

Baldwin-Whitehall School District

Book	Policy Manual
Section	000 Local Board Procedures
Title	Meetings
Code	006
Status	Second Reading
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Parliamentary Authority

All Board meetings will be conducted in an orderly and business-like manner. Robert's Rules of Order, Newly Revised, including group rules shall govern the Board in its deliberations in all cases in which it is not inconsistent with statute, regulations of the State Board, 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 open public Board meetings, including committee meetings and discussion sessions, shall be given by publication of the date, place, and time of such meetings in the newspaper(s) of general circulation and the posting of such notice at the administrative offices of the Board.

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 a real or potential 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 Allegheny County and radio and television stations which so request. 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 rescheduled meetings and special Board meetings shall be given to Board members no later than twenty-four (24) hours prior to the time of the meeting.[\[9\]](#)[\[10\]](#)

Regular Meetings

Regular Board meetings shall be ~~public~~ **open** and shall be held each month at the administrative offices in the Board room ~~according to the following schedule~~ **as scheduled on the calendar approved annually by the Board.**[\[1\]](#)[\[11\]](#) **Meetings may be held primarily or entirely via electronic communications pursuant to Board Policy 006.1, in a manner that assures compliance with the public access and public comment requirements of the Sunshine Act.**

~~A. For the months of April, May, June, August, and September, meetings shall be held on the first and second Wednesday of the month.—~~

~~1. Agenda Meeting (first Wednesday)~~

It shall be the responsibility of the Superintendent, in cooperation with the Board President, 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 three (3) days before the meeting.

~~2. Business Meeting (second Wednesday)~~

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

~~Pledge of Allegiance.
 Roll Call.
 Public Comment on Agenda Items.
 Approval of minutes.
 General Fund Account.
 Cafeteria Fund.
 Athletic Fund.
 Receipts.
 Payroll.
 Correspondence.
 Report of Special Representatives.
 Solicitor Report.
 Superintendent's Report.
 Recognition of Visitors.
 Adjournment.~~

Call to Order.
 Pledge of Allegiance.
 Roll Call.
 Mission Statement.
 Student Board Representative Comments
 Superintendent Report.
 Education and Instruction.
 Business and Finance.
 Policies.
 Unfinished Business.
 New Business.
 Correspondence.
 Resident Comments.

Approval of Business Items (Minutes and Financial Reports)
 Approval of Personnel Items
 Approval of Non-Personnel Items
 Solicitors Comments.
 Resident Comments.
 Matters of Information - Superintendent.
 Board President Remarks.
 Adjournment.

~~B. For the months of January, February, March, October, November, and December, the agenda and business meetings shall be combined to one meeting and held on the first Wednesday of the month.~~

~~C. Reorganization of the School Board shall occur in~~ **during the first week of** December, annually, prior to the agenda/business meeting. **[ADD CITATIONS TO : 24 P.S. 401; 24 P.S. 404]**

Additions to the Agenda [AZ1]

The Board may deliberate or take official action on matters not included in a posted agenda only under the following circumstances: [65 Pa. C.S.A. 712.1]

***Emergencies* – The matter of business relates to a real or potential emergency involving a clear and present danger to life or property. [65 Pa. C.S.A. 703, 65 Pa. C.S.A. 712.1]**

***Business Arising Within Twenty-Four (24) Hours Prior to the Meeting* – The matter of business has arisen within twenty-four (24) hours prior to the meeting, is de minimis (minor) in nature, and does not involve the expenditure of funds or entering into a contract or agreement. [65 Pa. C.S.A. 712.1]**

***Business Raised by Residents or Taxpayers During the Meeting* – When a matter of Board business is raised by a resident or taxpayer during a meeting: [65 Pa. C.S.A. 712.1, Pol. 903]**

1. **The Board may take official action to refer the matter to staff, if applicable, to conduct research and include on a future Board meeting agenda; or**
2. **If the matter is de minimis (minor) in nature and does not involve the expenditure of funds or entering into a contract or agreement, the Board may take official action on the matter.**

***Majority Vote* – During a meeting, the Board may add a matter of business to the posted agenda by a majority vote of the school directors present and voting. The reason for adding an item to the posted agenda must be announced at the meeting before conducting the vote. Once announced and approved by majority vote, the Board may take official action on the item of business. The agenda shall be amended to reflect the new item of business and the amended agenda shall be posted to the district's website and at the administrative office no later than the first business day following the meeting at which the agenda was amended. The unanimous consent procedure may not be used in place of majority vote for this purpose. [65 Pa. C.S.A. 712.1]**

The public posting of agenda requirements and rules for adding items to a posted agenda apply to both regular and special open meetings of the Board. These requirements and rules do not apply to: [65 Pa. C.S.A. 709, 65 Pa. C.S.A. 712.1, 65 Pa. C.S.A. 707]

1. **Conference sessions.**
2. **Executive sessions.**

Special Meetings

Special meetings shall be ~~public~~ **open** and may be called for special or general purposes except when conducted as an executive session for purposes authorized by the Sunshine Act.[\[1\]](#)[\[5\]](#)[\[10\]](#)

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.[\[5\]](#)

No business shall be transacted at any special meeting except that named in the call sent to members for such special meeting.[\[10\]](#)

The order of business for other special meetings shall be determined according to the stated purpose of the special meeting.

Public Participation

At each open Board meeting, prior to official action by the Board, an opportunity shall be provided for public comment by District residents and taxpayers present at a Board meeting may address the Board in accordance with law and Board procedures and policy. **District residents and taxpayers must state their first and last name and District address.** [\[1\]](#)[\[12\]](#)

Voting

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

1. The following actions require the recorded affirmative votes of two-thirds of the full number of Board members:
 - a. Transfer of budgeted funds.[\[13\]](#)
 - b. Transfer of any unencumbered balance, or portion thereof, from one appropriation to another, or from one spending agency to another.[\[14\]](#)
 - c. Incur a temporary debt or borrow money upon such obligation.[\[15\]](#)
 - d. Incur a temporary debt to meet an emergency or catastrophe.[\[14\]](#)
 - e. Elect to a teaching position a person who has served as a Board member and who has resigned.[\[16\]](#)
 - f. Convey land or buildings to the municipality co-terminus with the school district.[\[17\]](#)
 - g. Adopt or change textbooks without the recommendation of the Superintendent.[\[18\]](#)
 - h. Dismiss, after a hearing, a tenured professional employee.[\[19\]](#)
 - i. Fix the fiscal year to begin on the first day of January.[\[20\]](#)
2. The following actions require the recorded affirmative votes of a majority of the full number of Board members:[\[21\]](#)
 - a. Fixing the length of school term.[\[21\]](#)
 - b. Adopting textbooks recommended by the Superintendent.[\[21\]](#)[\[22\]](#)

- c. Appointing the district Superintendent and Assistant Superintendent(s).[\[21\]](#)[\[23\]](#)[\[24\]](#)
- d. Appointing teachers and principals.[\[21\]](#)
- e. Adopting the annual budget.[\[21\]](#)[\[25\]](#)
- f. Appointing tax collectors and other appointees.[\[21\]](#)[\[26\]](#)[\[27\]](#)
- g. Levying and assessing taxes.[\[21\]](#)[\[28\]](#)
- h. Purchasing, selling, or condemning land.[\[21\]](#)
- i. Locating new buildings or changing the location of old ones.[\[21\]](#)
- j. Adopting planned instruction.[\[21\]](#)[\[29\]](#)
- k. Establishing additional schools or departments.[\[21\]](#)
- l. Designating depositories for school funds.[\[21\]](#)[\[30\]](#)
- m. Expending district funds.
- n. 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).[\[21\]](#)[\[31\]](#)
- o. Fixing salaries or compensation of officers, teachers, or other appointees of the Board.[\[21\]](#)
- p. Combining or reorganizing into a larger school district.[\[32\]](#)
- q. 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.[\[21\]](#)
- r. Dismissing, after a hearing, a nontenured employee.[\[21\]](#)[\[33\]](#)[\[34\]](#)
- s. ~~Adopting a corporate seal for the district.~~[\[35\]](#)
 - s. Determining the location and amount of any real estate required by the school district for school purposes.[\[36\]](#)
 - t. Vacating and abandoning property to which the Board has title.[\[37\]](#)
 - u. 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.[\[38\]](#)
 - v. Removing a school director.[\[39\]](#)
 - w. Declaring that a vacancy exists on the Board by reason of the failure or neglect of a school director to qualify.[\[39\]](#)
 - x. Removing an officer of the Board.[\[26\]](#)
 - y. Removing an appointee of the Board.[\[26\]](#)
 - z. Adopting, amending or repealing Board policy and procedure.[\[40\]](#)

Abstention from Voting

A school director shall be required to abstain from voting when the issue involves either one of the following:

Conflict of interest under the Ethics Act.[65 Pa. C.S.A. 1102][65 Pa. C.S.A. 1103][Pol. 827]

Prior to the vote being taken, the school director shall verbally disclose the nature of the conflict in public, and shall also provide the 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 their office or any confidential information received through holding public office for the private pecuniary benefit of the public official, a member of their immediate family or a business with which the public official or a member of their 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 their immediate family or a business with which the public official or a member of their immediate family is associated.[[65 Pa. C.S.A. 1102](#)]

De minimis economic impact – an economic consequence which has an insignificant effect.[[65 Pa. C.S.A. 1102](#)]

Immediate family – parent, spouse, child, brother or sister.[[65 Pa. C.S.A. 1102](#)]

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.[65 Pa. C.S.A. 1102](#)]

Relative recommended for appointment to or dismissal from a teaching position.[24 P.S. 1129][[24 P.S. 1111](#)]

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.

Board members should seek the guidance of the district solicitor or the State Ethics Commission for questions related to conflict of interest.[65 Pa. C.S.A. 1103][Pol. 827]

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:[\[41\]](#)[\[44\]](#).

1. The date, place, and time of the meeting.
2. The names of Board members present.
3. The presiding officer.
4. The substance of all official actions.
5. Actions taken.
6. Recorded votes and a record by individual members of all roll call votes taken.[\[45\]](#)
7. The names of all citizens 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 previous month's meetings prior to the next month's regular meeting. [2]

The minutes of Board meetings shall be approved at the next succeeding meeting and signed by the Board Secretary./Business Manager. [42]

The minutes shall be kept by the Board Secretary./Business Manager or a recording secretary. In their absence, the minutes shall be kept by the Superintendent or designee.

Notations and any tape or audiovisual recordings shall not be the official record of an open public Board meeting and should be destroyed once they have served their purpose. [2][48][49]

Recess/Reconvene

The 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 immediately 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 Board policy. [8][9][43]

Executive Session

The Board may hold an executive session, which is not an open meeting, before, during, at the conclusion of an open meeting, or at some other time. The presiding officer or Board Secretary/Business Manager shall announce the reason for holding the executive session; the announcement can be made at the open meeting prior to or after the executive session. [46][47]

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.

Work Sessions

The Board may meet as a Committee of the Whole in an open meeting to vote on or to discuss issues. Public notice of such meetings shall be made. [1][43]

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 Board members. Public notice of the meeting shall be made in accordance with Pol. 006, 4.b.

The Board Secretary/Business Manager shall provide notice of a meeting of the Committee of the Whole as per the notice provisions of Board procedures. [8][9]

Committee Meetings

Committee meetings may be called at any time by the committee chairperson or by the President or the Superintendent, with proper public notice. [8][9]

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

Unless held as an executive session, committee meetings shall be open to the public, other Board members, and the Superintendent.[\[1\]](#)

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

Participation by Electronic Communication

A board member may participate in a board meeting by electronic communication. Participation shall require that the board member be able to hear what is occurring at the board meeting and that persons present at the board meeting are able to hear the comments of the board member participating by electronic communication.

- Legal
1. 65 Pa. C.S.A. 701 et seq
 2. 24 P.S. 407
 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. 634
 16. 24 P.S. 324
 17. 24 P.S. 707
 18. 24 P.S. 803
 19. 24 P.S. 1129
 20. 24 P.S. 671
 21. 24 P.S. 508
 22. Pol. 108
 23. 24 P.S. 1071
 24. 24 P.S. 1076
 25. Pol. 604
 26. Pol. 005
 27. Pol. 606
 28. Pol. 605
 29. Pol. 107
 30. 24 P.S. 621
 31. Pol. 610

- 31. Pol. 010
- 32. 24 P.S. 224
- 33. 24 P.S. 514
- 34. 24 P.S. 1080
- 35. 24 P.S. 212
- 36. 24 P.S. 702
- 37. 24 P.S. 708
- 38. 24 P.S. 1503
- 39. Pol. 004
- 40. Pol. 003
- 41. 24 P.S. 518
- 42. 24 P.S. 433
- 43. Pol. 006
- 44. 65 Pa. C.S.A. 706
- 45. 65 Pa. C.S.A. 705
- 46. 65 Pa. C.S.A. 707
- 47. 65 Pa. C.S.A. 708
- 48. Pol. 800
- 49. Pol. 801