

Essentials of School Board Service

A guide to surviving your first year



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PSBA
Pennsylvania School Boards Association



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Introduction

Congratulations on your recent election as school director. This can be both an exciting and overwhelming time for newly elected members. There is much to learn and much to do before you get comfortable with your new position. The Pennsylvania School Boards Association, your association, understands this and believes making you successful is our most important responsibility.

Essentials of School Board Service – A guide to surviving your first year provides new school directors with some of the basics of school board service. It answers questions that new directors commonly ask when they begin school board service. It's written in a question-and-answer format for quick reading, and includes a glossary of common education terms and a list of commonly used acronyms that new directors will find helpful.

Essentials of School Board Service draws on the deep well of knowledge and expertise of the Pennsylvania School Boards Association. It includes references to PSBA's premier handbook, *Pennsylvania School Law Handbook 10th Edition*, as well as the varied programs and services PSBA offers to its members.

We hope you will find *Essentials of School Board Service* a helpful reference as you begin your school board service. Rely on PSBA for assistance at any time during your term. You may contact us at (800) 932-0588 or (717) 506-2450, or visit our website at www.psba.org.



Kathy Swope
2016 PSBA President



Nathan Mains
PSBA Executive Director

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Beginning Your School Board Service

1:1. I've been elected. What now?

Congratulations! You've joined the ranks of 4,500 locally elected officials in Pennsylvania dedicated to helping your community's students succeed and ultimately become productive citizens. You hold positions as:

1. An individual school director
2. A member of a board made up of other members
3. A member of the district governance team composed of school directors and the superintendent

As a school director, you are a representative of the community. You are a leader of the district. You are a steward both of your district's children and its tax dollars. You are an advocate of public education and an educated public.

1:2. What are some of the powers and duties of the board?

The Pennsylvania Public School Code of 1949 defines a school board's general powers and duties. The board fulfills its primary role by adopting and maintaining compliant board policies for the organization and operation of the school district. The board has the authority to establish, equip, furnish, operate and maintain schools as required for the education of every student. Generally, the board oversees the educational programs, personnel, and properties, with specific responsibilities to determine curriculum, employ a superintendent and approve a budget.

1:3. What exactly do school boards do?

A school board:

- Sets the district's direction with performance-based goals
- Ensures alignment of strategies, resources (including the approved budget), policies, programs and processes with district goals
- Assesses and accounts for student achievement using comprehensive data, thorough deliberation and open communication
- Annually conducts a written performance assessment of the district superintendent and assistant district superintendent(s)
- Leads the district, accentuating and reinforcing the positive while correcting the negative

Keep in mind the school board's job is to focus on the ends, while the superintendent focuses on the ways and means to attain the ends. In other words, the board oversees the education of students and is responsible for school district operations, but does not directly run the district's day-to-day operations.

1:4. Now that I'm a director, what does my community expect of me?

As a new director you will be asked to make decisions on major issues that affect the students and citizens of your community. You will be asked to vote publicly on matters that you may know little about. As with every new job, it takes time to learn the ropes. You need to take that time to learn about your job and the issues at the same time you are performing your job.



Some of the activities you will be expected to do are: attend board meetings, participate on committees, attend school functions, keep yourself informed about issues, pursue developmental opportunities for yourself, and interact with your fellow directors and the superintendent. These activities require a significant amount of time, but it is time extremely well spent when you consider that you are helping to shape the future of the children in your community.

1:5. I'm overwhelmed. How do I learn my job?

With help. Don't hesitate to ask questions. Nobody expects you to have all the answers, and most boards and superintendents welcome the opportunity to get you up to speed.

PSBA offers live and online New School Director Training which is an excellent way to quickly learn the role and responsibility of a school director. Live training opportunities are advertised on the PSBA website, and you can access online learning modules through the PSBA website at the LEARN Portal.

1:6. How much time can I expect to spend on school board responsibilities?

The time required to complete your school board responsibilities will most likely vary by time of year. It will depend on how many

meetings are scheduled, which committees you serve on and what issues are going on in the district at the time. For example, if the district is going through a building project, hiring a superintendent or conducting negotiations, the time needed for board meetings may be more extensive.

1:7. How do the school board's responsibilities differ from the superintendent's?

The school board is the district's board of directors and is responsible for establishing goals, adopting policy and overseeing resources for the

school district. The superintendent – the district's chief executive officer – works for the school board and is the person who translates the policy into action. Consistent with the goals established by the school board, the superintendent and staff make the day-to-day decisions that affect the operation of the school district, deploying resources, assigning staff and documenting results.

1:8. Where, or to whom, do I go to for information?

The board president usually can answer your questions on protocol or procedure, as well as issues facing the board. The superintendent also is a good source of information. Other directors, both current and past, are good resources. Some members have agreed to be mentors to new members, and information on this member-mentor program can be found on the PSBA website. PSBA also is a good source for information and has staff specialists ready to answer your questions. Visit PSBA's website for in-depth information on many important policy, legal and legislative issues.

1:9. Are school boards required to have officers? What are their duties?

A school board is required by law to have a president, vice president, secretary and

treasurer. The board elects a president and vice president annually at the organization meeting held in early December. The treasurer is appointed annually in May, and the secretary is appointed in May for a four-year term.

The board president sets the tone on how the school board will function. This officer is a leader of the board who plans, organizes, motivates and builds bridges; a presiding chairperson who articulates agendas, maintains order and announces results; and a communicator who listens and speaks on behalf of the board.

The vice president often works closely with the board president and superintendent, and will preside at board meetings when the president is not there and assumes the office of president in the event of a vacancy until a new president is elected.

Section 423 of the School Code says that the secretary shall:

- Keep a correct and proper record of all proceedings of the board.
- Prepare and sign orders of the district's bills in conjunction with the board treasurer.
- Attest in writing to the execution of all deeds, contracts, reports and other instruments that are to be executed by the board.
- Furnish reports as required by the Pennsylvania Department of Education.
- Have general supervision of all the business affairs of the school district; be the custodian of all the records, papers, office property and official seal of the school district; and at the expiration of his/her term, turn over the same to his/her successor.
- Keep correct accounts with each receiver of taxes, school treasurer or school tax collector of the district, reporting a statement of the same, together with a statement of finances of the district, at each regular meeting of the board, and enter the full statement in the minutes.

- Perform such other duties pertaining to the business of the district as are required by the School Code or as the board of school directors may direct.

Section 439 of the School Code says that the treasurer shall receive all state appropriations, local taxes and other funds, make payments on orders prepared and signed by the board secretary, and pay district bills. Other duties include depositing funds every month and furnishing the board with a monthly report of those deposits, investing monies of the school district as authorized by the board consistent with restrictions in the School Code, settling accounts annually with the school board, and other actions as directed by the board. At the end of the treasurer's term, he or she shall turn over monies and records that the treasurer has maintained to his or her successor.

1:10. How do I translate all the educational jargon and acronyms I hear at each board meeting?

There are a lot of abbreviations and acronyms for educational terms. This guide includes a glossary of common education terms as well as a list of commonly used acronyms you may encounter throughout your school board service (pages 31-37). For jargon or acronyms that are not included here, consider asking your superintendent or other directors.

1:11. What is the board's role when there are problems with an administrator?

If there are concerns about an administrator's performance, the board should raise these concerns with the superintendent in executive session. It is the superintendent who has the responsibility to handle these issues. Take care not to cross the line into micromanaging the relationship with this administrator. It's the superintendent's job to lead and manage the employees in the district.

2 Can We Talk?

2:1. Is it ok to call the superintendent?

You need to establish a productive working relationship with your superintendent. To do this, you will have to talk to that individual. If you have questions, it is better to call the superintendent and discuss them before the board meeting rather than surprise him or her at a public meeting. If these questions are concerns or relate to negative feelings from the community, the superintendent will appreciate knowing about these in advance of the board meeting so that he or she can come prepared to address them. It is appropriate to call the superintendent, set up a meeting to discuss questions, or even email him or her for simple questions or requests.

2:2. If I disagree with directors or the superintendent, what is the best way to let them know how I feel?

Always treat your fellow directors and the superintendent and administrators with respect. Don't be afraid to disagree on an issue, however. In fact, a discussion about an issue that reflects two or more views usually results in a better decision than if everyone agrees with the first solution offered. Be certain you debate the issue, not the person. Demeaning comments or angry discussions do not facilitate effective decision making.

2:3. How do I approach my superintendent or board if I have a suggestion for a change?

If your suggestion needs to be discussed by the entire board and voted on, it should be added to an upcoming board agenda. Contact the superintendent or the board president to discuss

your idea and have it either put on the agenda or referred to committee.

2:4. Is it OK to talk to district administrators and staff?

In addition to the superintendent, you will come in contact with district employees, including administrators, teachers and other staff members. While there's nothing wrong with talking to district staff, keep in mind the chain of command. For example, teachers report to principals; principals report to the superintendent; the superintendent reports to the board. If you have a request for information, you should ask the superintendent unless he or she indicates otherwise.

2:5. Can I talk to directors outside the board meeting?

Based upon case law and the Sunshine Act's definition of the term "meeting," it is unlikely a court would find a violation of the Sunshine Act just because a group of members chat in the parking lot after a meeting, provided that the parking lot get-together is spontaneous and is not held for the purpose of deliberating or taking action on agency business. School directors may get together in a social setting, even if it is prearranged, provided they are not getting together for the purpose of deliberating or taking action on agency business. It is wise to be cautious whenever a quorum of a board or committee is present in an unadvertised gathering. Even the most innocent and legal of gatherings could raise public suspicion and invite legal challenges.

2:6. What can I say, or not say, to parents and friends about school issues?

School board business that is discussed in executive session or relates to confidential matters (such as an employee personnel issue or student discipline issue) should never be discussed with anyone other than another director or the superintendent. A good rule of thumb is to discuss only items that have been made public at a school board meeting. Adhering to this rule of thumb will go a long way in maintaining trust with the superintendent and the other directors, and to protecting staff and the public.

2:7. What information is considered confidential?

Most employee personnel issues or information contained in student educational records are



considered confidential. Also, the information discussed in a closed board meeting, more commonly known as an executive session, is confidential. A board may call an executive session only on the following subjects:

- To discuss any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of performance, promotion or disciplining of any specific prospective public officer or employee, or current public officer or employee employed or appointed by the agency, or former public officer or employee,

provided, however, that the individual employees or appointees whose rights could be adversely affected may request, in writing, that the matter or matters be discussed at an open meeting. The agency's decision to discuss such matters in executive session shall not serve to adversely affect the due process rights granted by law, including those granted by Title 2 (relating to administrative law and procedure). The provisions of this paragraph shall not apply to any meeting involving the appointment or selection of any person to fill a vacancy in any elected office.

- To hold information, strategy and negotiation sessions related to the negotiation or arbitration of a collective bargaining agreement or, in the absence of a collective bargaining unit, related to labor relations and arbitration.
- To consider the purchase or lease of real property, up to the time an option to purchase or lease the real property is obtained or up to the time an agreement to purchase or lease such property is obtained if the agreement is obtained directly without an option.
- To consult with its attorney or other professional adviser regarding information or strategy in connection with litigation or with issues on which identifiable complaints are expected to be filed.
- To review and discuss agency 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.

65 Pa. C.S.A. § 708(a).

2:8. I have children in school. How can I talk with their teachers now that I'm on the school board?

This is a tricky area. No matter what you say about "speaking as a parent, not a director," it's difficult for some teachers to separate your role

on the school board from your role as a parent. It's not surprising that some teachers may be somewhat intimidated by your role as a school director. Some married school directors have indicated that their spouses frequently take the lead in speaking to their children's teachers.

Make sure you're not using your position as a school director to secure special treatment for your child. Your child should be treated the same as other students and be subject to the same rules and requirements. If there are issues you wish to discuss with a teacher, you should follow the normal procedures for contacting your child's teacher to discuss them.

Keep in mind you don't have to relinquish your parental rights now that you're a school director. At the same time, you must remain sensitive to the fact that because you are on the school board, you are not just like any other parent.

2:9. As a school director, may I visit the schools?

You have the same right as a parent or community member to visit the schools in your district, so long as you follow whatever procedures your district has for visitors. As a school director, you may also visit the schools in an official capacity for purposes and in accordance with procedures authorized by the board.

As a school director, you should use school visits to build good working relations with building principals and staff, to celebrate the positive accomplishments of the schools, and to show your pride as a member of the board. Look for opportunities to visit when a school is hosting a special event or recognition program for students and staff. In any event, be sure to tell the superintendent and/or principal in advance of attending such events and follow the established procedures for arranging other authorized visits.



2:10. How do I respond to a community that questions the school board's decisions?

It's normal to hear questions about the board's decisions. You will at times find yourself dealing with controversial, complex issues, and the board's final decisions may be unpopular. Explain the thought process that went into the decision and why the board arrived at the conclusion it did. Be sure to answer honestly and without emotion. One of your roles as a school director is to be an advocate for the district. Being asked about board decisions provides an opportunity to promote the positive activities that are occurring in your schools while at the same time responding to community questions.

2:11. How do I respond to questions from the media?

Your board has probably already adopted, at least informally, a policy for responding to the media. Particularly on issues of great sensitivity, a single spokesperson – for example, the board president, committee chair, chief negotiator or solicitor – may be designated to speak for the board. If the media is waiting to do an interview following a board meeting, then it is appropriate to refer the question to the president or the superintendent.

Individual school directors should be free to explain their votes or comments they may have made at a public meeting. If you are contacted by a local reporter and you're not prepared or

don't have the relevant information, don't say, "No comment." Instead, tell the reporter you'll get an answer and get back to them. Ask what kind of deadline they have, and then promptly follow through.

In all situations, be honest – never lie! Talk in plain English, in short, quotable sentences, and stay on message. Answer the question that was asked. Don't feel compelled to offer more information than needed to answer the question. Be friendly and warm. If you are on camera, remember that body language is as important as what you say.

2:12. How should I respond to reports from community members about staff misconduct?

This kind of question arises frequently, and is something members of the PSBA Legal Services try to address training programs designed for new school directors. You may be glad to learn that whether the allegation involves serious misconduct by staff or by students, the recommended course of action is the same and is relatively simple. There are four basic steps.

First, you should thank the person for saying something about it to someone. Second, tell them you want them to call the superintendent of schools and give the superintendent the information directly. Third, explain that school directors are not a proper channel for handling such matters because school directors must be careful not to appear as though they are participating in the investigation or prosecution of serious staff and student misconduct, so that they do not become disqualified from helping to decide what will happen as a result of a possible board hearing in the matter. Fourth, tell the parent that you will call the superintendent yourself to let the superintendent know about the matter, and tell the superintendent that the parent is going to call him or her to report the information directly. That way, the superintendent will be expecting the call, and can make sure it is given priority.

When you handle it that way, you have helped make sure the matter is properly

reported, and you have fulfilled your responsibility in a way that does not interfere with your ability to perform your other duties as a school director.

It is a fair question to ask whether the person instead should be told to report the matter to the school principal or other person designated to receive complaints under the various school district policies that address complaint procedures. That would not be an inappropriate response, and might be best for less serious issues, like complaints from parents about a student's grade in a course.

2:13. Can I use email or social media to communicate with my board colleagues?

School directors should take care to ensure that use of email to communicate with each other about school district matters does not take the place of discussions that should be happening at public meetings, or become a way to avoid open meeting requirements. The same holds true with social media, such as Facebook, LinkedIn or Twitter. You should be particularly careful to avoid sequential email communications or social media conversations. Pennsylvania courts have expressed concern about multiple school directors discussing school district business via back and forth email even though there is no court decision yet directly saying it is unlawful. PSBA recommends taking a safe approach, limiting emails by and between school directors to things such as coordinating schedules and availability for meetings, and distributing background information in advance of meetings.

Under Pennsylvania's Right-to-Know Law, emails from your personal or school district account may be public records subject to disclosure, and they may also end up being disclosed in the event of litigation. Your online communications may also become public as well, even with privacy settings set to "friends only." If you don't want your conversations to become front-page fodder, then don't have them online.

3 Time for Meetings

3:1. What should I expect at my first board meeting?

If you have never participated in a board meeting, you may be overwhelmed at first. There are basic rules of parliamentary procedure that should be followed, but each board operates in its own way. There will be a meeting agenda and protocol.

Talk with the board president before attending your first meeting to ask basic questions such as:

- Where should I sit?
- How is the agenda set up?
- How long do the meetings usually take?
- When should I speak?

Ask for an orientation if you haven't yet had one. You also should receive your board packet containing the agenda and any supporting information several days before the meeting. Be sure you go through the material carefully and take the time to call the superintendent or board president to ask questions about anything you don't understand.

Remember, this is a meeting of the board of school directors. Staff and community members are invited to attend and participate. But this is your board's opportunity to conduct business. As such, the board should remain in control of the meeting at all times.

3:2. Where should I sit?

Many boards have their rooms set up in a consistent configuration for board meetings, with name plates for each person at the table. Some boards have assigned seats that do not change from meeting to meeting. Other

boards mix the seats up each time. And others do not have name tags or assigned seats. To feel comfortable prior to attending your first meeting, you might want to contact the board president and ask if there are any "traditions" that you should know about in advance of the meeting, including where you should sit.

3:3. What is considered an acceptable dress code at board meetings?

Your board decides how formal or informal the meeting should be. A good rule of thumb, though, is to dress appropriately for a business meeting, as board meetings are business meetings. Remember also that the public may attend as well as the media. Your dress should reflect the professional approach that your school board takes in overseeing the operations of the school.

3:4. How does being on TV affect directors?

Any time you are being filmed or are in the public eye, it is normal to be more self-conscious and nervous. Some, but not all, boards tape their meetings for broadcast on a local cable access station or posting on Internet sites such as YouTube. Naturally, the first time you participate in a videotaped or broadcast board meeting you may find that you are less articulate and forget some of what you want to say. After you attend a few taped meetings, though, you should become comfortable and even forget the camera is on. Periodically reviewing a tape to see how the board is presenting itself is a good idea. Directors are often surprised by their unconscious body language that may or may not accurately communicate their feelings.



3:5. How professionally must a board meeting be run? What is considered too lax or too formal?

All board meetings need to follow some set of “rules of order” for conducting business, usually based on a designated system of parliamentary procedure rules. The method that your board selects should be identified in your policies. Some boards elect to follow *Robert’s Rules of Order*. Other boards may specifically elect to not follow *Robert’s Rules*, but prefer simpler set of parliamentary procedure rules. Your school board can be as relaxed or as formal as it chooses, as long as a policy is identified in the policies describing the method you will employ, and this method does not violate the Sunshine Act. *Robert’s Rules* specifically recognizes that smaller boards like school boards can operate effectively with much less formality.

To help school boards quickly master the basics they are most likely to need for their meetings, PSBA has published a booklet based on *Robert’s Rules* entitled *The Essentials of Parliamentary Procedure: A Survival Guide for Pennsylvania School Directors*. Regardless of what set of rules a board adopts, requirements of state law take priority where there are differences.

3:6. How often does my board meet?

The School Code requires school boards to meet at least once every two months. Most boards, however, meet at least once a month. Boards also are required to hold an annual organization meeting in early December. Special meetings may be called at any time by the board president. The president is required to call a special meeting whenever three members of the board of school directors make such a request. If the president fails or refuses to do so, a special meeting may be called any time by a majority of the legally qualified and active members of the board.

3:7. What is the Sunshine Act?

The Sunshine Act is a state law that requires votes by the governing boards of government agencies and most of their discussions about agency business to take place at meetings that are open to the public and advertised in advance. The intent is to ensure a high degree of transparency in government decision making. However, the law also provides for a number of situations in which boards may discuss certain matters in private, such as personnel matters, labor negotiations, litigation, consultation with counsel, potential real estate purchases and other matters that are confidential by law or that if disclosed in public could harm the school district’s legal or financial interests. For more information about the Sunshine Act, see PSBA’s handbook *A Practical Guide to the Pennsylvania Sunshine Act*.

3:9. Can directors meet socially or as a group at training conferences without violating the Sunshine Act?

Yes. Social gatherings, training programs and conferences, including retreats, are not considered school board meetings, even if a quorum is present, so long as the directors in attendance do not deliberate official school business or make decisions about agency business.

3:10. What role does the superintendent play at school board meetings?

The superintendent is a non-voting member of the board who has the right to attend all board meetings and speak on all matters before the board subject to limited exceptions. As the chief executive officer of the school district, the superintendent has an important role in explaining agenda items and providing background information about them during the meeting. For some items, the superintendent may call upon other administrators to explain.



3:11. Who is responsible for setting the agenda?

The process of developing the board agenda is another matter that varies from district to district, because state law does not establish a particular method. However, most boards will have adopted a standard order of business for their meetings, and it is most common that the board president and superintendent are the ones who at least initially develop the details of the agenda, identifying the action items that need to be presented to the board at the upcoming meeting.

3:12. Do community members have a right to make comments at public board meetings?

The Sunshine Act requires school boards to provide residents and taxpayers a reasonable opportunity at each open meeting to comment on matters of concern, official action or deliberation that are or may come before the board, prior to the board taking official action on them. School boards have the option to accept all public comment on agenda items at the beginning of the meeting, rather than before the vote on each individual agenda item. Boards may set reasonable limits on the overall length of the comment period and the time allotted to each person speaking. The board may also choose to hear public comments on non-agenda items at the end of the board meeting. Keep in mind at all

times that while meetings are open to the public and the public has a way to provide input, it is a meeting of the board, not a meeting of the public.

3:13. What if a member of the public complains at a board meeting?

The grocery store isn't the only place school directors will hear complaints. If an individual raises a complaint during a board-established public comment period, it's best to listen to the individual and then say that the board will take the issue under advisement. You can expect the board president to take control of this situation. Your board should refrain from engaging the individual in public debate during the meeting.

3:14. What is a consent agenda?

A consent agenda is an item listed on the regular agenda that groups routine items under one agenda heading. Routine items such as paying the bills and other uncontroversial recurring matters can be approved with a single motion and vote of the board. The purpose of the consent agenda is to expedite business and streamline the meeting, so that more time can be devoted to more important or controversial issues that merit thorough public discussion. There is no discussion of items on a consent agenda. If clarification of an item is necessary, then you should request that the item be removed from the consent agenda so it can be considered by the board as a separate motion.

3:15. Can I ask questions during the board meeting?

Absolutely! Hopefully, you have taken time to review the materials in your board packet and have asked for any clarifications from the superintendent or board president prior to the meeting. Certainly as the discussion of an item ensues, other questions may occur to you that you have not previously asked.

3:16. How may I ask questions at a board meeting and still adhere to the “no surprises” rule?

If you think your question may be controversial, let the superintendent or president or both know ahead of time. They can help you decide if there is a better way to address the issue. If your question is to clarify an issue or if it is prompted by the discussion, then it is appropriate to ask it at the board meeting, as long as you don't stray into topics more properly discussed in executive session. If you have a question that may require collecting data or information not already in your board packet, you should let the superintendent know prior to the meeting so that he or she can come prepared to answer your questions.

3:17. How is voting done at a board meeting?

All votes taken at a school board meeting are a matter of public record and must be recorded in the minutes. Secret ballots are not permitted. For certain board actions for which the School Code requires the minutes to reflect how each member voted, school boards must use roll call votes, where each member states their vote in turn as their name is called by the secretary. If a roll call vote is not required, most of the time votes are cast by voice (via voce), with the members saying aye or no to indicate their vote. The Sunshine Act requires that the “vote of each member who actually votes on any resolution, rule, order, regulation, ordinance or the setting of official policy must be publicly cast and, in the case of roll call votes, recorded.”

3:18. Is a school board president entitled to vote on all questions when presiding at a meeting of the school board?

Yes. The president is an elected official who is entitled to speak and vote on all issues before the board. *Robert's Rules* also expressly recognizes that in meetings of small boards entitled to operate with less formality, the chair is entitled to speak and vote on all issues, not just to break a tie.

3:19. Can a school director vote by proxy at regular or special board meetings?

No, it is not permissible for a school director to vote by proxy.

3:20. May a school director abstain from voting on a matter before the board?

Although the School Code does not address this issue, some courts have ruled that the First Amendment gives school directors the right to abstain from voting if they want to. School directors may be required by law to abstain from voting, such as when they have a conflict of interest. On the other hand, you do not want to be seen as abstaining simply because you cannot make up your mind or are unwilling to take a position on an issue. The community has a right to expect their elected officials to be full participants in how the board makes decisions.

3:21. When is a school director required to abstain from a vote?

The Ethics Act requires a school director to abstain from voting or otherwise attempt to influence the outcome of board actions that might result in personal financial gain for the director, their immediate family or business with which they or family members are associated. Prior to the vote, the school director is required to publicly disclose the nature of that interest and file that disclosure in writing with the board secretary to be included in the meeting minutes. Additionally, the School Code requires a school director to abstain from voting on the hiring of an extended family member for a teaching position, or the termination of such a person. It is extremely important that every school director have a thorough understanding of their duties

and restrictions under the Ethics Act and the other conflict of interest provisions of the School Code. The free online course available in PSBA's LEARN Portal will help you gain that understanding.

3:22. What does it mean when we are told that all board members should support decisions of the board, even when they disagree with them?

This concept is often misunderstood and expressed unclearly. It does NOT mean that you are expected to pretend to be a cheerleader for a course of action you argued and voted against. What it does mean is that once the vote has been taken, school directors should accept that the time for debate on the issue is over, and that it is time to move forward constructively. Once the course of action has been decided, all members of the board are expected to work together to find the best way to implement it. It can be damaging to students, the district and the community if at every step along the way the focus is diverted from the best way to move forward by continued sniping and rehashing of the original decision, or attempts to throw new roadblocks in the way.



3:23. Can a board president offer motions?

Ideally, the function of the chair is to call for the motions on agenda items. However, even as chair, the president is a member of the board with the same voting rights, no more and no less. *Robert's Rules of Order* recognizes that under the less formal procedures applicable to small boards such as school boards it is acceptable for the chair to vote, speak on motions, and offer motions.

4

Working with the Board

4:1. Should I ask for a mentor?

Some boards may have a designated person who mentors the new director. Serving as mentor may be a defined responsibility for one of the officers, such as the vice president, or it may be a rotating position. A mentor will orient the new director prior to his or her first board meeting. The mentor also will check in with the new director periodically during the year to explain key activities, such as the process for evaluating the superintendent or the budgeting process. If you find your board does not have a person designated as mentor, you might suggest it, particularly if you prefer working this way.

4:2. When are issues serious enough to bring to the board?

You are the link between the school district and the community. You should be aware of issues confronting other districts that could become an issue in your district. You also must filter what you bring to the board for consideration to be sure it truly requires board attention and is not best routed through the administration first. If you are hearing concerns from community members, you might want to ask other school directors whether they're hearing the same concerns. An issue or activity that is counter to board policy should be brought to the attention of the president or the superintendent. When in doubt, feel free to discuss concerns with the superintendent and the president. They can help decide if the board needs to be proactive about a particular issue.

4:3. Explain the committee structure, function and role.

Practices surrounding committee operations vary considerably from school district to school district. Because state law says almost nothing about the role of committees in the work of the board, each school board has considerable latitude to decide at the local level what standing committees are established, how school directors are selected for committees and what each committee's responsibilities will be. You should ask the school board president how this works for your school board.

When used effectively, committees aid the efficiency of the board by giving matters within the committee's charge a level of detailed focus, inquiry and discussion that allows for a well-informed framing of issues and development of recommendations for the full board to act upon. It is very common for boards to choose to distribute the committee work of the board among several standing committees made up of three or more members of the board. These might include standing committees for subjects such as personnel, budget and finance, buildings and grounds, curriculum, planning, policy, community outreach, etc. Individual directors may serve on multiple committees.

Rather than having separate standing committees, some boards operate as a committee of the whole where the various categories of matters that might otherwise be assigned to separate committees are addressed by the entire board together.

Ad hoc committees or task forces also can be established to deal with one-time issues,



some committees rarely meet except in executive session (e.g., negotiations and personnel). Otherwise, a meeting of a quorum of the committee must be open to the public and advertised in advance. Thus, any member of the board can attend a committee meeting regardless of membership on that committee, but would not have the right to speak or attend executive sessions unless invited by the committee to do so.

and normally are discharged (disbanded) when their work is complete. The term task force often indicates an approach similar to that of a committee that combines the efforts and insights of school directors with staff, community members or others with special expertise to examine particular issues.

Use of a committee structure to distribute the detailed work of the board works best when there is a healthy level of trust that each subset of the board forming a committee will do its homework thoroughly and objectively, and that its recommendations can be relied upon. This does not mean that the full board cannot ask questions and become informed prior to voting on a motion at a board meeting; in fact, all members need to become informed in order to vote responsibly. Rehashing the entire work of the committee, though, defeats the committee's purpose. Keep in mind that committees or task forces report to the board, not normally to the community or media. The functions of a committee should be well-defined, and it should not take on life of its own.

Committees are subject to the open meetings requirements of the Sunshine Act just as school boards are (except that committee meetings do not have to have a public comment period). Committees can meet in executive session for the same reasons boards can, and

PSBA's handbook *A Practical Guide to the Pennsylvania Sunshine Act* provides further information about how committees must operate in the Sunshine.

4:4. How can I survive the politics?

Don't think of it as surviving politics; instead, view it as cultivating relationships. You are now part of the largest body of elected officials in the state. School governance is founded on the belief that a group of very different people representing various constituencies in their district can make better decisions than any one person alone could. That diversity is the board's strength.

With this in mind, it's best to be open-minded about the opinions of your fellow directors. Your goal should not be to convert them to your point of view, but rather to determine the best solution to an issue by working together in a process that benefits from the input of all members of the board. You can be most effective at influencing the direction of the board if you first make an effort to truly understand how each school director looks at things, even if you don't agree. You can't do that just by watching what happens in meetings; you must reach out to your colleagues in one-on-one conversations outside the board room. You

want the students to be the “winners” – not one director or another.

4:5. How can I best assimilate into the team?

You may be joining a board with members who have been together for a number of years. As the “new kid on the block,” it will take you time to become part of the team. Talk with your new colleagues. Respect their experience, knowledge and the backgrounds they bring to the board. Earn respect by being a good listener, asking questions and doing your homework. Time and experience will help you become a contributing member.

4:6. What should a board do when it is not working well as a team?

Open communication is critical to the proper functioning of your board. If you feel your board is not functioning well, it may be appropriate to suggest a workshop where the board reviews its ground rules that establish how it will function. If these ground rules are not effective, then consider adding to or clarifying them. Consider developing a specific set of guidelines or a board protocol or code of conduct. You may want to hire a facilitator to assist your board in improving the board’s working relations. PSBA can help with a custom workshop tailored to your board’s specific situation.

4:7. How do school boards make decisions?

School boards make decisions (take official action) only at properly convened public meetings. That is where school directors exercise the only legal power or authority that their public office alone confers upon them – casting a vote. When making decisions, boards should seek the input, where appropriate, of the district’s administrators, teachers, employees, community members and experts such as the school district’s legal counsel, financial adviser or auditor. It is equally important that directors

do their individual “homework” by studying the background information provided to them prior to attending a board meeting so they can discuss the issue and be prepared to take action at the meeting.

4:8. What is the most important consideration when making a decision?

The primary consideration is the tangible impact the decision will have on your district’s students. If you understand the facts and relevant data,



and you keep the needs of all students in mind when making decisions, you will undoubtedly make good decisions. Remember, your first responsibility is to every student in your district. Keeping this in mind will greatly assist you in making the right decisions despite pressures that certain constituent groups may exert.

4:9. What can or can’t school directors reveal to each other?

School directors will learn information that is confidential and should not be discussed outside of a board’s closed session. This does not limit discussions among school directors at appropriate times in conformity with the Sunshine Act. Information discussed at executive sessions of a committee should not be disclosed to anyone who is not a member of that committee unless authorized by the committee to do so.

4:10. When I'm in the minority on the board, how can I influence the other school directors to consider my point of view?

You can practice patience, respect the majority and develop your skills. Genuinely listen to your colleagues. Use one-on-one conversations outside of meetings to get to know them and fully understand their views. At meetings, don't interrupt. Wait to be recognized, then make your point, but don't deliver a monologue. Argue from fact, not emotion, and avoid saying things that seem aimed at the person rather than the issue. Concisely identify the problem or the potential opportunity. Use facts to make the point that it is a district-wide problem or opportunity. State your recommendation and explain how it helps attain a district goal. Finally, be prepared to compromise.

4:11. Should the board of school directors set goals for itself each year?

Yes, it is a good idea for a board to have goals for the effectiveness and efficiency of board operations and evaluate them on a yearly basis. In this way you have a scheduled forum for discussing the proficiency of your board and how to improve it.

4:12. Are there term limits for school directors?

No. Pennsylvania school directors serve four-year terms, without a limit on the number of further terms for which they can be re-elected. Every other year, roughly half the positions are up for election, providing the community with an opportunity to select new directors or to re-elect sitting members. A board with both new and seasoned members can provide the best of both worlds: new thinking is introduced while institutional history is maintained.

5

Building a Relationship with the Superintendent

5:1. What is the role of the superintendent relative to the school board?

Consider the superintendent the chief executive officer of the school district who reports to the board of directors – the school board. While the school board is responsible for setting the vision and goals for the district, it is the superintendent who implements the policies to attain the goals the board sets. The school board tells the superintendent what it wants done; the superintendent determines the best way to do it. The superintendent also is the board's principal adviser – identifying operational needs and recommending policies for board action.

5:2. How do I communicate with the superintendent?

You should feel free to communicate in any way you are comfortable. Usually the superintendent is more than willing to meet with you, discuss issues on the phone or respond by email. The important thing is not how to communicate, but that you do communicate with the superintendent, especially when you have questions about agenda items being discussed at your board meeting.

5:3. When and how does the board evaluate the superintendent?

The School Code requires the board to evaluate the superintendent annually. A timeline for the evaluation must be included in the written contract. The contract also must include objective performance standards that are mutually agreed to in writing by the school board and the superintendent.

The performance standards may be based on:

- Achievement of annual measurable objectives established by the school district
- Achievement on Pennsylvania System of School Assessment (PSSA) tests
- Achievement on Keystone exams
- Student growth measured by the Pennsylvania Value-Added Assessment System
- Attrition rates or graduation rates
- Financial management standards
- Standards of operational excellence
- *Any additional criteria deemed relevant and mutually agreed to by the board of school directors and the superintendent/assistant superintendent*

The board is required to post whether or not the superintendent met objective performance standards on the district's website. These requirements also apply to assistant superintendents.

5:4. As a new school director, how should I approach the superintendent about making a change without being overly aggressive?

You should feel free to contact the superintendent, or the board president, to discuss your idea and have it either put on the agenda or referred to committee.

If you are tactful and ask thoughtful questions about the way the board currently operates and why, you won't be perceived as pushy. If your suggestion relates to district operations, you should first ask yourself if you are getting too involved in the management of



the school district. Even so, if you do it tactfully, the superintendent should not mind discussing how the school district functions and be open to new ideas. Remember that even for matters that are properly decided at the board level, direction comes only from the full board, rather than any individual member. The goal of your conversation is to obtain feedback on your thoughts and become better informed, rather than to say “here’s what I think you should be doing.”

5:5. How do I gain the respect of the superintendent and other administrators?

As with any relationship, you have to earn it. Respect the superintendent and district administrators – they’re the education experts. Seek their advice. Listen to what they have to say. Ask thoughtful questions. Be open, honest and direct. Take time to learn about the school environment and issues that may be unique to your district prior to making suggestions and trying to effect change.

6

Basics of School Law and Finance

6:1. What is “school law?”

The area of law referred to as “school law” includes a broad range of legal topics and sources of law affecting numerous and varied aspects of public school operations, mandates and liability exposures.

Topics arising in the practice of “school law” include state and federal curriculum and assessment mandates, special education and disability rights, administrative procedure, litigation, torts (personal injury), constitutional law and civil rights, labor and employment, professional certification, contracts, procurement, construction, vehicles and transportation, food service, zoning, real estate, parliamentary procedure, elections, taxation and tax assessments, trademark and copyright, government borrowing and investing, child abuse, search and seizure, public health services, privacy, workers’ compensation, environmental protection, open meetings and government information access, government official ethics, and many other legal subjects with an impact on public school operations.

6:2. How is the law on these subjects established?

Legal requirements, powers, limitations and other standards in these areas are established through a variety of state and federal sources, including the United States Constitution, the Pennsylvania Constitution, federal and state statutes enacted by Congress and state legislatures, federal and state administrative regulations and guidelines promulgated by

executive agencies, boards and commissions, as well as judicial decisions of federal and state courts and rulings of administrative tribunals. It often is necessary to consult a combination of these sources in order to determine the rules applicable to a particular subject or the answer to a particular legal question. In addition, the state of the law affecting public school operations changes at an astounding pace during the course of an average year, with new state and federal legislation, regulations and court decisions appearing daily. Staying abreast of these developments requires specialized resources and information networks.

6:3. What is the School Code?

The Public School Code of 1949 refers to a comprehensive act intended to address a variety of areas of public school operations in Pennsylvania. It is found in Chapter 1 of Title 24 of the non-consolidated statutes, and is sub-divided into various Articles addressing the establishment of school districts, the organization and general powers of school boards, school district finances, buildings and grounds, procurement of supplies, participation in intermediate units, superintendents, teachers and professional certification, school health, terms and courses of study, and so on. However, Title 24 and the School Code are not one and the same, and there are many other state laws affecting public school operations that are not contained in either the School Code or elsewhere in Title 24.



6:4. Are the laws the same for all school districts in the commonwealth?

Not always. As with other Pennsylvania local governments, school districts are classified (First Class, First Class-A, Second Class, Third Class and Fourth Class) according to population size. Some provisions of law apply only to districts of a particular class or classes, while others apply regardless of classification or may apply differently to a class.

6:5. I always hear various laws referred to by act number. How can I find out which act numbers refer to which laws?

Each year, as various items of legislation are signed into law, they are assigned a sequential act number. People in government in Pennsylvania have a longstanding and often confusing habit of referring to many laws by Act number only; e.g., “Act 34,” “Act 93,” “Act 195,” “Act 511,” etc. To add to the confusion, the lower numbers repeat every years, so without knowing the year, only the context can help you be sure which law they are talking about. To help you sort it all out and learn the lingo, there is a chart in the appendices to this booklet that lists the laws most frequently referred to in this way that relate to public education.

6:6. How are public schools funded?

A mix of local, state and federal revenue sources fund Pennsylvania’s public schools. Local dollars are derived primarily from real estate taxes, with a smaller portion coming from wage taxes.

6:7. What is the role of the school board in the collective bargaining process?

Since 1970, a state law called the Public Employee Relations Act (Act 195) has made it lawful for most non-management public employees in Pennsylvania to unionize, bargain collectively and even strike. PERA obligates public employers to bargain in good faith with the representatives of unionized employees over wages, hours and other terms and conditions of employment and put what is agreed to into written agreements. Public employers are not required to bargain over matters of inherent managerial policy. All or nearly all public school teachers in Pennsylvania belong to some labor union that has been recognized as the exclusive representative of that category of employees for purposes of collective bargaining. Other categories of school employees may belong to other bargaining units with whom the school district employer must bargain. In most cases these bargaining units are affiliated with a statewide labor organization. A part of the School Code known as Act 88 establishes specific timelines and impasse resolution procedures for negotiations involving school employees. School directors become involved in the negotiation process for two main reasons. First, regardless of who actually negotiates for the district in the collective bargaining process, Section 508 of the School Code requires school board approval before the district can enter into a collective bargaining agreement. Second, the pay and benefits spelled out in collective bargaining agreements account for nearly three-quarters or more of total expenditures in a

school district budget, a category over which a school board has virtually no further control during the life of a collective bargaining agreement. So it is natural for school directors to be keenly interested in the negotiations. Districts can use a variety of different negotiation methods, including: appointing school directors as members of a negotiation committee, directing the district's solicitor to conduct negotiations in consultation with the board, or retaining the services of outside counsel with labor negotiation experience. During all stages of the negotiation process, regardless of the chosen negotiation method, school boards should actively consult with qualified legal counsel because competent review of contract language and practical understanding of current compensation trends are essential. The simple fact is that most unions are represented in this process by highly skilled and thoroughly trained negotiators, who the unions supply with volumes of state-wide and national research and analysis relating to compensation and benefits. School boards attempting to negotiate without similar expert representation and advice are likely to be at an extreme disadvantage. PSBA has published a book called *Labor Relations for School Leaders: A practical guide to labor contracts, negotiations, strikes and grievances* to help school directors quickly acquire the basic knowledge it is important for them to have on this subject.

6:8. Are principals and other school administrators allowed to be in unions?

No. Management level public employees are not permitted to unionize. Instead, a law referred to as Act 93 requires school boards to adopt administrator compensation plans (Act 93 plans) that spell out what compensation and fringe benefits administrators will receive, as well as any administrative policies that directly affect compensation and benefits. The plans are required to be in effect for a period of at least



one year. At the written request of a majority of the administrators in the district, the board is required to engage in a good faith “meet and discuss” process with representatives of the administrators prior to adopting the plan, to give administrators an opportunity to have input into the board’s decision about what the plan will include. This is very different than collective bargaining with union employees. The Act 93 process should never be referred to as “negotiations” or the result as an Act 93 “agreement.” Unlike a labor contract, the board decides what is in the plan, even if there is not complete agreement about it. Superintendents, assistant superintendents, business managers and human resources directors are not permitted to be part of the group covered in an Act 93 plan, because they are important advisors to the board in the process who should have no personal interest in the outcome.

6:9. How can I stay abreast of changing legislation?

Check PSBA’s website, www.pspa.org. Look for updates in the Weekly Legislative Report. Follow us on Facebook and Twitter. Or contact PSBA’s Government Affairs at (800) 932-0588.

Influencing legislation and shaping the public debate on key education issues depends upon the grassroots involvement of school directors. PSBA provides the information, tools and opportunities for school officials to become strong advocates for public education.

The goal is to help school directors build real relationships with legislators and keep the issues at the forefront throughout the year.

6:10. What does the concept “conflict of interest” mean and why should school directors try to avoid such conflicts?

The term “conflict of interest” in the broader context of school board service refers to any potential clash between the public interest and the private financial interest of an individual director. Both the School Code and the Public Official and Employees Ethics Act prohibit various categories of conflicts of interest that school directors and other public officials must take great care to avoid. A public official must not vote on or otherwise attempt to influence decisions on matters that could result in private financial gain for themselves, their families, or businesses with which they or their families are associated. Violations can result in civil penalties, criminal prosecution and being banned from holding public office or public employment. The Ethics Act also requires school directors to file annual statements of financial interest. The free online Conflicts of Interest course available in PSBA’s LEARN Portal will teach you about the restrictions and requirements you must understand and be able to navigate.

6:11. What happens when there is a vacancy on a school board between elections?

Under Section 315 of the School Code, when a vacancy occurs the remaining members of the school board vote to appoint a qualified person to fill the vacancy. If they do not do so within 30 days after the vacancy occurs, 10 or more citizens can file a petition to have the local court of common pleas appoint a replacement. If the vacancy occurs less than 60 days before the next municipal election, the appointee will serve for the remainder of the unexpired term. If the vacancy occurs more than 60 days prior to the next municipal election, the position goes on the ballot for what would be a two-year term, and unless the appointee runs for the seat in that election, the appointee will

serve only until the first Monday in December following that election. School board discussions of vacancy appointments and interviews of potential appointees must take place in a public meeting, and are not permitted to happen in executive session.

6:12. What is the NCLB?

Historically, regulation of public education was a matter largely left up to the states, but recent decades have seen a dramatic expansion of federal laws and regulations having a significant impact on how public schools are operated. The federal No Child Left Behind act (NCLB) is a prime example. NCLB greatly expanded the ways that states, school districts and individual schools are held accountable for how well they are educating students. It was designed to close the achievement gap between high- and low-performing schools and groups of students with a framework of standards, assessments and accountability. It requires states to establish proficiency levels in English/language arts, math, and, eventually, science. It also requires 100% of students to meet or exceed proficiency levels by 2014. NCLB amended the federal Elementary and Secondary Education Act (ESEA) of 1965.

NCLB was scheduled to be reauthorized in 2008; however, the provisions of the law continue to be extended through the congressional appropriations process. So long as Congress continues to appropriate funds to implement the law, the law remains in effect. However, to relieve states of the mandated requirements until Congress can agree on a reauthorization bill, the U.S. Department of Education has been granting NCLB waivers.

On Aug. 30, 2013, Pennsylvania’s No Child Left Behind waiver was approved by the U.S. Department of Education. The approved waiver is designed to improve Pennsylvania education in three areas: making sure all our students are ready for careers or college; developing recognition and accountability standards by the state for all public schools; and improving and supporting effective teachers and principals in all our classrooms.

7

Doing Your Homework

7:1. Is it important that I know every policy in the district’s policy book?

Policies are the means by which a school board governs the school district; they guide its administration, staff, students, parents and the public, and are essential for maintaining compliance, accountability, consistency and fairness. While you can’t expect to know every policy as you begin your board service, you’ll find it helpful to read through the district policy manual at least once. You also will find that you become familiar with many policies as you go through the year. (PSBA’s Policy Services can assist your district with all of its policy needs.)

7:2. How can I build my skills and knowledge to become a better director?

First, take advantage of PSBA’s many live and online training opportunities through the LEARN (Leadership Education and Resource Network) department, which can be found on the PSBA website – www.psba.org. Online training in particular offers the opportunity to access the training you need, 24/7/365. Second, read the *PSBA Bulletin* and other publications on school board service. Third, watch and listen to your colleagues.

For those directors who wish to go “above and beyond” in learning about board service, we offer the PSBA Fellowship in School Governance program. Candidates to this program are admitted on a yearly basis, and are expected to become involved in educational activities, community engagement, mentoring new members, and project development and presentation. More information on the PSBA

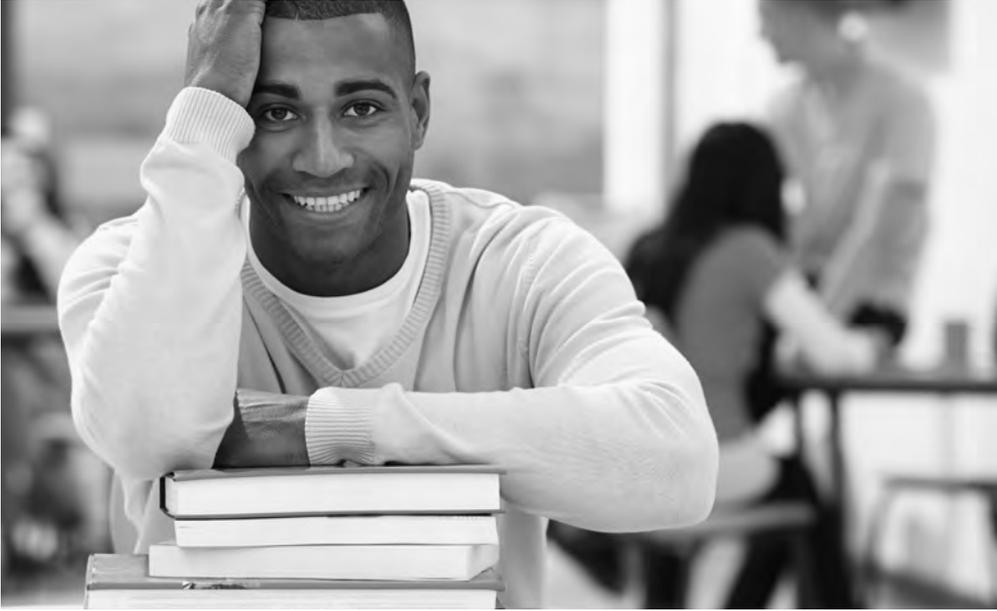
Fellowship program can be found on the PSBA website.

7:3. Is board development mandatory?

Professional development for school directors is not mandated by law in Pennsylvania; however, many school boards commit to engaging in board development through their adopted board policy language and through the board’s adopted Principles for Governance and Leadership. A high-functioning school board ultimately ensures the success of the district.

7:4. What services does PSBA offer?

PSBA provides advocacy, information, leadership development and custom services for member school boards to help students succeed. We advocate at local, state and federal levels – in government and in the courts. We provide information through the *PSBA Bulletin*, Daily Edition and other publications, our website, and expert advice. We offer a wide array of live, online, and customized leadership development activities, including our School Leadership Conference, New School Director Training, and regional workshops and seminars on a variety of topics. We deliver a variety of special programs and services to a wide audience, including school board secretaries, school solicitors and administrators. Superintendent search support and a complete line of personnel services are available in addition to research information, policy manuals and updates, and model administrative regulations. Visit our website for an even larger look at how we can help your school board and your district.



7:5. How do I manage the volume of reading that I have as a school director?

Becoming a school director is similar to going back to school, in that there are continuing education courses available, and there is “homework” you will have to prepare for board meetings. You’ll have a lot of reading to be fully prepared to discuss and vote on issues.

As every student learns, don’t wait until the last minute to do your homework. If you find you don’t have enough time to review materials prior to your board meetings, ask if it’s possible to get materials earlier. You’ll find as you become more experienced that the material becomes more manageable and easier to absorb.

7:6. Where can I get comparative information relative to other schools?

The Pennsylvania School Performance Profile website offers a web-based resource for districts/schools to communicate performance results. The website is located at <http://paschoolperformance.org>.

8

Community Connections

8:1. With whom in the community should the board connect?

Although your board may not be able to engage every single group and community member, you should identify and engage key internal and external stakeholders. These individuals and groups can help or hinder the district in achieving its vision and goals. Key internal stakeholders may include students, faculty, staff, administrators, volunteers, PTA/PTO, etc. Key external stakeholders may include parents, taxpayers, unions, public officials, business/civic/social/religious leaders, and representatives of higher education, health, social and youth services organizations.

8:2. How should the board engage the community?

Engage key stakeholders by inviting and appointing them to participate in standing and ad hoc committees, advisory panels, focus groups, forums and surveys to describe a vision for the district, set its goals, plan strategically, align resources with goals, and other actions offering them an opportunity to learn about public education and to influence governance decisions.

The board also can engage community members by using a variety of means to inform them about the district, and to learn their interests, priorities and concerns. Directors should seek opportunities to speak about the district and education issues at meetings of community service organizations or business leagues such as the Lions, Rotary, Kiwanis, Jaycees, Chamber of commerce or

similar groups, and should encourage district administrators to do the same. Print and electronic media, social media such as Facebook and Twitter, and face-to-face conversations all play important roles in this year-round district campaign to inform and to be informed. While accentuating the positive – student successes and district progress – don't neglect the negative. Be the first to let your community know about clouds looming on the horizon, and what you're doing to dispel them. Directors and the superintendent can be effective ambassadors for the district, especially by scheduling dialogues with a cross-section of your community – preferably in their neighborhoods.

Part of your community engagement strategy also should encourage all members of the community to visit their schools. Invite them to extracurricular activities, schedule grandparents' day, offer tours and briefings. In public education, familiarity often is the first step towards support.

All these actions and more should be in your district's public engagement policy.

8:3. How do you bridge a gap between community and board?

Most gaps result from poor communication. Remember that communication is a team sport: both parties must have the opportunity to speak; both must actively listen. You should review your school board policy on community engagement. If none exists, develop one. Community engagement means an ongoing collaborative process in which the district works



with the public to build understanding, guidance and active support for the education of district students.

The board policy should direct the administration to use varied and effective methods for informing the community about the district. Does the district use varied means of communication – print media (such as newsletters and director or superintendent articles in local newspapers), electronic media (perhaps the district website), social media (Facebook, Twitter, YouTube) and oral delivery (such as board or superintendent talks with community organizations)? Does the district provide regular opportunities and various means for the public to inform the board and administration about its interests, priorities and concerns? Such means include opportunities for participation in district committees and advisory panels, focus groups, polling and social media. The board should recognize that their community offers resources of training and experience that are valuable to the schools. The quality of the district's operations can be strengthened when these resources are used in an advisory capacity.

Transparency is key. When you bring the community into their schools, and when you bring school information into the community,

knowledge and trust will improve as the community senses that “your” schools are “their” schools – and that their schools are in your good hands.

8:4. How can I make sure I am considering community sentiment?

No community is a single, uniform entity. Every community comprises various subgroups, such as parents and senior citizens. So, to represent your community, your first task is to identify the groups and subgroups that together compose your community. It's helpful to have a demographic and socioeconomic profile of community members served by

your district. With it, you can check whether you really are aware of all community members, and whether your data and analysis truly reflects the total community.

Although individual school directors may not be able to speak with everyone in your community about all issues, the board as a whole should be able to acquire valid input from a sound cross-section of community members. Varied approaches can be used. One is to include the public in committees, panels and forums as mentioned above. Some boards find it useful to rotate their meetings among various locations in the community. Also helpful can be a telephone hotline number, dedicated email address or social media tool where citizens can leave comments and questions. Of course, all directors should make opportunities to converse with people throughout the community about district education. Listening is key.

8:5. How does one encourage school board service?

Promoting school board service as a meaningful way to contribute to your community is an ongoing responsibility of school directors. Your actions, teamwork and enthusiasm for board service will influence people in your community to consider serving on your school board.

Attracting qualified and energetic candidates results from activities taking place year-round, not just at election time. By increasing community participation within the schools, you can identify community members who might be willing to consider school board service. Invite individuals to join ad hoc committees, to volunteer in the classroom, or simply to attend various events at school to strengthen their involvement. In this way, potential candidates can become more aware of the challenges facing your schools and the successes you have enjoyed.

8:6. How can boards increase public participation and support at meetings?

The first way to encourage public participation at meetings is to review how you treat the public when they come to your board meetings. A pleasant environment, a few social amenities and a procedure by which the public can address the board not only contributes to good decision making, but fosters good public attitudes about those decisions. The cardinal rule in building support for public education is to invite input and treat the public with respect. District practices and procedures should make people feel that they are a welcome part of the board meeting and resulting decisions.

Additional Resources from PSBA

For a more in-depth understanding of the topics covered in *The Essentials of School Board Service*, we recommend these PSBA publications:

The Essentials of Parliamentary Procedure: A Survival Guide for Pennsylvania School Directors (coming December 2015)

A Practical Guide to the Pennsylvania Sunshine Act

Pennsylvania School Law Handbook

Labor Relations for School Leaders: A practical guide to labor contracts, negotiations, strikes and grievances

Understanding School Finance



A Glossary of Education Terms

AID RATIO: The result of the formula that reflects a district's wealth in relation to all other districts in the Commonwealth.

ALTERNATIVE EDUCATION: An educational placement outside of the regular classroom that is provided to a student due to discipline problems.

APPROVED PRIVATE SCHOOL: A private school licensed by the State Board of Private Academic Schools where the specific special education program for certain exceptional handicapped persons is approved by the Secretary of Education through the Bureau of Special Education and is thereby eligible to receive payments for tuition and maintenance from school district and/or Commonwealth funds.

ARBITRATION: The labor relations process for adjudicating union grievances about how collective bargaining agreements are being implemented, in which an arbitrator selected by the union and the employer hears both sides and renders a binding decision from which successful appeals are rare.

AUDIT: An inspection of accounting records and procedures for the purpose of verifying the accuracy and completeness of the records.

AREA VOCATIONAL-TECHNICAL SCHOOL (AVTS) or CAREER AND TECHNOLOGY CENTER (CTC): A public school, which provides career and technical education to

secondary school students, out-of-school youth and adults in a geographical area comprised of and operated by one or more school districts.

AVERAGE DAILY ATTENDANCE (ADA): The average number of students in attendance during the reporting period (aggregate days attendance divided by days in session).

AVERAGE DAILY MEMBERSHIP (ADM): The average number of students in membership during the reporting period (aggregate days membership divided by days in session).

BASIC EDUCATION CIRCULAR (BEC): A guidance document published by the statement from the Pennsylvania Department of Education that provides guidance about how the department believes school districts should implement selected provisions of state and federal laws and regulations, or indicating how the department intends to carry out its own responsibilities and authority under those laws. BECs themselves are not laws or regulations.

BARGAINING UNIT: A union local representing the employment interests of a specific group of school district employees.

BIDDING: A solicitation by an intending purchaser to invite binding offers to sell goods or services at a specified price or rate.

BOND: A type of investment security issued by a school district pursuant to the Local Government Unit Debt Act as a means of

borrowing large amounts of money for a long period of time, usually in connection with building projects.

BULLYING: Under the Pennsylvania School Code bullying is defined an intentional electronic, written, verbal, or physical act(s) which: (1) is directed at another student or students; (2) occurs in a school setting; (3) is severe, persistent or persuasive; and (4) has the effect of doing any of the following: (i) substantially interfering with a student’s education; (ii) creating a threatening environment; and (iii) substantially disrupting the orderly operation of the school. 24 P.S. § 13-1303.1-A

CHARTER SCHOOL: An independent public school established and operated pursuant to a charter granted by the board of school directors of the school district in which it is located. A charter school must be organized as a public nonprofit corporation. Charter schools are exempt from most state mandates except those ensuring the health, safety and civil rights of students.

CERTIFICATION: Official recognition by the Department of Education that an individual professional educator is qualified to teach, supervise or otherwise work in a particular role, subject area or grade level. The scope of assignment permitted for each type of certification is outlined in a manual published by the department known as the “Certification and Staffing Policy Guidelines.”

COMPULSORY SCHOOL AGE: The period of a child’s life from the time the child’s parents elect to have the child enter school, which shall be not later than at the age of 8 years, until the age of 17 years, or until graduation if earlier than age 17.

CYBER-CHARTER SCHOOL: Independent public school established and operated under a charter from the Department of Education in which the school uses technology in order to provide a significant portion of its curriculum

and to deliver a significant portion of instruction by electronic means.

COLLECTIVE BARGAINING: The process by which public employers and the exclusive representative of their unionized employees negotiate in good faith over wages, hours, terms and conditions of employment.

COMPENSATORY EDUCATION: One of a number of remedies that can be awarded as a result of administrative due process proceedings or court actions when it has been concluded that a school district has failed to provide required services to special education students, in which the district may be ordered to provide additional hours of educational services above and beyond what the IEP otherwise provides for.

EXPULSION: A disciplinary punishment that excludes a student from school for a period longer than 10 school days.

FARMSTEAD EXCLUSION: The exclusion from taxation of a portion of the assessed value of the buildings and structures on a farm that are used in commercial agricultural production.

FISCAL YEAR: The period of 365 days commencing on July 1 of each year and ending on June 30 of the following year. School districts of the first, first class A and second class have the option of establishing a fiscal year to coincide with the calendar year.

FUND BALANCE: An accounting term referring to the positive balance of funds that exists when assets exceed liabilities. School district fund balances may be subdivided into restricted fund balances, designated fund balances and unrestricted, undesignated fund balances. Money in a restricted fund can be spent only for a specific purpose. A designated fund balance has been set aside for a specific purpose, but the board retains the ability to reallocate designated funds for other things if necessary. The School Code sets tiered limits on what a school district is allowed to retain as an unreserved, undesignated fund balance as a percentage of total budgeted expenditures.

FURLOUGH: A suspension or layoff from employment.

HOMESTEAD EXCLUSION: The exclusion from taxation of a portion of the assessed value of an individual's primary residence and the lot on which it is situated.

IMMUNITY: Exemption of state and local government units and their employees from most kinds of legal liability pursuant to the Political Subdivision Tort Claims Act and principles established by federal court decisions.

INDEX: A percentage calculated by the Pennsylvania Department of Education that establishes a limit on the authority of school districts to raise taxes.

INDIVIDUALIZED EDUCATION PROGRAM (IEP): The plan written by the IEP team (including parents) that specifically describes the programs and services agreed to be necessary to provide a free appropriate public education for the eligible child.

JOINT OPERATING COMMITTEE: A committee comprised of school directors designated by the boards of participating school districts which those boards have authorized to function as the governing body of a vocational-technical school or career and technology center that has been established by two or more school districts.

LETTER OF ELIGIBILITY: The document issued by PDE signifying that an individual educator has the necessary qualifications to be employed as an assistant superintendent or superintendent in Pennsylvania.

LOCAL EDUCATION AGENCY (LEA): A board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a state, or any other public educational institution or agency having administrative control and direction of a career

and technical education program. This term includes state correctional education agencies.

MILLAGE: The tax rate set by the school board that is applied to the assessed value of real estate to determine the amount of tax to be paid for each property. Millage is expressed in one thousandths (1/1000) of a dollar. Each mill represents one dollar of tax for each \$1000 of assessed taxable property value.

NONPUBLIC SCHOOL: A school that is privately controlled by a non-governmental entity and is financed primarily from sources other than public taxation.

PROFESSIONAL EMPLOYEE: A certificated employee who has acquired tenure pursuant to the Pennsylvania School Code by satisfactorily completing a three-year probationary period.

PUBLIC RECORD: A record that must be made available for public inspection upon request under the conditions and requirements of the Right-To-Know law.

REFERENDUM: A question put on the ballot in an election where voters decide a particular question. In the school law context, such questions normally would involve increasing local taxes or incurring long-term debt.

SUSPENSION: For students, a disciplinary punishment that excludes a student from school for up to 10 school days. For teacher and other tenured employees, the School Code term for a furlough or layoff from employment.

TEMPORARY PROFESSIONAL EMPLOYEE: A certificated employee hired to fill a non-temporary vacancy in a teaching or other professional employee position who has not yet earned tenure by satisfactorily completing a three-year probationary period.

TENURE: The job security status granted to teachers and other professional employees after completing a three-year probationary period, that gives them greater procedural protection

from termination for cause and from layoffs, as well as preferential recall rights if furloughed.

WEIGHTED AVERAGE DAILY

MEMBERSHIP(WADM): The term used for the assignment of weight by grade level to ADM.

The current weighting is half-time kindergarten at 0.5, full-time kindergarten and elementary (grades 1-6) at 1.0, and secondary (grades 7-12) at 1.36.

Common Acronyms

AVTS – Area Vocational Technical School
 CTC – Career and Technical Center
 IU – Intermediate Unit

COLLECTIVE BARGAINING/ARBITRATION/ LABOR

ACP – Administrator Compensation Plan (Act 93 Plan) for administrator compensation
 CBA – Collective Bargaining Agreement
 PERA – Public Employee Relations Act, 43 P.S. § 1101.101 *et seq.*
 PLRB – Pennsylvania Labor Relations Board

COURTS

3rd Cir. – United States Court of Appeals for the Third Circuit
 C.C.P. – Court of Common Pleas
 E.D. Pa. – United States District Court for the Eastern District of Pennsylvania
 M.D. Pa. – United States District Court for the Middle District of Pennsylvania
 Pa. – Pennsylvania Supreme Court
 Pa. Cmwlth. – Pennsylvania Commonwealth Court
 Pa. Super. – Pennsylvania Superior Court
 U.S. – Supreme Court of the United States
 W.D. Pa. – United States District Court for the Western District of Pennsylvania

DEPARTMENT OF EDUCATION

BEC – Basic Education Circular
 CSPG – Certification and Staffing Policy Guidelines
 PDE – Pennsylvania Department of Education
 USDOE – U.S. Department of Education

DEPARTMENT OF PUBLIC WELFARE

CPSL – Child Protective Services Law
 CYS – Children and Youth Services
 DPW – Department of Public Welfare

EMPLOYEES

FTE – Full Time Equivalent
 PSERS – Public School Employees’ Retirement System

SERS - State Employees’ Retirement System
 TPE – Temporary Professional Employee

EMPLOYMENT DISCRIMINATION

ADA – Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*
 ADEA – Age Discrimination in Employment Act, 29 U.S.C. § 621 *et seq.*
 EEOC – Equal Employment Opportunity Commission
 GINA – Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff *et seq.*
 PHRA – Pennsylvania Human Relations Act
 PHRC – Pennsylvania Human Relations Commission
 Title VII – Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*

EXTRACURRICULAR ACTIVITIES

PIAA – Pennsylvania Interscholastic Athletic Association
 Title IX – Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681-1688

FAMILY MEDICAL LEAVE ACT (FMLA)

FMLA – Family Medical Leave Act, 29 U.S.C. § 2601 *et seq.*

IMMUNITY/SUITS AGAINST LOCAL AGENCIES

PSTCA – Political Subdivision Tort Claims Act, 42 Pa CS § 8541 *et seq.*

NO CHILD LEFT BEHIND

AYP – Adequate Yearly Progress
 HQT – Highly Qualified Teachers
 NCLB – No Child Left Behind Act

RECORDS

FERPA – Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g *et seq.*
 HIPAA - Health Insurance Portability and Accountability Act, 42 U.S.C. § 1320d *et seq.*

RIGHT-TO-KNOW ACT; PUBLIC RECORDS

OOR – Office of Open Records
ORO – Open Records Officer
RTKL – Right-to-Know Law, 65 P.S. § 67.101 *et seq.*

**SPECIAL EDUCATION; SECTION 504;
EARLY INTERVENTION; ADA; GIFTED
EDUCATION**

ADA – Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*
ALJ – Administrative Law Judge
BIP – Behavior Intervention Plan/BSP – Behavior Support Plan
Chapter 15 – Regulations of Pennsylvania Board of Education Implementing § 504
DPH – Due Process Hearing
EI – Early Intervention
ELL – English Language Learner
ER – Evaluation Report
ESL – English as a Second Language
ESY – Extended School Year
FAPE – Free Appropriate Public Education
FBA – Functional Behavioral Assessment
GIEP – Gifted Individualized Education Plan
IDEA – Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq.*
IEE – Independent Educational Evaluation
IEP – Individualized Education Program
LEA – Local Educational Agency
LEP – Limited English Proficiency
LRE – Least Restrictive Environment
MAWA – Mutually Agreed-upon Written Arrangement
MDE – Multi-Disciplinary Evaluation
MDT – Multi-Disciplinary Team
NORA – Notice of Recommended Assignment
NOREP – Notice of Recommended Educational Placement

OCR – Office for Civil Rights
OSEP – Office of Special Education Programs
OSERS – Office of Special Education and Rehabilitative Services
OT – Occupational Therapy
PT – Physical Therapy
PTE – Permission to Evaluate
PWN – Prior Written Notice
RTII – Response To Instruction and Intervention
RTF – Residential Treatment Facility
SEA – State Educational Agency
Section 504 – Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794

STUDENTS

AED – Automated External Defibrillators
AUP – Acceptable Use Policy (for Internet/computer network)
CIPA – Children’s Internet Protection Act
GED – General Education Diploma
HHFKA – Healthy, Hunger-Free Kids Act of 2010, P.L. 111-296
LGBTQ – Lesbian, Gay, Bisexual, Transgender, Questioning
PSSA – Pennsylvania System of School Assessment
STEAM – Science Technology Engineering Arts Math
STEM – Science Technology Engineering Math
Title IX – Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681-1688

TAXATION

Act 1 – Act 1 of 2006, Taxpayer Relief Act, 53 P.S. § 6926.301 *et seq.*
EIT – Earned Income Tax

Acronyms of Education-Related Organizations

AASA American Association of School Administrators

ACTE Association for Career & Technical Education

AFT American Federation of Teachers

AFTPA American Federation of Teachers Pennsylvania

ASBO Association of School Business Officials

ASCD Association for Supervision and Curriculum Development

DECA Distributive Education Clubs of America

FRN Federal Relations Network

NAEOP National Association of Educational Office Professionals

NAESP National Association of Elementary School Principals

NASSP National Association of Secondary School Principals

NSBA National School Boards Association

NSPRA National School Public Relations Association

PACTA Pennsylvania Association of Career and Technical Administrators

PACTE Pennsylvania Association of Career and Technical Education

PAEOP Pennsylvania Association of Educational Office Professionals

PASA Pennsylvania Association of School Administrators

PASBO Pennsylvania Association of School Business Officials

PASCD Pennsylvania Association for Supervision and Curriculum Development

PASPA Pennsylvania Association of School Personnel Administrators

PDE Pennsylvania Department of Education

PIAA Pennsylvania Interscholastic Athletic Association

PMEA Pennsylvania Music Educators Association

PSADA Pennsylvania State Athletic Directors Association

PSEA Pennsylvania State Education Association

PSLA Pennsylvania School Librarians Association

PTAP Pupil Transportation Association of Pennsylvania

**Topics and Citations for Pennsylvania Legislation
Frequently Referred to by Act Number Only**
(excerpt from Laws on Line Navigation Tools)

Act Number & Year	Popular Name or Topic	Statutory Citation to beginning section
Special Session Act 1 of 2006	“Taxpayer Relief Act” (referendum)	53 P.S. § 6926.101
Act 3 of 2008	“Right to Know Law” (Open Records)	65 P.S. § 67.1
Act 3 of 2013	Special Education Funding Commission	24 P.S. § 1-122
Act 9 of 2001	PSERS amendments creating Class T-D retirement provisions (various sections)	24 P.S. § 8101
Act 14 of 1949	Public School Code of 1949	24 P.S. § 1-101 through § 26-2604-I
Act 16 of 2000	Educational Empowerment Act	24 P.S. § 17-1701-B
Act 16 of 2000	Mandate Waiver Program	24 P.S. § 17-1714-B
Act 16 of 2000	“Your Schools, Your Money”	24 P.S. § 6-613
Act 16 of 2000	GASB Accounting Rules	24 P.S. § 2-218
Act 22 of 1997	Charter School Law	24 P.S. § 17-1701-A
Act 24 of 2011	Criminal Background Checks	24 P.S. § 1-111
Act 24 of 2001	Occupational Assessment Tax Repeal Provision	53 P.S. § 6927.1
Act 26 of 1995	Prohibition Against Weapons / Safe Schools Act	24 P.S. §§ 13-1317.2 and 13-1301-A
Act 32 of 2008	Consolidated Collection of Earned Income Tax; Re-enactment of Local Tax Enabling Act (511)	53 P.S. § 6924.501
Act 34 of 1973	“Taj Mahal” Act (School Building Construction)	24 P.S. § 7-701.1
Act 34 of 1985	Criminal Background Checks for School Employees	24 P.S. § 1-111
Act 48 of 1999	Continuing Professional Education for Employees	24 P.S. § 12-1205.1
Act 50 of 1998	Local Tax Reform	53 P.S. § 8401
Act 51 of 2014	Basic Education Funding Commission	24 P.S. § 1-123

Act 66 of 1996	Sabbatical Leave Reform	24 P.S. §§ 5-522, 5-522.2, 11-1166, 11-1166.1, 11-1168 and 11-1171
Act 72 of 2004	Property Tax Reform/Referendum	53 P.S. § 6925.102 and 53 P.S. § 6925.301
Act 82 of 2012	Superintendent Contract and Evaluation Requirements	24 P.S. §§10-1073 and 10-1073.1
Act 88 of 1992	Collective Bargaining Impasse Provisions	24 P.S. § 11-1101-A
Act 89 of 1975	Auxiliary Services for Non-Public School Students	24 P.S. § 9-972.1
Act 93 of 1984	Compensation Plans for School Administrators	24 P.S. § 11-1164
Act 93 of 1998	Recodification of the Sunshine Act	65 Pa.C.S.A. § 701
Act 93 of 1998	Recodification of the Ethics Act	65 Pa.C.S.A. § 1101
Act 100 of 2002	Reenactment of the Right to Know Law (access to public documents)	65 P.S. § 66.1
Act 120 of 2010	Pension Reform	24 Pa.C.S. § 8101
Act 120 of 2013	Educator Discipline Act Modernization	24 P.S. § 2070.1
Act 141 of 2012	School District Financial Recovery	24 P.S. § 6-601-A
Act 151 of 1994	Child Abuse Reporting Provisions	23 P.S. § 6311
Act 158 of 2014	Child Abuse Reporting and Background Checks	23 P.S. § 6301
Act 168 of 2014	Employment History Review (aka “Pass the Trash”)	24 P.S. § 1-111.1
Act 169 of 1988	Home Education	24 P.S. § 13-1327.1
Act 185 of 1972	Local Government Unit Debt Act	53 Pa.C.S.A. § 8001
Act 195 of 1970	Public Employee Relations Act (Collective Bargaining)	43 P.S. § 1101.101
Act 234 of 2002	Return to School Service of PSERS Annuitants (further amended by Act 63 of 2004)	24 Pa.C.S.A. § 8346
Act 372 of 1972	Transportation of Nonpublic School Pupils	24 P.S. § 13-1361
Act 511 of 1965	Local Tax Enabling Act (“Tax Anything Act;” a/k/a “nuisance taxes”)	53 P.S. § 6901 53 P.S. § 6924.301



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