

Fox Chapel Area School District

Special Meeting

March 25, 2020

Policy – Revised

FOX CHAPEL AREA SCHOOL DISTRICT

Book	Policy Manual
Section	000 Local Board Procedures
Title	Meetings
Code	006
Status	Administrative Review
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Parliamentary Authority

All Board meetings will be conducted in an orderly and business-like manner in accordance with Board policy and procedure. Robert's Rules of Order, Newly Revised including group rules shall guide 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 regular or special meeting without a quorum, but the Board members present at such a meeting may adjourn to another time. A quorum is not necessary for an agenda meeting. [\[3\]](#)

Remote Board Meetings

In extenuating circumstances, such as a health and safety emergency in the school community, the Board may choose to conduct a remote Board meeting. The public will be able to participate by using a remote meeting platform that will allow for connection by any member of the public and provide a mechanism for attendees to indicate that they would like to speak and offer comment during the public comment portion of the meeting.

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. In the absence, disability, or disqualification of the President or Vice President, the Assistant Secretary shall

preside. If none of the officers are present, then those Board members in attendance will elect by majority vote an Acting President for 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 and agenda 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 the posting of such notice at the school district administrative office or at the public school building in which the meeting will be held. [\[8\]](#)[\[9\]](#)

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 Allegheny 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. [\[9\]](#)

Notice of all regular 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 meetings are open meetings at which the Board may take official action and may transact any other business of the school district. Regular meetings will be scheduled to be held each month that school is in session. The time and place of regular meetings for the forthcoming calendar year will be specified by the Board each year at its organization meeting in the first week of December. [\[2\]](#)[\[11\]](#)

1. Agenda

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 school director at least three (3) days before the meeting.

The agenda shall be available to the public at the meeting.

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/Pledge of Allegiance
- Roll Call
- Public Comments – District Residents
- Superintendent’s Report
- Solicitor's Report
- Approval of Minutes
- Old Business
- New Business
- Facilities/Transportation
- Finance
- Instruction
- Legislation/Policy
- Activities/Athletics/Personnel
- Operations/Cooperative Services
- Student Council Representative
- Fox Chapel Education Association
- Adjournment

Agenda Sessions

Agenda sessions are open meetings at which the Board may, among other things, determine items to be placed on the agenda for a subsequent regular or special meeting, discuss or deliberate school district business, and receive and review information and reports. An agenda session need not follow any formal order of business.

Special Meetings

Special meetings are open meetings at which the Board may take official action on that business named in the call of the meeting sent to the members. However, special meetings may be called for general purposes. Emergency meetings are meetings called for the purpose of dealing with a real or potential emergency involving a clear and present danger to life or property and will be called special meetings. [\[2\]](#)[\[5\]](#)[\[10\]](#)[\[12\]](#)

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 directors. 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 for special meetings shall be as follows unless altered by the President or a majority of those present and voting:

- Call to Order

Roll Call
Announcement
Reading of Notice of Meeting
Transaction of Business for Which Meeting was Called
Adjournment

Public Participation

A member of the public present at a regular or special Board meeting may address the Board in accordance with law and Board policy and procedures. [\[2\]](#)[\[13\]](#)

Voting

All motions shall require for adoption a majority vote of those Board members present and 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 during the first three (3) months of the fiscal year. [\[14\]](#)[\[15\]](#)[\[16\]](#)
 - b. Incur a temporary debt to meet an emergency or catastrophe. [\[15\]](#)[\[16\]](#)
 - c. Elect to a teaching position a person who has served as a Board member and who has resigned. [\[16\]](#)[\[17\]](#)
 - d. Convey land or buildings to the municipality co-terminus with the school district in accordance with law. [\[16\]](#)[\[18\]](#)
 - e. Adopt or change textbooks without the recommendation of the Superintendent. [\[16\]](#)[\[19\]](#)
 - f. Dismiss, after a hearing, a tenured professional employee. [\[16\]](#)[\[20\]](#)
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. [\[16\]](#)
 - b. Adopting textbooks recommended by the Superintendent. [\[16\]](#)[\[21\]](#)
 - c. Appointing the district Superintendent and Assistant Superintendent(s). [\[16\]](#)[\[22\]](#)[\[23\]](#)
 - d. Appointing teachers and principals. [\[16\]](#)
 - e. Adopting the annual budget. [\[16\]](#)[\[24\]](#)

- f. Appointing tax collectors and other appointees. [\[16\]](#)[\[25\]](#)[\[26\]](#)
- g. Levying and assessing taxes. [\[16\]](#)[\[27\]](#)
- h. Purchasing, selling, or condemning land. [\[16\]](#)
- i. Locating new buildings or changing the location of old ones. [\[16\]](#)
- j. Adopting courses of study. [\[16\]](#)[\[28\]](#)
- k. Establishing additional schools or departments. [\[16\]](#)
- l. Designating depositories for school funds. [\[16\]](#)[\[29\]](#)[\[30\]](#)
- 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. [\[15\]](#)[\[16\]](#)
- 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). [\[16\]](#)[\[31\]](#)
- p. Fixing salaries or compensation of officers, teachers, or other appointees of the Board. [\[16\]](#)
- q. Combining or reorganizing into a larger school district. [\[32\]](#)
- 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. [\[16\]](#)
- s. Dismissing, after a hearing, a nontenured employee. [\[16\]](#)[\[33\]](#)
- 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. [\[16\]](#)[\[35\]](#)
- v. Vacating and abandoning property to which the Board has title. [\[16\]](#)[\[36\]](#)
- 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.[25]
- aa. Removing an appointee of the Board.[25]
- ab. Adopting, amending or repealing Board policy or procedure.[39]

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. 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.[42]
7. The names of all participants who appeared officially and the subject of their testimony.

The Board Secretary will provide each Board member with a copy of the minutes of all open Board meetings no later than twenty-four (24) hours before the meeting at which they are to be submitted. The minutes shall be corrected, as necessary, and approved by a majority vote of the Board. The approved minutes will be signed by the Board Secretary.[1][43]

Audio Recordings at Meetings

The proceedings of all open Board meetings shall be audio recorded.

Notations and audio recordings shall not be the official record of a public Board meeting. Any notations and/or audio recordings of a Board meeting shall be retained and disposed of in accordance with the district's records retention schedule.[1][44][45]

The use of the audio recordings is intended to be limited to the Board Secretary in the preparation of the minutes.

The Board Secretary shall have exclusive control of the audio recording equipment during the meetings.

The Board Secretary shall be the exclusive custodian of the recordings and will retain the

recordings.

Any person attending a public meeting may record the meeting in accordance with reasonable rules and regulations for the use of electronic devices adopted by the Board for the conduct of its meeting and the maintenance of order.

Adjournment

The Board may at any time recess or adjourn 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 adjourn was acted upon. Notice of the rescheduled meeting shall be given as provided in Board policy. [\[8\]](#)[\[9\]](#)[\[46\]](#)

Exceptions of Open Meetings

Pursuant to and in accord with the Sunshine Act, the Board may hold meetings which are not open meetings and which will be attended only by members of the Board and its invitees. [\[2\]](#)

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 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. The announcement will be recorded in the minutes of the regular or special meeting at which it is made. No minutes will be kept of Executive Sessions and no Board members or other attendee is permitted to disclose the content of any Executive Session except as determined to be permissible by the majority of Board members at the Executive Session or at any subsequent regular or special meeting. [\[12\]](#)[\[47\]](#)[\[48\]](#)

The Board may discuss the following matters in executive session:

1. Any matter involving the employment, appointment, termination, terms and conditions thereof, evaluation of performance, promotion or disciplining of any public officer or employee, present, former or prospective.
2. To hold information, strategy and negotiations sessions relating to the negotiation or arbitration of a Collective Bargaining Agreement or other labor relations or arbitration.
3. Consider the purchase or lease of real estate.
4. Consult with its attorney or other professional advisor regarding information or strategy in connection with litigation or with issues on which identifiable complaints are expected to be filed.
5. Review and discuss business which if conducted in public would violate a lawful privilege or lead to the disclosure of information or confidentiality protected by law, including matters related to the initiation and conduct of investigations of possible or certain violations of the law and quasi-judicial deliberations.

6. School safety and security, of a nature that if conducted in public, would be reasonably likely to impair the effectiveness of school safety measures or create a reasonable likelihood of jeopardizing the safety or security of an individual or a school, including a building, public utility, resource, infrastructure, facility or information storage system.[\[12\]](#)

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

Inservice -

Various inservice training programs, such as conferences and seminars as arranged by state or federal agencies for school districts, organized and conducted for the sole purpose of providing information to the Board members on matters directly related to their official responsibilities.

Committee of the Whole Meetings

Committee of the Whole meetings may be called at any time by the Board President or Superintendent, with proper public notice.[\[2\]](#)[\[46\]](#)

Unless held as an executive session, Committee of the Whole meetings shall be open to the public.

The Board President or Superintendent may invite district employees, consultants, or other persons who have special knowledge of a topic to be discussed.

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. [24 P.S. 425](#)
13. [Pol. 903](#)
14. [24 P.S. 609](#)
15. [24 P.S. 687](#)
16. [24 P.S. 508](#)
17. [24 P.S. 324](#)
18. [24 P.S. 707](#)
19. [24 P.S. 803](#)
20. [24 P.S. 1129](#)
21. [Pol. 108](#)
22. [24 P.S. 1071](#)
23. [24 P.S. 1076](#)
24. [Pol. 604](#)
25. [Pol. 005](#)
26. [Pol. 606](#)
27. [Pol. 605](#)
28. [Pol. 107](#)
29. [24 P.S. 621](#)
30. [Pol. 608](#)
31. [Pol. 610](#)
32. [24 P.S. 224](#)
33. [24 P.S. 514](#)
34. [24 P.S. 212](#)
35. [24 P.S. 702](#)
36. [24 P.S. 708](#)
37. [24 P.S. 1503](#)

