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**UPPER ST. CLAIR BOARD OF SCHOOL DIRECTORS
SCHOOL BOARD MEETING**

**MONDAY, OCTOBER 14, 2019 - 8:30 A.M.
CENTRAL OFFICE BOARD ROOM**

Notice having been advertised and posted and members duly notified, a meeting of the Board of School Directors was held on October 14, 2019 in the Central Office Board Room.

School Board Members in attendance:

Mrs. Amy L. Billerbeck, President (via speaker phone)
Mrs. Barbara L. Bolas
Mrs. Jennifer L. Bowen
Mr. Phillip J. Elias
Dr. Daphna Gans
Mr. Patrick A. Hewitt
Mr. Louis P. Mafrice, Jr.
Mrs. Angela B. Petersen
Mr. Dante R. Plutko

School personnel in attendance:

Dr. John T. Rozzo, Superintendent
Dr. Sharon Suritsky, Assistant/Deputy Superintendent
Mrs. Amy Pfender, Assistant to the Superintendent
Mr. Raymond Berrott, Director of Technology
Mr. Scott P. Burchill, Director of Business & Finance
Mr. Ray Carson, Senior Director of Operations & Administrative Services
Mr. Brad Wilson, Supervisor of Customized & On-Line Learning
Mrs. Mary Ann Stabile, Stenographer
Ms. Jocelyn Kramer, Solicitor

CALL TO ORDER (Bolas)

Mrs. Bolas called the meeting to order at approximately 8:30 a.m.

RESIDENTS' COMMENTS (*REGARDING AGENDA ITEMS ONLY*)

Note: As per Guidelines for Residents' Comments, please state your name and address and limit your comments to three minutes.

There were no residents' comments at this time.

APPROVAL OF AGENDA (Bolas)

MOTION: By Petersen: I move that the Board approve the agenda as presented. Seconded by Gans, and carried by unanimous voice vote.

ADOPTION OF LOCAL BOARD PROCEDURES POLICIES AND DELETION OF CERTAIN POLICIES (Rozzo) - ATTACHED

MOTION: By Elias: I move that the Board adopt the following Board Policies AS ATTACHED. Seconded by Hewitt and carried by unanimous voice vote.

- 000 - BOARD POLICY/PROCEDURE/ADMINISTRATIVE REGULATIONS
- 001 - NAME AND CLASSIFICATION
- 002 - AUTHORITY AND POWERS
- 003 - FUNCTIONS
- 004 - MEMBERSHIP
- 005 - ORGANIZATION
- 006 - MEETINGS
- 006.1 - ATTENDANCE AT MEETINGS VIA ELECTRONIC COMMUNICATIONS
- 007 - SCHOOL BOARD/ADMINISTRATION COMMUNICATION POLICY
- 011 - PRINCIPLES FOR GOVERNANCE AND LEADERSHIP

MOTION: By Elias: I move that the Board approve to permanently retire and delete the following Board Policies. Seconded by Hewitt and carried by unanimous voice vote.

- 1001 - PHILOSOPHY OF THE BOARD
- 2001 - SCHOOL BOARD ORGANIZATION
- 2002 - ETHICS POLICY
- 2003 - SCHOOL BOARD MEMBERSHIP
- 2004 - POLICY FORMATION AND IMPLEMENTATION
- 2005 - RULES OF PROCEDURE FOR HEARINGS BEFORE THE BOARD OF SCHOOL DIRECTORS
- 2007 - SCHOOL BOARD/ADMINISTRATION COMMUNICATION POLICY
- 3001 - SCHOOL DISTRICT
- 3002 - ORGANIZATIONAL CHART
- 3002.1 - POLICY FORMATION

APPROVAL OF ACT 93 COMPENSATION PLAN FOR CURRICULUM LEADERS (Rozzo)

MOTION: By Mafrice: I move that the Board approve the Act 93 Compensation Plan for Curriculum Leaders effective July 1, 2019 through December 31, 2021, AS ATTACHED TO THE PERMANENT RECORD OF THE MINUTES OF THIS MEETING. Seconded by Plutko, and carried by unanimous voice vote.

APPROVAL OF PERSONNEL LISTINGS - ATTACHED

MOTION: By Gans: I move that the Board approve the Personnel Listings, pending receipt of all paperwork and required clearances, AS ATTACHED. Seconded by Plutko, and carried by unanimous voice vote.

APPROVAL OF RESOLUTION REGARDING STAFFING

MOTION: By Bowen: I move that the Board approve the following resolutions regarding staffing. Seconded by Mafrice, and carried by unanimous voice vote.

The District staff be decreased by the following position:

1.00 - Middle School Music Teacher (Instrumental/Band)

The District staff be increased by the following position:

1.00 - Middle School Music Teacher (Band)

APPROVAL TO RATIFY TRAINING PROGRAM CONTRACT WITH ANTI-DEFAMATION LEAGUE (Suritsky)

MOTION: By Plutko: I move that the Board ratify the Training Program Contract with the Anti-Defamation League, subject to final approval by the Superintendent and Solicitor, AS ATTACHED TO THE PERMANENT RECORD OF THE MINUTES OF THIS MEETING. Seconded by Gans, and carried by unanimous voice vote.

APPROVAL TO RATIFY CONTRACT WITH FIRST STUDENT, INC. FOR STUDENT TRANSPORTATION SERVICES (Carson)

MOTION: By Hewitt: I move that the Board ratify the Transportation Contract with First Student, Inc., subject to final approval by the Superintendent and Solicitor, AS ATTACHED TO THE PERMANENT RECORD OF THE MINUTES OF THIS MEETING. Seconded by Plutko, and carried by unanimous voice vote.

ADOPTION OF REVISIONS TO POLICY #3033 - FEDERAL FISCAL COMPLIANCE AND UNIFORM GRANT GUIDANCE (UGG) FEDERAL PROCUREMENT REQUIREMENTS (Bulazo/Burchill) - ATTACHED

MOTION: By Petersen: I move that the Board adopt revisions to Policy #3033 - Federal Fiscal Compliance and Uniform Grant Guidance (UGG) Federal Procurement Requirements AS ATTACHED. Seconded by Plutko, and carried by unanimous voice vote.

ADJOURNMENT

It was moved, seconded, and carried by unanimous voice vote that the meeting adjourn at approximately 8:40 a.m.

Amy L. Billerbeck, President
BOARD OF SCHOOL DIRECTORS

Scott P. Burchill, Secretary
BOARD OF SCHOOL DIRECTORS

Submitted by: Mary Ann L. Stabile
School Board Stenographer

Book	Policy Manual
Section	000 Local Board Procedures
Title	Board Policy/Procedure/Administrative Regulations
Code	000
Status	
Legal	1. 24 P.S. 407 2. 24 P.S. 510
Adopted	October 14, 2019

Authority

The policies and procedures adopted by the Board establish the general parameters within which the daily operations of the school district are to be governed. Administrative regulations for carrying out and implementing Board policies are developed and implemented by the administration, under the direction of the Superintendent. As applicable, all members of the school community are expected to comply with both Board policy and administrative regulations, subject to stated limitations and exceptions. However, failure of the Board or the administration to comply with policy or procedure shall not invalidate any lawful action taken.[\[1\]](#)[\[2\]](#)

Contents

The policies of the Board shall consist of the policies and procedures adopted by the Board and contained in the Policy Manual, and such other separate documents approved by the Board that are expressly incorporated by reference in particular policies and declared to constitute Board policy, such as the Code of Student Conduct.

Administrative regulations are not part of Board policy and may be altered by the administration without Board action. Administrative regulations may not conflict with Board policy or with applicable law.

Limitations

All Board policies and administrative regulations shall be interpreted and administered in a lawful manner. The Board shall make the final interpretation of its policies, and the administration shall make the final interpretation of its regulations.

Board policies and procedures and administrative regulations are limited by legal constraints, as are the rights of those to whom Board policies and administrative regulations apply, and are not intended to give an individual a cause of action not independently established in law.

Rules of Construction

In ascertaining the intent of the Board in adopting a policy or procedure, or of the administration in establishing a regulation, the following presumptions, among other legally applicable presumptions, may be used:

1. That neither the Board nor the administration intends a result that is absurd, impossible of execution, or unreasonable.

2. That neither the Board nor the administration intends to violate federal or state Constitutions or any other applicable law.

If any policy or procedure or administrative regulation can be given multiple interpretations, the Board and the administration intend that only constitutional and lawful interpretations shall be valid, and that neither an unconstitutional nor an unlawful interpretation was intended.

Policy Manual Access

The Board Policy Manual shall be published and maintained on the district's publicly accessible website.

The Board Policy Manual shall be considered a public record. A copy of the Policy Manual shall be available in the administration office during regular office hours.

Delegation of Responsibility

The Superintendent or designee shall maintain an orderly plan for the promulgation of policies to students, parents/guardians and staff who are affected by them and shall provide easy accessibility to an up-to-date Policy Manual.

The Superintendent or designee shall be responsible to review existing policy in light of Board actions and revisions to state and federal statutes and regulations, and to recommend to the Board the changes necessary to maintain a current and compliant Board Policy Manual.

(Replaces Policy 2004 - Policy Formulation and Implementation originally adopted November 11, 1968 and last revised August 13, 1979 and Policy 3002.1 - Policy Formation originally adopted November 11, 1968 and last revised November 11, 1974)

Book	Policy Manual
Section	000 Local Board Procedures
Title	Name and Classification
Code	001 - NEW
Status	
Legal	<ol style="list-style-type: none">1. 24 P.S. 2012. PA Const. Art. III Sec. 143. 24 P.S. 5014. 24 P.S. 5025. 24 P.S. 5036. 24 P.S. 901-A7. 24 P.S. 902-A8. 24 P.S. 202
Adopted	October 14, 2019

Name

The Board of School Directors shall be known officially as the Board of School Directors of Upper St. Clair School District, hereinafter sometimes referred to as the "Board".[\[1\]](#)

Composition

Upper St. Clair School District is comprised of all lands that lie within the municipal boundaries of Upper St. Clair Township.

Purpose

Upper St. Clair School District is organized for the purpose of providing a program of public education to serve the needs of the students of the Commonwealth.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Intermediate Unit

Upper St. Clair School District is assigned to Allegheny Intermediate Unit No. 3.[\[6\]](#)[\[7\]](#)

Classification

Upper St. Clair School District is classified as a school district of the third class.[\[8\]](#)

Grade Organization

The School District grade organization consists of an elementary unit including kindergarten through grade four; a middle unit, including grades five through eight; and a high school unit, consisting of grades nine through twelve.

Address

The official address of the Board of School Directors of Upper St. Clair School District shall be 1775 McLaughlin Run Road, Upper St. Clair, PA, 15241.

Book	Policy Manual
Section	000 Local Board Procedures
Title	Authority and Powers
Code	002 - NEW
Status	
Legal	<ol style="list-style-type: none"> 1. PA Const. Art. III Sec. 14 2. 24 P.S. 211 3. 24 P.S. 301 4. 24 P.S. 501 5. 24 P.S. 502 6. 24 P.S. 503 7. 24 P.S. 507 8. 24 P.S. 510 9. 24 P.S. 407 10. 24 P.S. 511 11. 24 P.S. 801 12. 24 P.S. 803 13. 24 P.S. 1301 14. 24 P.S. 1302 15. 24 P.S. 1411 16. Pol. 100 17. Pol. 102 18. Pol. 000

Adopted October 14, 2019

Authority

The authority to establish, equip, furnish, operate and maintain the public schools of Upper St. Clair School District is vested in the Board of School Directors, which is a body corporate and is constituted and governed by Title 24 of the Pennsylvania Statutes, the Public School Code of 1949 as amended, Article III of the Pennsylvania Constitution and applicable federal and state laws and regulations.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)

Powers

The Board shall establish such schools as are required for the education of every student residing in Upper St. Clair School District between the ages of six (6) and twenty-one (21) years who may attend school; shall equip, furnish, operate, and maintain the schools; shall adopt and enforce rules and regulations for the management of school affairs and the conduct and deportment of employees and students; and shall levy and collect taxes as may be necessary, in addition to the annual state appropriation, for the exercise of aforesaid powers.[\[2\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)[\[13\]](#)[\[14\]](#)[\[15\]](#)

The Board shall act as the general agent of the residents of the school district in matters of public education. It shall establish educational goals and academic standards for district schools and govern an educational program designed to meet those goals and standards and to support student achievement. The Board shall be responsible for establishing, maintaining and evaluating the educational programs in district schools, and for enforcing mandatory laws and regulations. [\[3\]](#)[16]
[17]

The Board, in accordance with its statutory mandate, shall adopt Board procedures for its own operation, and policies for the guidance of the Superintendent in the operation of the school district. Board procedures and policies shall be consistent with law, have a rational and substantial relationship to a legitimate purpose of the Board, and be directed towards the maintenance and support of a thorough and efficient system of public education in this district. [\[9\]](#)[18]

The powers of the Board of School Directors are not vested in the individual Board member. No such individual is authorized to act on behalf of the Board to carry out any of the Board's authorized powers, except for those acts stated in law. [\[3\]](#)

Book	Policy Manual
Section	000 Local Board Procedures
Title	Functions
Code	003 - NEW
Status	
Legal	1. 24 P.S. 301 2. 24 P.S. 407 3. 24 P.S. 510 4. 24 P.S. 511 5. Pol. 000 6. Pol. 006 7. Pol. 007 8. 24 P.S. 508 9. 24 P.S. 1001 10. 24 P.S. 1081 11. 65 Pa. C.S.A. 1101 et seq 12. 2 Pa. C.S.A. 551 et seq
Adopted	October 14, 2019

Legislative

The Board shall exercise leadership through its rule-making power by adopting Board procedures and policies for the organization and operation of the school district. Those procedures and policies which are not dictated by the statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board, provided the proposed adoption, amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda of each succeeding Board meeting until approved or rejected.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[5\]](#)

Changes in a proposed Board procedure or policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.[\[2\]](#)

The Board may, upon a majority vote, cause to suspend at any time the operation of a Board procedure or policy, provided the suspension does not conflict with legal requirements. Such suspension shall be effective until the next meeting of the Board, unless an earlier time is specified in the motion to suspend.[\[2\]](#)

Board procedures and policies shall be adopted, amended or repealed by a majority vote of the Board.[\[6\]](#)

The adoption, modification, repeal or suspension of a Board procedure or policy shall be recorded in the minutes of the Board meeting. All current procedures and policies shall be maintained in the Board Policy Manual and disseminated appropriately.[\[7\]](#)

Executive

The Board shall exercise its executive power by the appointment of a district Superintendent, who shall enforce the statutes of the Commonwealth, the regulations of the State Board of Education, the policies of the Board, and all other applicable laws and regulations.[\[8\]](#)[\[9\]](#)[\[10\]](#)

The Superintendent shall be responsible for implementing Board policies and establishing administrative regulations for the operation of the school district that are not inconsistent with state and federal statutes or regulations; are dictated by the policies of this Board; are binding on district employees and students when issued; and shall be submitted to the Board for review. The Board reserves the right to alter or rescind any such administrative regulation.[\[3\]](#)[\[5\]](#)

The Board reserves the right to review and to direct revisions of administrative regulations when it considers the regulations to be inconsistent with Board policy or district practices. However, the Board shall not adopt administrative regulations unless required by law or requested by the Superintendent. Such adoption and/or amendment of administrative regulations shall adhere to the policy for adoption and amendment of Board procedures and policies.

The Board delegates authority to the Superintendent to take necessary action in circumstances not provided for in Board policy. The Superintendent shall promptly inform the Board of such action. The Superintendent's decision may be subject to review by the Board.

The Superintendent shall implement a procedure to inform Board members and designated employees of their responsibility under the Public Official and Employee Ethics Act.[\[11\]](#)

Whenever responsibility is delegated to the Superintendent or other administrator, it is understood that such individual may designate a representative to act on his/her behalf.

Review

The Board may assume jurisdiction over controversies or disputes arising within this school district concerning any matter over which the Board has authority granted by statute or where the Board has retained jurisdiction in contract or policies.[\[3\]](#)

In furtherance of its adjudicatory function, the Board may hold hearings in accordance with law which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.[\[12\]](#)

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences that may flow from it, the difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the school district.[\[12\]](#)

Evaluation of Board Procedures

The Board shall review and evaluate its functions as a Board when deemed necessary by the Board President. The Board may evaluate Board procedures, relationships, or activities, or focus on a particular area or issue.

The Board President, working with the Superintendent, may develop an annual plan to review and evaluate Board functions.

Book	Policy Manual
Section	000 Local Board Procedures
Title	Membership
Code	004
Status	
Legal	<ol style="list-style-type: none">1. 24 P.S. 3032. 24 P.S. 10813. 24 P.S. 3224. 24 P.S. 3235. 24 P.S. 3246. 65 Pa. C.S.A. 1101 et seq7. 24 P.S. 3218. 65 Pa. C.S.A. 11029. 65 Pa. C.S.A. 110410. 65 Pa. C.S.A. 110511. 51 PA Code 15.212. 51 PA Code 15.313. 24 P.S. 301 et seq14. 24 P.S. 31515. 24 P.S. 31616. 24 P.S. 31717. 24 P.S. 31818. 24 P.S. 31919. 65 Pa. C.S.A. 701 et seq20. 24 P.S. 40721. 65 P.S. 9122. Pol. 00623. 24 P.S. 516.124. 24 P.S. 51925. Pol. 01126. Pol. 90127. 24 P.S. 51628. Pol. 004Pol. 331
Adopted	October 14, 2019

Number

The Board shall consist of nine (9) members.[\[1\]](#)

The Superintendent shall have a seat on the Board and the right to speak on all matters, but not the right to vote.[\[2\]](#)

Qualifications

Each school director shall meet the following qualifications:

1. Be of good moral character, be at least eighteen (18) years of age, have been a resident of the district for at least one (1) year prior to the date of his/her election or appointment, and not be a holder of any office or position as specified in Section 322 of the School Code; nor shall the individual be a member of the municipal council.[\[3\]](#)
2. Shall not have been removed from any office of trust under federal, state or local laws for any malfeasance in such office.[\[4\]](#)
3. Shall not be engaged in a business transaction with the school district, be employed by the school district, or receive pay for services from the school district, except as provided by law.[\[5\]](#)[\[6\]](#)
4. Shall take and subscribe to the oath or affirmation prescribed by statute before entering the duties of the office.[\[7\]](#)
5. Shall file a statement of financial interests with the Board Secretary or designee at the following times:[\[8\]](#)[\[9\]](#)[\[10\]](#)[\[11\]](#)[\[12\]](#)
 - a. Before taking the oath of office or entering upon his/her duties.
 - b. Annually by May 1 while serving on the Board.
 - c. By May 1 of the year after leaving the Board.

Election

Election of members of the Board shall be in accordance with law.[\[13\]](#)

Vacancies

A vacancy shall occur by reason of death, resignation, removal from a district or region, or otherwise. Such vacancy shall be filled in accordance with the School Code and Sunshine Act and by appointment by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the vacancy. The school director so appointed shall serve for the remainder of the unexpired term or, if earlier, until the first Monday in December after the first municipal election occurring more than sixty (60) days following his/her appointment. When a majority of the memberships are vacant, such vacancies shall be filled by the Court of Common Pleas of Allegheny County.[\[14\]](#)[\[15\]](#)[\[16\]](#)[\[17\]](#)[\[18\]](#)[\[19\]](#)

Temporary Vacancy – Active Military Service –

A temporary vacancy shall be declared when a school director is ordered to active duty in the military forces of the United States for a period of more than thirty (30) days. The temporary vacancy shall be filled in accordance with the School Code and Sunshine Act and by appointment by a majority vote of the remaining members of the Board within thirty (30) days of the occurrence of the temporary vacancy. The school director so appointed shall serve either until the school director

returns from active duty or until expiration of the term for which s/he was elected, whichever occurs first. [\[14\]](#)[\[19\]](#)[\[20\]](#).

Term

The term of office of each school director shall be four (4) years and shall expire on the first Monday of December, except for a school director appointed or elected to fill a vacancy. A school director appointed to fill a vacancy shall serve for the remainder of the unexpired term or, if earlier, until the first Monday in December after the first municipal election occurring more than sixty (60) days following his/her appointment. The term of a school director elected to an unexpired term shall expire at the termination of that term. [\[1\]](#)[\[14\]](#)

Removal

Whenever a school director is no longer a resident of Upper St. Clair School District or the region s/he represents, his/her eligibility to serve on the Board shall cease. [\[14\]](#)[\[21\]](#)

If a school director shall neglect or refuse to attend two (2) successive regular meetings of the Board, unless detained by sickness or prevented by necessary absence from the district, or if in attendance at any meeting s/he shall neglect or refuse to act in his/her official capacity as a school director, the remaining members of the Board may declare such office vacant on the affirmative vote of a majority of the remaining members of the Board. [\[18\]](#)[\[22\]](#)

If a person elected or appointed as a school director, having been notified, shall refuse or neglect to qualify as such director, the remaining members may, within ten (10) days following the beginning of his/her term of office, declare said office vacant on the affirmative vote of a majority of the remaining members of the Board. [\[18\]](#)[\[22\]](#)

Expenses

Board members, a nonmember Board Secretary, and solicitor(s) shall be reimbursed for necessary expenses incurred as delegates to any state convention or association of school directors' convention held within the state, or for necessary expenses incurred in attendance authorized by the Board at any other meeting held within the state or at an educational convention out-of-state. All such expenses shall be itemized and made available for public inspection at the next succeeding Board meeting. Expenses shall be reimbursed by the Treasurer in the usual manner, upon presentation of an itemized, verified statement. [\[23\]](#)

Advance payments may be made upon presentation of estimated expenses to be incurred, to be followed by a final itemized, verified statement of such expenses actually incurred, and a refund shall be made to the district of such funds remaining, or an additional payment shall be made by the district to meet the verified expenses actually incurred. [\[23\]](#)

No school director shall be reimbursed for more than two (2) out-of-state meetings in one (1) school year.

Orientation

The Board believes that the preparation of each school director for the performance of duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new school director to understand the functions of the Board, acquire knowledge of matters related to the operation of the schools, and review Board procedures and policies.

Accordingly, the Board shall give to each new school director, no later than his/her first regular meeting, for use during his/her term on the Board the following items:

1. A copy of the School Code. [\[24\]](#)

2. A copy of the Board Policy Manual.
3. The current budget statement, audit report and related fiscal materials.
4. Access to district information on comprehensive planning, curriculum, assessments, facilities planning and district programs.
5. A copy of the Board's adopted Principles for Governance and Leadership.[25]

Each new school director shall be invited to meet with the Board President, Superintendent, and Board Secretary to discuss Board functions, procedures and policy.

School Director Education/Training

The Board places a high priority on the importance of a planned and continuing program of inservice education and training for its members. The purpose of the planned program shall be to enhance the quality and effectiveness of the Board's governance and leadership.

The Board, in conjunction with the Superintendent, shall plan specific inservice education programs and activities designed to assist Board members in their efforts to improve their skills as policy-making leaders; expand their knowledge about issues, programs, and initiatives affecting the district's educational programs and student achievement; and deepen their insights into the nature of leadership, governance and community engagement.

The school community shall be kept informed about the Board's continuing inservice education and training and the anticipated short and long-term benefits to the district and its schools.[26]

The Board shall annually budget funds to support its planned program of inservice education and training.

The Board establishes the following activities as the basis for its planned program of inservice education and training:

1. Participation in School Board conferences, workshops and conventions.
2. District-sponsored inservice education and training programs designed to meet Board needs.
3. Subscriptions to publications addressed to Board members' concerns.
4. Maintenance of resources and reference materials accessible to Board members.

Conference Attendance

In keeping with its stated priority on the importance of continuing inservice education and training for its members, the Board encourages the participation of all members at appropriate School Board conferences, workshops, and conventions. In order to control both the investment of time and expenditure of funds necessary to implement this planned program, the Board establishes the following guidelines:[23][27]

1. The Board shall identify annually the issues, objectives, and cost benefits that can be ascribed to participation by Board members in conferences, workshops and conventions.
2. The Superintendent shall inform Board members, in a timely manner, of upcoming conferences, workshops and conventions.
3. The Board shall periodically decide which meetings appear to offer the most direct and indirect benefits to the district.

4. Each school director shall receive Board approval prior to attending a conference, workshop or convention at Board expense.
5. Funds for conference attendance shall be budgeted on an annual basis.
6. When a conference, workshop or convention is not attended by the full Board, those who do participate shall share information, recommendations and materials acquired at the meeting that will be beneficial to the school district.
7. Reimbursement to Board members for their travel expenses shall be in accordance with Board procedures and policy.[28]
8. The requirements regarding reimbursement for Board members for travel expenses shall be strictly enforced, and no payment shall be made until receipts for reimbursable expenses are submitted to the Business Manager or designee.
9. Reimbursement shall be limited to actual expenses incurred, and shall not include or be construed to include compensation to individual Board members.[Z].

Student Representation

The Board authorizes student representation on the Board in order to facilitate effective communication and to provide an opportunity for students to participate in school governance.

(Replaces Policy 2003 - School Board Membership adopted November 26, 2012)

Book	Policy Manual
Section	000 Local Board Procedures
Title	Organization
Code	005
Status	
Legal	<ol style="list-style-type: none">1. 24 P.S. 4012. 24 P.S. 4023. 24 P.S. 4044. 24 P.S. 4215. 24 P.S. 4266. 24 P.S. 3217. 24 P.S. 4368. 24 P.S. 4389. Pol. 81110. 24 P.S. 43111. 24 P.S. 43212. 24 P.S. 32413. PA Const. Art. VI Sec. 714. Pol. 00615. 24 P.S. 50816. 24 P.S. 68317. 24 P.S. 40618. 24 P.S. 43419. 24 P.S. 240120. 24 P.S. 51621. 24 P.S. 62122. 24 P.S. 10623. 65 Pa. C.S.A. 701 et seq
Adopted	October 14, 2019

Organization Meeting

The Board members shall meet and organize annually during the first week of December. Notice of the time and place of the organization meeting shall be given to all Board members by mail at least five (5) days before the meeting by the Board Secretary. The organization meeting shall be a regular meeting.[\[1\]](#)[\[2\]](#)[\[3\]](#)[\[4\]](#)

Order

The organization meeting shall be called to order by the current President or Vice-President of the outgoing Board, or any hold-over member of the Board. A temporary President shall be elected from among the hold-over members of the Board. The Board Secretary shall be secretary of the meeting. In an election year, the certificates of election or appointment of all new Board members shall be read, and a list shall be prepared of the legally elected or appointed and qualified Board members. [2] [5]

At the organization meeting, the temporary President may administer the oath or affirmation of office to those Board members who have not previously taken and subscribed to the same. [2] [6]

Officers

Election of officers shall be by a majority vote of those present and voting. Where no such majority is achieved on the first ballot, a second ballot shall be cast for the two (2) candidates who received the greatest number of votes.

1. The school directors shall annually, during the first week of December, elect from their members a President and Vice-President who shall serve for one (1) year. [3]
2. The school directors shall annually, during the month of May, elect a Treasurer who shall serve for one (1) year beginning the first day of July after such election. The Treasurer may be a corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth, and may be a member of the Board. [3]

The Treasurer shall not enter upon his/her duties until furnishing bond in accordance with law and with Board approval. The Treasurer shall be compensated in the manner and at the rate determined by the Board. [7] [8] [9]

3. The school directors shall, during the month of May in every fourth year, elect a Secretary who shall serve a term of four (4) years beginning the first day of July following such election, and may be a member of the Board. [3]

The Secretary shall not enter upon his/her duties until furnishing bond in accordance with law and with Board approval. The Secretary shall be compensated in the manner and at the rate determined by the Board. [9] [10] [11]

Vacancies in any office shall be filled by Board election; such officers shall serve for the remainder of the unexpired term.

The same school director may not hold more than one (1) office of the Board. No commissioned officer or professional employee of the Board shall serve, temporarily or permanently, as an officer of the Board. [3] [12]

Officers of the Board serve at the pleasure of the Board and may be removed from such office by the affirmative vote of a majority of those present and voting. [13] [14]

Appointments

The Board shall have the authority to appoint:

1. A tax collector, where a tax collector is not elected to collect taxes, there is a vacancy, or an elected tax collector refuses to qualify. [15] [16]
2. Solicitor. [12] [17]
3. Right to Know Officer and Coordinator.

4. Independent auditor. [\[19\]](#).
5. Delegates to a state convention or association of school directors. [\[20\]](#).
6. Other appointments the Board deems necessary or as may be required by law.

Appointees serve at the pleasure of the Board and may be removed from such appointment in accordance with the provisions of law. [\[13\]](#) [\[14\]](#)

Resolutions

The Board may at the organization meeting, but shall prior to July 1 next following, designate:

1. Depositories for school funds. [\[21\]](#).
2. Newspaper(s) of general circulation as defined in law. [\[22\]](#).
3. Normal day, place and time for regular meetings. [\[4\]](#).
4. Normal day, place and time for open committee meetings.
5. Normal day, place and time for executive sessions of the Board.

Board Committees

The Board has the authority to approve Board committees. Board committees authorized to take official action or render advice on district business shall operate in accordance with the provisions of the Sunshine Act. [\[14\]](#) [\[23\]](#).

The Superintendent or designee shall be present at all committee meetings except those dealing with compensation or evaluation of the Superintendent.

Members shall be appointed by the President.

A member may request or refuse appointment to a committee.

Refusal to serve on any one committee shall not be grounds for failure to appoint a member to another committee.

Each Board committee shall be convened by a chairperson, who shall report for the committee and be appointed by the President.

Ad hoc committees may be created, charged, and assigned a fixed termination date, which may be extended by the President.

Members of committees shall serve until the committee is discharged.

The Board may develop Board Operations Guidelines that describe the duties and establish procedures for the operation of standing committees.

Board Representatives

The President may appoint as soon after the organization meeting as practicable representatives of the Board to serve outside boards/committees, where they shall serve a term of one (1) year:

1. Legislation.
2. Pathfinder.
3. PSBA.
4. SHASDA.
5. Township Liaison.
6. Youth Steering.
7. PTA Council/PTSO.

Consultants

The Board may appoint, employ or retain consultants to provide the district with specialized services not normally required on a continuing basis. Compensation shall be determined and approved by the Board.

The function of a consultant shall be to make studies and present recommendations to the Board. A consultant shall not be charged with the implementation of a report.

A consultant has no administrative authority over any facet of district schools, but shall act solely as advisor to the Board, officers and employees.

The use of consultants from outside the district who promote a particular commercial product is discouraged.

(Replaces Policy 2001 - School Board Organization adopted November 26, 2012)

Book	Policy Manual
Section	000 Local Board Procedures
Title	Meetings
Code	006
Status	Active
Legal	<ol style="list-style-type: none">1. 24 P.S. 4072. 65 Pa. C.S.A. 701 et seq3. 24 P.S. 4224. 24 P.S. 4055. 24 P.S. 4266. 24 P.S. 4277. 24 P.S. 4288. 65 Pa. C.S.A. 7039. 65 Pa. C.S.A. 70910. 24 P.S. 42311. 24 P.S. 42112. 24 P.S. 42513. Pol. 90314. 24 P.S. 32415. 24 P.S. 50816. 24 P.S. 60917. 24 P.S. 68718. 24 P.S. 70719. 24 P.S. 67120. 24 P.S. 63421. 24 P.S. 112922. 24 P.S. 64023. 24 P.S. 80324. Pol. 10825. 24 P.S. 107126. 24 P.S. 107627. Pol. 60428. Pol. 00529. Pol. 60630. Pol. 60531. Pol. 10732. 24 P.S. 62133. Pol. 608

34. Pol. 610
35. 24 P.S. 1080
36. 24 P.S. 514
37. 24 P.S. 702
38. 24 P.S. 708
39. 24 P.S. 315
40. Pol. 004
41. Pol. 003
42. 24 P.S. 224
43. 24 P.S. 212
44. 65 Pa. C.S.A. 1102
45. 65 Pa. C.S.A. 1103
46. Pol. 827
47. 24 P.S. 1111
48. 24 P.S. 518
49. 65 Pa. C.S.A. 706
50. 65 Pa. C.S.A. 705
51. 24 P.S. 433
52. Pol. 800
53. Pol. 801
54. Pol. 006
55. 65 Pa. C.S.A. 707
56. 65 Pa. C.S.A. 708
24 P.S. 408
24 P.S. 1075
24 P.S. 1077
65 Pa. C.S.A. 1101 et seq
Pol. 612

Adopted

October 14, 2019

Parliamentary Authority

All Board meetings shall be conducted in an orderly and business-like manner. Robert's Rules of Order shall govern the Board in its deliberations in all cases in which it is not inconsistent with law, state regulations or Board procedures.[1][2]

Quorum

A quorum shall consist of a majority of the members of the Board. No business shall be transacted at a meeting without a quorum, but the school directors present at such a meeting may adjourn to another time.[3]

Presiding Officer

The President shall preside at all Board meetings. In the absence, disability or disqualification of the President, the Vice-President shall act instead. If neither person is present, a school director shall be elected President pro tempore by a majority of those present and voting to preside at that meeting only. Where no such majority is achieved on the first vote, a second vote shall be cast for the two (2) candidates who received the greatest number of votes.[\[4\]](#)[\[5\]](#)[\[6\]](#)[\[7\]](#)

Notice

Notice of all public Board meetings, including committee meetings and work sessions, shall be given by publication of the date, place, and time of such meetings in the newspaper(s) of general circulation designated by the Board and posting of such notice at the administrative offices of the Board.[\[8\]](#)[\[9\]](#)

1. Notice of regular meetings shall be given by publication and posting of a schedule showing the date, place and time of all regular meetings for the calendar year at least three (3) days prior to the time of the first regular meeting.[\[8\]](#)[\[9\]](#)
2. Notice of all special meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting, except that such notice shall be waived when a special meeting is called to deal with an actual emergency involving a clear and present danger to life or property.[\[8\]](#)[\[9\]](#)
3. Notice of all rescheduled meetings shall be given by publication and posting of notice at least twenty-four (24) hours prior to the time of the meeting.[\[8\]](#)[\[9\]](#)
4. Notice of all recessed or reconvened meetings shall be given by posting a notice of the place, date and time of the meeting and sending copies of such notice to interested parties.[\[8\]](#)
5. Notice of all public meetings shall be given to any newspaper(s) circulating in Allegheny County and any radio or television station which so requests. Notice of all public meetings shall be given to any individual who so requests and provides a stamped, addressed envelope for such notification.[\[9\]](#)

Notice of all rescheduled meetings and special meetings shall be given to each school director no later than twenty-four (24) hours prior to the time of the meeting.[\[9\]](#)[\[10\]](#)

Regular Meetings

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

1. Agenda

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

The agenda, together with all relevant reports, shall be provided to each school director before the meeting.

If the agenda includes an item of business related to removal of an officer of the Board, the agenda shall be provided to each school director at least seven (7) days before the meeting.

Special Meetings

Special meetings may be called for special or general purposes and shall be public except when conducted as an executive session for purposes authorized by law.[\[2\]](#)[\[5\]](#)[\[10\]](#)[\[12\]](#)

The President may call a special meeting at any time and shall call a special meeting upon presentation of the written requests of three (3) school directors. Upon the President's failure or

refusal to call a special meeting, such meeting may be called at any time by a majority of the school directors. [\[5\]](#).

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

Public Participation

At each public Board meeting, prior to official action by the Board, an opportunity shall be provided for public comment in accordance with law and Board procedures and policy. [\[2\]](#)[\[13\]](#)

Voting

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

All votes on motions and resolutions shall be by voice vote unless an oral roll call vote is requested by the President or another school director.

Special Voting Requirements –

**Indicates actions for which the minutes also must reflect how each school director voted.*

1. Actions requiring the unanimous affirmative vote of all members of the Board remaining in office:
 - a. Appoint as Board Secretary a former school director who has resigned, before the expiration of the term for which the director was elected. **[\[14\]](#)[\[15\]](#)*
 - b. Appoint as solicitor a former school director who has resigned, before the expiration of the term for which the director was elected. **[\[14\]](#)[\[15\]](#)*
2. Actions requiring the affirmative votes of two-thirds of the full membership of the Board:
 - a. Transferring, during the first three (3) months of the fiscal year, budgeted funds set apart or appropriated to a particular item of expenditure. **[\[15\]](#)[\[16\]](#)[\[17\]](#)*
 - b. Adding or increasing appropriations to meet an emergency or catastrophe. **[\[15\]](#)[\[17\]](#)*
 - c. Hiring as a teacher a former school director who has resigned, before the expiration of the term for which the director was elected. **[\[14\]](#)[\[15\]](#)*
 - d. Conveying land or buildings to certain charities or other public agencies without following prescribed valuation procedures or with more favorable financing. **[\[15\]](#)[\[18\]](#)*
 - e. Incurring temporary debt (non-emergency). **[\[17\]](#)[\[20\]](#)*
 - f. Dismissing a tenured professional employee after a hearing. **[\[15\]](#)[\[21\]](#)*
 - g. Borrowing in anticipation of current revenue. **[\[15\]](#)[\[22\]](#)*
3. Actions requiring the affirmative votes of two-thirds of those voting in the presence of a quorum:
 - a. Incurring temporary debt to meet an emergency or catastrophe. **[\[15\]](#)[\[17\]](#)*

b. Adopting or changing textbooks without the recommendation of the Superintendent.*[\[15\]](#)
[\[23\]](#)

4. Actions requiring the affirmative votes of a majority of the full membership of the Board:

a. Fixing the length of the school term.*[\[15\]](#)

b. Adopting textbooks recommended by the Superintendent.*[\[15\]](#)[\[24\]](#)

c. Appointing the district Superintendent and Assistant Superintendent(s).*[\[15\]](#)[\[25\]](#)[\[26\]](#)

d. Appointing teachers and principals.*[\[15\]](#)

e. Adopting the annual budget.*[\[15\]](#)[\[27\]](#)

f. Appointing tax collectors and other appointees.*[\[15\]](#)[\[28\]](#)[\[29\]](#)

g. Levying and assessing taxes.*[\[15\]](#)[\[30\]](#)

h. Purchasing, selling, or condemning land.*[\[15\]](#)

i. Locating new buildings or changing the location of old ones.*[\[15\]](#)

j. Creating or increasing any indebtedness.*[\[15\]](#)

k. Adopting planned instruction.[\[15\]](#)[\[31\]](#)

l. Establishing additional schools or departments.*[\[15\]](#)

m. Designating depositories for school funds.*[\[15\]](#)[\[32\]](#)[\[33\]](#)

n. Authorizing the transfer of any unencumbered balance, or portion thereof, from one appropriation to another, or from one spending agency to another during the last nine (9) months of the fiscal year.*[\[15\]](#)[\[17\]](#)

o. Entering into contracts of any kind, including contracts for the purchase of fuel or any supplies where the amount involved exceeds \$100 (including items subject to bid requirements).*[\[15\]](#)[\[34\]](#)

p. Fixing salaries or compensation of officers, teachers, or other appointees of the Board.*
[\[15\]](#)

q. Entering into contracts with and making appropriations to the intermediate unit for the district's proportionate share of the cost of services provided or to be provided by the intermediate unit.*[\[15\]](#)

r. Dismissing, after a hearing, a Superintendent, Assistant Superintendent or non-tenured teacher.*[\[15\]](#)[\[35\]](#)[\[36\]](#)

s. Determining the location and amount of any real estate required by the school district for school purposes.*[\[15\]](#)[\[37\]](#)

t. Vacating and abandoning property to which the Board has title.*[\[15\]](#)[\[38\]](#)

u. Appointing a school director to fill a vacancy on the Board.*[\[15\]](#)[\[39\]](#)

- v. Calling a special meeting when the President has failed to do so after written request of three (3) members of the Board.[5]
- w. Declaring that a vacancy exists on the Board by reason of the failure or neglect of a school director to qualify.[40]
- x. Adopting, amending or repealing Board procedures and policy.[41]
- y. Combining or reorganizing into a larger school district.[42]
- z. Adopting a corporate seal for the district.[43]

Abstention from Voting

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

1. Conflict of interest under the Ethics Act.[44][45][46]

Prior to the vote being taken, the school director shall verbally disclose the nature of the conflict in public, and shall also provide the Board Secretary with a written memorandum stating the nature of the conflict, which shall be attached to the Board minutes as a public record.

Conflict of interest - use by a public official of the authority of his/her office or any confidential information received through his/her holding public office for the private pecuniary benefit of him/herself, a member of his/her immediate family or a business with which s/he or a member of his/her immediate family is associated. The term does not include an action having a de minimis economic impact or which affects to the same degree a class consisting of the general public or a subclass consisting of an industry, occupation or other group which includes the public official, a member of his/her immediate family or a business with which s/he or a member of his/her immediate family is associated.[44]

De minimis economic impact – an economic consequence which has an insignificant effect.
[44]

Immediate family – parent, spouse, child, brother or sister.[44]

Business with which associated – any business in which the person or a member of the person's immediate family is a director, officer, owner, employee or has a financial interest.[44]

2. Relative recommended for appointment to or dismissal from a teaching position.[21][47]

Relative – father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, niece, first cousin, sister-in-law, brother-in-law, uncle, or aunt.

The Board is encouraged to seek the guidance of the district solicitor or the State Ethics Commission for questions related to conflict of interest.[45][46]

Minutes

The Board shall cause to be made, and shall retain as a permanent record of the district, minutes of all public Board meetings. Said minutes shall be comprehensible and complete and shall show:[48]
[49]

1. Date, place, and time of the meeting.

2. Names of school directors present.
3. Presiding officer.
4. Substance of all official actions.
5. Actions taken.
6. Recorded votes and a record by individual members of all roll call votes taken. [\[50\]](#).
7. Names of all residents who appeared officially and the subject of their testimony.

The Board Secretary shall provide each school director with a copy of the minutes of the last meeting prior to the next regular meeting. [\[1\]](#)

The minutes of Board meetings shall be approved at the next succeeding meeting and signed by the Board Secretary. [\[51\]](#)

Notations and any tape or audiovisual recordings shall not be the official record of a public Board meeting but may be available for public access, upon request, in accordance with Board policy. Any notations and/or audiovisual recordings of a Board meeting shall be retained and disposed of in accordance with the district's records retention schedule. [\[1\]](#)[\[52\]](#)[\[53\]](#)

Recess/Reconvene

The Board may at any time recess or reconvene to a reconvened meeting at a specified date and place, upon the majority vote of those present. The reconvened meeting shall immediately take up its business at the point in the agenda where the motion to recess was acted upon. Notice of the reconvened meeting shall be given as provided in Board policy. [\[8\]](#)[\[9\]](#)[\[54\]](#)

Executive Session

The Board may hold an executive session, which is not an open meeting, before; during; at the conclusion of a public meeting; or at some other time. The presiding officer shall announce the reason for holding the executive session; the announcement can be made at the public meeting prior to or after the executive session. [\[12\]](#)[\[55\]](#)[\[56\]](#)

The Board may discuss the following matters in executive session:

1. Employment issues.
2. Labor relations.
3. Purchase or lease of real estate.
4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints that may lead to litigation.
5. Matters that must be conducted in private to protect a lawful privilege or confidentiality.
6. School safety and security, of a nature that if conducted in public, would: [\[12\]](#)
 - a. Be reasonably likely to impair the effectiveness of school safety measures.
 - b. Create a reasonable likelihood of jeopardizing the safety or security of an individual or a school, including a building, public utility, resource, infrastructure, facility or information storage system.

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

Work Sessions

The Board may meet as a Committee of the Whole in a public meeting to review the agenda and discuss issues. The Committee of the Whole may also convene a voting meeting. Public notice of such meetings shall be made in accordance with law and Board procedures.[\[2\]](#)[\[54\]](#)

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

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

Committee Meetings

Standing committee meetings may be called at any time by the committee chairperson, with proper public notice, or when requested to do so by members of the committee.[\[8\]](#)[\[9\]](#)[\[54\]](#)

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

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

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

(Replaced Policy 2002 - Ethics Policy originally adopted January 13, 1975 and revised December 16, 2002.)

Book	Policy Manual
Section	000 Local Board Procedures
Title	Attendance at Meetings Via Electronic Communications
Code	006.1 - NEW
Status	Active
Legal	1. 24 P.S. 407
Adopted	October 14, 2019

Authority

The Board recognizes that factors such as illness, travel, schedule conflicts and weather conditions can make impossible the physical presence of a Board member at a Board meeting, and that electronic communications can enable a Board member to participate in a meeting from a remote location.

A Board member shall be able to attend a Board meeting, and participate in Board deliberations and voting, through electronic communications, but only under extraordinary circumstances. [\[1\]](#)

The Board authorizes the administration to provide the equipment and facilities required to implement this Board procedure.

Guidelines

A Board member who attends a meeting through electronic communications shall be considered present only if the member can hear everything said at the meeting and all those attending the meeting can hear everything said by that member. If the Board President determines either condition is not occurring, s/he shall terminate the Board member's attendance through electronic communications.

A majority of Board members shall be physically present at a Board meeting when a Board member attends through electronic communications.

To attend a Board meeting through electronic communications, a Board member shall comply with the following:

1. Submit such request to the Board President or designee in advance of the meeting.
2. Ensure that the remote location is quiet and free from background noise and interruptions.
3. Participate in the entire Board meeting.

The Board President may deny a request for electronic participation if the equipment is not available or operational or if electronic participation could jeopardize confidential or privileged conversations reserved for executive session.

Book	Policy Manual
Section	000 Local Board Procedures
Title	School Board/Administration Communication Policy
Code	007
Status	
Adopted	October 14, 2019

Purpose

This policy sets forth the communication protocol School Board members and School District Administration members are to follow in carrying out the public service they provide the Upper St. Clair School District. The policy is intended to ensure timely and accurate communications regarding School District matters.

Guidelines

1. The Superintendent, or the Superintendent's designee, will advise the President and all other Board members as soon as practicable on school or school-related developments that are controversial, sensitive to press reaction, involve public safety, or have legal implications. Likewise, with regard to such developments which may first come to the attention of a Board member, that Board member will promptly advise the President and the Superintendent of Schools.
2. All Board members' official communications with School District Administration are to be initiated with or through the Superintendent or appropriate Administration Liaison. The Superintendent will designate the Administration Liaison responsible for each Committee of the School Board. The School District Administration will advise the Superintendent of communications with Board members involving school-related matters.
3. All Board members' requests for School District information regarding School Board business will be directed to and through the Superintendent. It will be the Superintendent's responsibility to ensure the timely provision of the requested information. Should fulfilling a Board members' request require significant use of staff time or cost to the District, the Superintendent may seek Board approval prior to taking action on the request. This provision is not intended to prevent the administration from fulfilling its obligation to provide timely information under Pennsylvania's "Right to Know" laws, but rather to manage the resource impact of information requests in a reasonable manner. Any information produced pursuant to a Board member's request is to be distributed to all Board members in a timely fashion.
4. The Board President or Committee Chair, in collaboration with the Superintendent of Schools, shall establish the meeting agenda prior to the scheduled meeting. Subsequent to the publication of the agenda, new agenda items may be introduced at the meeting only if determined to be an "urgent" matter by the Superintendent or President of the Board. The Superintendent is responsible for providing to Board members pertinent information about agenda items prior to the scheduled meeting.

5. The Superintendent of Schools, or designee, is responsible for official communications with the press regarding School District matters. The President of the Board, or designee, is responsible for communicating with the press regarding official School Board business.

Book	Policy Manual
Section	000 Local Board Procedures
Title	Board Philosophy/Principles for Governance and Leadership
Code	011 - NEW
Status	
Adopted	October 14, 2019

Board Philosophy

The Board of Education has adopted the following philosophy of education as the guiding foundation for the Upper St. Clair public schools:

1. To provide the finest educational program possible in a fiscally conscientious way;
2. The District will be staffed with a well trained administration to provide dynamic educational leadership;
3. To provide the best qualified teachers and to encourage professional growth;
4. To develop and promote among the students a full appreciation for the ideals of our American representative republic;
5. To construct and maintain proper facilities that enhance the District's educational programs and are operated in an economical manner, consistent with efficient management; and
6. To develop a rigorous and academically stimulating curriculum that includes tangible and measurable goals as a prerequisite designed to meet the educational needs of all students. In implementing this curriculum, all instructional processes will be designed according to the concept of continuous progress, i.e. each student shall be taught according to the individual's rate and level of achievement.

Principles for Governance and Leadership

This Board policy supports the Principles for Governance and Leadership adopted by the Board and signed by individual school directors.

Pennsylvania school boards are committed to providing every student the opportunity to grow and achieve. The actions taken by the board ultimately have both short and long-term impact in the classroom. Therefore, school directors collectively and individually will . . .

Advocate Earnestly

- Promote public education as a keystone of democracy
- Engage the community by seeking input, building support networks, and generating action
- Champion public education by engaging members of local, state and federal legislative bodies

Lead Responsibly

- Prepare for, attend and actively participate in board meetings
- Work together in a spirit of harmony, respect and cooperation
- Participate in professional development, training and board retreats
- Collaborate with the Superintendent as the Team of 10

Govern Effectively

- Adhere to an established set of rules and procedures for board operations
- Develop, adopt, revise and review policy
- Align decisions to policy
- Differentiate between governance and management, delegating management tasks to administration
- Allocate finances and resources
- Ensure compliance with local, state and federal laws

Plan Thoughtfully

- Adopt and implement a collaborative comprehensive planning process, including regular reviews
- Set annual goals that are aligned with the comprehensive plan
- Develop a financial plan that anticipates both short and long-term needs
- Formulate a master facilities plan conducive to teaching and learning

Evaluate Continuously

- Utilize appropriate data to make informed decisions
- Use effective practices for the evaluation of the Superintendent
- Assess student growth and achievement
- Review effectiveness of the comprehensive plan

Communicate Clearly

- Promote open, honest and respectful dialogue among the board, staff and community
- Encourage input and support for the district from the school community
- Protect confidentiality
- Honor the sanctity of executive session

Act Ethically

- Never use the position for improper benefit to self or others
- Act to avoid actual or perceived conflicts of interest
- Recognize the absence of authority outside of the collective board
- Respect the role, authority and input of the Superintendent
- Balance the responsibility to provide educational programs with being stewards of community resources
- Abide by the majority decision

(Replaces Policy 1001 - Philosophy of the Board of Education Originally Adopted May 23, 1967 and Last Revised October 22, 2017)

Personnel Listing
Date: October 14, 2019
Board Meeting

Personnel Listing
Date: October 14, 2019
Board Meeting

Type of Action	Staff Name	Location	New Assignment	New Assignment Status	Effective Date	Salary
Election	Thompson, Jennifer	HS	Special Education Teacher	FT	10-31-2019	\$58,150 (pro-rated)

**3033 Federal Fiscal Compliance and Uniform Grant Guidance (UGG)
Federal Procurement Requirements**

Authority

The Board shall review and approve all applications for federal funds submitted by the district.

Delegation of Responsibility

The Board designates the Superintendent as the district contact for all federal programs and funding.

The Superintendent or designee shall develop administrative procedures governing the procurement, use, management and disposal of goods, materials and equipment purchased with federal grant funds. At a minimum, the administrative procedures shall ensure:

1. Expenditures of federal grant funds are completed in accordance with federal requirements.
2. Title to and control of location, custody and security of equipment and/or property purchased with federal funds are maintained.

The Federal Programs Coordinator or designee shall track and document all federal programs expenditures and verify budgetary information required for those programs.

Procurement – Federal Programs

This document is intended to integrate standard district purchasing procedures with additional requirements applicable to procurements that are subject to the federal Uniform Grant Guidance regulations and/or U.S. Department of Agriculture (USDA) regulations governing school food service programs. The district maintains the following purchasing procedures, in accordance with federal and state laws, regulations and Board policy.

2019 Procurement Thresholds		
PA State Quotation Threshold	\$11,100	Adjusted based on Consumer Price Index published in PA Bulletin
PA State Bid Threshold	\$20,600	Adjusted based on Consumer Price Index published in PA Bulletin
Federal Micro-Purchase Threshold	Up to \$10,000	Adjusted periodically and published in Federal Register
Federal Small Purchase	Between \$10,000-\$250,000	Adjusted periodically and published in Federal Register
Federal Simplified Acquisition Threshold	\$250,000	Adjusted periodically and published in Federal Register

*This Procurement attachment shall be reviewed annually and amounts updated accordingly.

** When using federal funds, Federal Procurement Requirements cannot supersede the PA School Code, unless the requirements are more restrictive.

Responsibility for Purchasing

The Board has outlined standard district purchasing responsibility, methods of purchasing, price quotations and bid requirements in Board policies administrative procedures:

Purchase Methods

When a request for purchase of equipment, supplies or services has been submitted and approved as outlined below, the procurement method to be used will be determined based on the type of purchase and the total cost of the purchase as further outlined below. This procedure outlines how the cost thresholds for determining when the quote or formal bidding procedures that are required by state law must be modified when making purchases for federally funded purposes to which the Uniform Grant Guidance or USDA regulations apply, so as to comply with both state and federal requirements. At each point where requirements for food service-related procurement under USDA regulations differ, a note will refer to the Food Service Program Notes at the end of this procedure. Final determination of which purchasing procedures are to be applied is delegated to the Superintendent under the authority of the Board.

Standard Procurement Documents and Purchase Request Process

The district shall use requisitions for purchase requests in accordance with the applicable purchase method.

The district shall use paper purchasing records, which are pre-numbered and are accessible to designated purchasing staff in the Business Office.

Purchase requests by an employee must be submitted to the building administrator or immediate supervisor. Purchase of all budgeted items or items approved by an administrator or supervisor must be initiated by use of a purchase order or requisition submitted to the Director of Business & Finance.

Purchase orders and requisitions shall contain information including, but not limited to:

1. Description of the services to be performed or goods to be delivered.
2. Location of where services will be performed or goods will be delivered.
3. Appropriate dates of service or delivery.

Documentation on purchase orders and requisitions shall be maintained in accordance with the district's Records Management Policy and records retention schedule.

Contracts shall be reviewed by the school solicitor prior to submission to the Board for approval.

Contracts to which the Uniform Grant Guidance apply shall contain the clauses specified in Appendix II to 2 CFR Part 200 (Contract Provisions for Non-Federal Entity Contracts Under Federal Awards), when applicable.

[See Food Service Program Notes below for specific clauses required by USDA regulations to be included in cost reimbursable procurement contracts.]

Micro-Purchases Not Requiring Quotes or Bidding

For purposes of this procedure, micro-purchase means a purchase of equipment, supplies or services for use in federally funded programs using simplified acquisition procedures, the aggregate amount of which does not exceed a base amount of \$10,000. The micro-purchase dollar threshold is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than \$10,000.

Note: The micro-purchase maximum for federal purposes is slightly lower than the amount below which the School Code allows purchase for nonfederal purposes to be made without obtaining at least three (3) written or telephonic quotes or using formal competitive bidding.

The micro-purchase method is used in order to expedite the completion of its lowest dollar small purchase transactions and minimize the associated administrative burden and cost. Procurement by micro-purchase is the acquisition of equipment, supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.

To the extent practicable, the district distributes micro-purchases equitably among qualified suppliers when the same or materially interchangeable products are identified and such suppliers offer effectively equivalent rates, prices and other terms. The Director of Business & Finance will be responsible to determine the equitable distribution of micro-purchases.

Micro-purchases may be awarded without soliciting competitive quotations if the district considers the price to be reasonable. The district will maintain evidence of this reasonableness in the records of all micro-purchases. Reasonable means that sound business practices were followed and the purchase is comparable to market prices for the geographic area. Such determinations of reasonableness may include comparison of the price to previous purchases of the same item or comparison of the price of items similar to the item being purchased.

Even if the cost of a purchase qualifies it as a micro-purchase, bidding or small purchase procedures may be used optionally when those procedures may result in cost savings.

Small Purchase Procedures

For purposes of this procedure, small purchase procedures are those relatively simple and informal procurement methods for securing equipment or supplies that cost more than the amount qualifying as a micro-purchase and do not cost \$20,600 or more, or in the case of services other than construction, maintenance or repair on school facilities, where the total cost does not exceed the \$250,000 federal Simplified Acquisition Threshold at which formal competitive bidding or competitive proposals are required. Small purchase procedures cannot be used for purchases of equipment or supplies or for construction, repair or maintenance services costing \$20,600 or more because the School Code requires formal competitive bidding at that level of cost.

The base amount at which bidding is required under state law for purchases of equipment, supplies and construction, maintenance or repair services on school facilities is adjusted for inflation annually, and the amount most recently established and published in the Pennsylvania Bulletin shall apply if other than \$20,600.

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than \$250,000.

Because state law does not require competitive bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost, small purchase procedures, including a request for proposal (RFP) procedure, may be used for procurement of such other services except when the estimated total cost will be at or over the federal threshold at which formal competitive bidding or competitive proposals are required \$250,000.

[See Food Service Program Notes below for exemption from bidding for purchases of perishable food items costing less than \$250,000.]

If small purchase procedures are used, written or telephonic price or rate quotations are obtained from at least three (3) qualified sources and records of quotes are maintained.

Formal Competitive Bidding

Publicly Solicited Sealed Competitive Bids:

For purchases of equipment or supplies, or of services for construction, maintenance or repairs of school facilities, sealed competitive bids are publicly solicited and awarded to the lowest responsive and responsible bidder when the total cost is estimated to be \$20,600 or more.

Note: The amount at which formal competitive bidding or competitive proposals are required by federal regulations is much higher than the base amount at which the School Code requires competitive bidding. Therefore, the lower base amount specified by the School Code, as annually adjusted, is used to determine when bidding will be used for purchases of equipment or supplies, or for obtaining services for construction, maintenance or repairs on school facilities.

State law does not require bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost. For procurement of such other services for federally funded purposes to which the Uniform Grant Guidance applies, formal competitive bidding or competitive proposals will be used when the estimated total cost will be at or over the federal threshold of \$250,000.

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register shall apply if other than \$250,000.

For procurement of services costing at or over the \$250,000 federal threshold other than for construction, maintenance or repairs on school facilities, the use of competitive sealed bidding is considered feasible and appropriate when:

1. A complete, adequate, and realistic specification or purchase description is available;
2. Two (2) or more responsible bidders are willing and able to compete effectively for the business; and
3. The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid

when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

Competitive Proposals

State law does not require public school entities to solicit competitive bids for services other than construction, repairs or maintenance of school facilities, for which competitive bidding is required if the cost will be a base amount of \$20,600 or more. State law allows competitive proposals relating to work on facilities in lieu of bidding only in the context of guaranteed energy savings contracts.

Federal regulations allow the use of competitive proposals as an alternative to formal competitive bidding when conditions are not appropriate for the use of sealed bids.

In the case of services other than for construction, repairs or maintenance of school facilities costing less than that threshold, the district may use small purchase procedures or micro-purchase procedures as applicable based on total cost. A request for proposal (RFP) process can also meet or exceed the small purchase competition requirements under state law for the acquisition of services other than for construction, repairs or maintenance of school facilities, and can be used if the total cost will be less than \$250,000.

When permitted, the technique of competitive proposals is normally conducted with more than one (1) source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The district shall comply with other applicable state and federal law and regulations, Board policy and administrative regulations regarding purchasing; the district may consult with the school solicitor or other qualified counsel in determining the required process for purchasing through competitive proposals when necessary.

If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
2. Proposals must be solicited from an adequate number of qualified sources.
3. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

An alternative form of competitive proposal is permitted only for qualifications-based procurement of architectural and engineering services, in which price is not a selection factor and reasonable compensation is negotiated after source selection. This alternative is not permitted for procurement of other types of services.

Competitive proposals shall be evaluated by the Director of Business & Finance based on factors including but not limited to:

- Cost.
- Experience of contractor.

- Availability.
- Personnel qualifications.
- Financial stability.
- Minority business, women’s business enterprise, or labor surplus area firm status.
- Project management expertise.

Evaluations shall be completed in a timely manner, documented and shall be reviewed by the Director of Business & Finance.

Contract/Price Analysis

The district performs a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications.

A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Director of Business & Finance must come to an independent estimate prior to receiving bids or proposals. As part of the analysis, the Upper St. Clair School District will enact established business practices which may include evaluation of similar prior procurements and a review process.

Negotiated Profit

In any procurement in which there has been no price competition, or in which a cost-analysis is performed, profit must be negotiated separately as an element of price. Accordingly, solicitations of bids, proposals or quotes shall require that bids, proposals or quotes be limited to costs other than profit, and exclude profit.

To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor’s investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

When profit must be negotiated as a separate element of the total price, it shall be negotiated by the Director of Business & Finance.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals means procurement through solicitation of a proposal from only one (1) source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source.
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. An emergency exists whenever the time required for the Board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes.
3. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the district.

4. After solicitation of a number of sources, the district determines the competition is inadequate.

In addition to standard procurement policy and procedures, the district will document the grounds for using the noncompetitive method in lieu of an otherwise required competitive method of procurement, which may include written confirmation from the contractor as the sole source of the item. Documentation must be submitted to and maintained by the Business Office.

All noncompetitive proposals will ultimately be approved by the Board. The district may utilize legal advice from the solicitor regarding noncompetitive proposals.

Profit must be negotiated separately for noncompetitive proposals, and a cost or price analysis will also be performed for noncompetitive proposals when the price exceeds \$250,000.

Purchase Cards

The district approves the use of procurement cards for permissible purchases by designated employees to improve the efficiency of purchasing activities, reduce processing expenses, improve controls for small-dollar purchases, and streamline contractor payment.

Procurement cards may be used for purchases under federal programs.

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business.
2. Requiring unnecessary experience and excessive bonding.
3. Noncompetitive pricing practices between firms or between affiliated companies.
4. Noncompetitive contracts to consultants that are on retainer contracts.
5. Organizational conflicts of interest.
6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement.
7. Any arbitrary action in the procurement process.

Minority Businesses, Women’s Business Enterprises, Labor Surplus Area Firms

The district must take necessary affirmative steps to assure that minority businesses, women’s business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include:

1. Placing qualified small and minority business and women’s business enterprises on solicitation lists.
2. Assuring that small and minority businesses, and women’s business enterprises are solicited whenever they are potential sources.
3. Dividing total purchasing requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business and women’s business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women’s business enterprises.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
6. Requiring the prime contractor, if subcontracts are let, to take the affirmative steps listed above.

Geographical Preferences Prohibited

The district must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

[See Food Service Program Notes below for permissibility of geographic preferences and “Buy American” practices in purchasing certain food products]

Prequalified Lists

The district must ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the district must not preclude potential bidders from qualifying during the solicitation period.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

Solicitation Language

The district must ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth

those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Avoiding Acquisition of Unnecessary or Duplicative Items

The district must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration must be given to consolidating or breaking out procurements to obtain a more economical purchase; and, where appropriate, an analysis must be made of leases versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

These considerations are given as part of the process to determine the allowability of each purchase made with federal funds.

Use of Intergovernmental Agreements and Cooperative Purchasing

To foster greater economy and efficiency, the district enters into state and local intergovernmental agreements where appropriate for cooperative purchasing or use of common or shared goods and services, as permitted by the Intergovernmental Cooperation Act, the School Code and the Commonwealth Procurement Code.

When procuring supplies or services for federally funded purposes to which the Uniform Grant Guidance applies, the district shall verify that the organization conducting the procurement pursuant to such agreements complies with the applicable procurement methods, requirements and standards of the Uniform Grant Guidance as outlined in this procedure.

Use of Federal Excess and Surplus Property

The district considers the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

Debarment and Suspension

The district awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

The district may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over \$25,000 the district verifies that the contractor with whom the district intends to do business is not excluded or disqualified.

All successful contractors must provide written certification that they have not been suspended or debarred from federal projects. The Director of Business & Finance will be responsible for verification. Such verification may include accessing the online federal System for Award Management (SAM) to determine whether any relevant party is subject to any suspension or debarment restrictions.

Maintenance of Procurement Records

The district must maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

Time and Materials Contracts

The district may use a time and materials type contract only: (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the district is the sum of: the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the district must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Settlements of Issues Arising Out of Procurements

The district alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the district of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

Protest Procedures to Resolve Dispute

The district maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Protest procedures will be acted on in accordance with current state law and regulations, established district administrative regulations and the advice of the solicitor.

Food Service Program Notes:

Exemption from Bidding for Perishable Food Items - The School Code exempts purchases of perishable food items from bidding requirements. Bidding for perishable food items is required only if the cost would be at or over the federal threshold at which formal competitive bidding is required (\$250,000). Small purchase procedures may be used for purchases below \$250,000, or micro-purchase procedures for purchases below \$10,000. Use of bidding should be considered as an option if it is feasible and likely to result in cost savings.

Geographic Preferences - The district is permitted to apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products. When a geographic preference is applied, the district has discretion to determine the local area to which the geographic preference option will be applied.

Unprocessed locally grown or locally raised agricultural products means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character: cooling; refrigerating; freezing; size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; forming ground products into patties without any additives or fillers; drying/dehydration; washing; packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two (2) or more types of vegetables or fruits in a single package); the addition of ascorbic acid or other preservatives to prevent oxidation of produce; butchering livestock and poultry; cleaning fish; and the pasteurization of milk.

Buy American - The district shall purchase, to the maximum extent practicable, domestic commodities or products for food service purposes. The term domestic commodity or product means:

1. An agricultural commodity that is produced in the United States; and
2. A food product that is processed in the United States substantially using agricultural commodities that are produced in the United States.

Mandatory Contract Clauses - The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts:

1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;
2. (a) The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or

(b) The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;
3. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;
4. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less

frequent basis than monthly, but no less frequently than annually;

5. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and
6. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.

Contracts with Food Service Management Companies - Procedures for selecting and contracting with a food service management company (FSMC) shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts.

Pre-Plated Meals - Procedures for selecting and contracting with contractors of pre-plated meals shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts.

ADOPTED: June 20, 2018
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