#)
  - 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 \$10,000 bid requirements).[\[19\]](#)[\[30\]](#)
  - p. Fixing salaries or compensation of officers, teachers, or other appointees of the Board.[\[19\]](#)
  - q. Combining or reorganizing into a larger school district.[\[31\]](#)
  - 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.[\[19\]](#)
  - s. Dismissing, after a hearing, a nontenured employee.[\[19\]](#)[\[32\]](#)[\[33\]](#)
  - t. Adopting a corporate seal for the district.[\[34\]](#)
  - u. Determining the location and amount of any real estate required by the school district for school purposes.[\[35\]](#)
  - v. Vacating and abandoning property to which the Board has title.[\[36\]](#)
  - w. Determining the holidays, other than those provided by statute, to be observed by special exercises and those on which the schools shall be closed for the whole day.[\[37\]](#)
  - x. Removing a school director.[\[38\]](#)
  - y. Declaring that a vacancy exists on the Board by reason of the failure or neglect of a school director to qualify.[\[38\]](#)
  - z. Removing an officer of the Board.[\[24\]](#)
- aa. Removing an appointee of the Board.[\[24\]](#)
- ab. Adopting, amending or repealing Board procedures and policy.[\[39\]](#)
- ac. Only a Board member who voted in the majority against a motion, or who was not in attendance when the voting took place, may revisit a motion that did not pass.

- ad. With the exception of Budget & Finance Committee Meetings, no action will be taken at committee meetings. Instead, recommendations will be brought to the next regular board meeting.

## **Minutes**

The Board shall cause to be made, and shall retain as a permanent record of the district, minutes of all open Board meetings. Said minutes shall be comprehensible and complete and shall show:[\[40\]](#)[\[41\]](#)

1. Date, place, and time of the meeting.
2. Names of Board members present.
3. Presiding officer.
4. Substance of all official actions.
5. Actions taken.
6. Recorded votes and a record by individual members of all roll call votes taken.[\[42\]](#)
7. Names of all residents who appeared officially and the subject of their testimony.

The Board Secretary shall provide each Board member with a copy of the minutes of the last meeting no later than fourteen (14) days before the next regular meeting.[\[1\]](#)

The minutes of Board meetings shall be approved at the next succeeding meeting and signed by the Board Secretary.[\[43\]](#)

Notations and any tape or audiovisual recordings shall not be the official record of a public Board meeting but may be available for public access, upon request, in accordance with Board policy. Any notations, tape and/or audiovisual recordings of a Board meeting shall be retained and disposed of in accordance with the district's records retention schedule.[\[1\]](#)[\[44\]](#)[\[45\]](#)

## **Adjournment**

The Board may at any time adjourn a meeting to a specified date and place, upon the majority vote of those present and voting. The adjourned meeting shall take up its business at the point in the agenda where the motion to adjourn was acted upon. Notice of the rescheduled meeting shall be given as provided in Board policy.[\[8\]](#)[\[9\]](#)[\[46\]](#)

## **Executive Session**

The 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 reasons for holding the executive session; the announcement to be made at the public meeting prior to or after the executive session.[\[47\]](#)[\[48\]](#)

The Board may discuss the following matters in executive session:

1. Employment issues.
2. Labor relations.
3. Purchase or lease of real estate.
4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints that may lead to litigation.

5. Matters that must be conducted in private to protect a lawful privilege or confidentiality.

Official actions based on discussions held in executive session shall be taken at a public meeting.

### **Workshop Meeting**

The 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 in accordance with Board procedures.[\[2\]](#)[\[46\]](#)

A meeting of the Committee of the Whole, not regularly scheduled, may be called at any time by the President; the President shall call such a meeting when requested to do so by three (3) Board members. Public notice of the meeting shall be made in accordance with Board procedures.

The Board Secretary shall provide notice of a meeting of the Committee of the Whole in accordance with Board procedures.[\[8\]](#)[\[9\]](#)

### **Committee Meetings**

Standing committee meetings may be called at any time by the committee chairperson, with proper public notice, or when requested to do so by a member of the community.[\[8\]](#)[\[9\]](#)[\[46\]](#)

A majority of the total membership of a committee shall constitute a quorum.

Unless held as an executive session, standing committee meetings shall be open to the public, other Board members, and the Superintendent.[\[2\]](#)

A majority of the committee or the chairperson may invite Board employees, consultants or other persons who have special knowledge of an area under discussion.

Board members who are not committee members but who attend committee meetings may vote on committee matters.

### **Distribution of Materials**

The tentative agenda, together with non-confidential attachments, will be made available to the public via the school web site. Links to the information may be provided via CougarServ, social media, etc.

- Legal
1. 24 P.S. 407
  2. 65 Pa. C.S.A. 701 et seq
  3. 24 P.S. 422
  4. 24 P.S. 405
  5. 24 P.S. 426
  6. 24 P.S. 427
  7. 24 P.S. 428
  8. 65 Pa. C.S.A. 703
  9. 65 Pa. C.S.A. 709
  10. 24 P.S. 423
  11. 24 P.S. 421
  12. Pol. 903
  13. 24 P.S. 609
  14. 24 P.S. 687
  15. 24 P.S. 324

15. 24 P.S. 527  
16. 24 P.S. 707  
17. 24 P.S. 803  
18. 24 P.S. 1129  
19. 24 P.S. 508  
20. Pol. 108  
21. 24 P.S. 1071  
22. 24 P.S. 1076  
23. Pol. 604  
24. Pol. 005  
25. Pol. 606  
26. Pol. 605  
27. Pol. 107  
28. 24 P.S. 621  
29. Pol. 612  
30. Pol. 610  
31. 24 P.S. 224  
32. 24 P.S. 514  
33. 24 P.S. 1080  
34. 24 P.S. 212  
35. 24 P.S. 702  
36. 24 P.S. 708  
37. 24 P.S. 1503  
38. Pol. 004  
39. Pol. 003  
40. 24 P.S. 518  
41. 65 Pa. C.S.A. 706  
42. 65 Pa. C.S.A. 705  
43. 24 P.S. 433  
44. Pol. 800  
45. Pol. 801  
46. Pol. 006  
47. 65 Pa. C.S.A. 707  
48. 65 Pa. C.S.A. 708  
24 P.S. 408  
24 P.S. 634  
24 P.S. 671  
24 P.S. 1075  
24 P.S. 1077  
24 P.S. 1111