

# PSBA – Pennsylvania School Boards Association

## **What is a school board?**

A school board is a legislative body of citizens called school directors, who are elected A school board is a legislative body of citizens called school directors who are elected locally by their fellow citizens and who serve as agents of the state legislature. Each board consists of nine members who serve four-year terms of office without pay.

School directors, although locally elected, are really state officials, co-partners with the legislature. They are designated by school law to administer the school system in each district.

## **Constitutional mandate**

Public education is fundamentally a state responsibility. A system of free public education is mandated under the state constitution, which states in Article II, Section 14: “ The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education. ... ”

Constitutional recognition of the public schools as a legislative function is further found in Article IX, Section 10, in which a school district is described as a “ unit of local government.”

Public education thus enjoys special status under the state constitution and is the only public service so mandated by the constitution.

To carry out this mandate, the General Assembly created school districts and school boards in 1834. It conferred broad legal powers to the local boards, making them autonomous in many of their operations. Therefore, the school board is a political subdivision of the state for the purpose of convenient administration of the schools.

## **Legislative authority**

The General Assembly created the State Board of Education, the Department of Education, the intermediate unit structure and other state agencies. These agencies

administer the state laws that control the state's public education system. There are, therefore, several governing influences upon a board of school directors.

The School Laws of Pennsylvania is the primary compilation of the statutes enacted by the legislature having direct and pertinent reference to public education, its programs, its operation and its management. In addition, rules and regulation of the State Board, guidelines of the Department of Education, opinions and interpretations of the state attorney general and court decrees all influence local board operation.

Effective school boards concentrate their time and energy on determining what it is the schools should accomplish and enacting policies to carry out these goals.

### In Pennsylvania

- Public schools are a creation of the state constitution.
- Public schools are a responsibility of the General Assembly, the legislative branch of PA state government.
- School boards, created by the General Assembly, serve as local legislative bodies for the public schools within the framework of state laws.
- A school board's authority is applied through the collective decisions of the entire board acting as a governing body.

### **Board responsibility**

In essence, school boards have three functions: planning, setting policy and evaluating results.

- Planning -- Boards are required to engage in strategic planning by regulations of the State Board of Education. Appropriate reports of the results of such planning must be filed with the Department of Education.
- Setting policy -- The central responsibility of a board, both in theory and in law, is to be the policy-forming body. Policy means actions of the board that set written goals and objectives for the school and parameters for actions.
- Evaluating results -- The board must evaluate the results of planning. Evaluation "completes the loop" and, in fact, leads inevitably to more planning. Evaluation occurs all the time, both formally and informally. As a group, the board is not an administrative body; neither should it be a "rubber stamp" for professional educators. The selection of competent administrators

who understand their role is to carry out public policies established by the board is one of the board's most important functions.

### **Some required duties**

- Adopt courses of study in consultation with the superintendent.
- Establish the length of the school term.
- Adopt textbooks.
- Elect superintendents and hire necessary employees.
- Enter into written contracts with professional employees and into collective bargaining agreements.
- Adopt the annual budget.
- Levy taxes; appoint a tax collector under certain circumstances.
- Provide necessary grounds and school buildings.
- Prescribe, adopt and enforce reasonable rules and regulations regarding school activities, publications and organizations.
- Provide special education for children with mental or physical disabilities.

### **Some permissive functions**

- Elect and appoint assistant superintendents, pursuant to the superintendent's recommendations.
- Appoint a solicitor and other board employees.
- Purchase, receive or condemn land for school purposes as determined by the board.
- Sell unneeded lands and buildings.
- Enter into written agreements with boards, or other districts, for attendance and tuition of pupils in high school.
- Provide for food or milk for undernourished and poor children.
- Create or increase indebtedness within certain limitations. Authorize attendance of board members or of the superintendent or other employees at educational meetings, and pay necessary expenses.
- Enter into group insurance contracts. Provide for: insurance on school buildings and property; personal liability insurance for school employees against injury to pupils; accident insurance for pupils against injury in participation, or transportation to, athletic events.
- Suspend or expel pupils from school under certain conditions, or cause them to be brought before the juvenile court.

### **Some prohibited actions**

- May not authorize construction of schools without prior approval of plans and specifications by the departments of Education and Labor and Industry.
- May not hire work to be done, purchase materials or enter into contracts that will cause sums budgeted for specific purposes to be exceeded.
- May not hire certain relatives of board members, except by a majority vote of the board excluding the member who is related to the employer or applicant.
- Shall not demand, request or accept in any way a gift from a teacher or administrator.
- Shall not require religious or political tests of officers or employees.
- Shall not engage in illegal discrimination on the basis of race, creed or color.

### **Board organization**

Officers of a school board include a president, vice president, treasurer and secretary. By law, all school boards organize during the first week of December. At this meeting, a president and vice president are elected to serve one-year terms of office. A treasurer, however, is elected in May to serve a one-year term that begins the first day of July. Every fourth year in May, the board elects a school board secretary whose term of office is four years.

- The school fiscal calendar for the majority of public school districts is July 1-June 30. Districts of the first, first class A and second class may, by majority vote, establish a fiscal year to coincide with the calendar year.
- Each school district is assigned to an intermediate unit, which is operated by a governing board composed of locally elected school directors from the school districts that make up the intermediate unit. IU board members serve three-year terms and may succeed themselves without limitation, as long as they remain local board members.