



Section: *Local Board Procedures*

Title: *By-Laws*

Adopted: *February 15, 2001*

Revised: *February 15, 2007*

001 *By-Laws*

Preamble *The rules contained in Colonial School District By-Laws and Policy Manual shall govern all cases of which they are applicable and in which they are not inconsistent with Pennsylvania Public School Code of 1949, Pennsylvania Constitution, or any general laws of the Commonwealth.*

Article I **Organization**

The Board of School Directors of the Colonial School District, made up of the Borough of Conshohocken and the Townships of Plymouth and Whitemarsh shall consist of nine (9) members, each elected at large.

Section 1 **Term**

The term of office of each school director shall be four (4) years and shall expire on the first Monday of December.

The approximate schedule of the number of directors to be elected beginning in 2007 is as follows:

2007 - 5

2009 - 4

2011 - 5

Section 2 **Definition of Vacancies**

Vacancies may result from a variety of reasons. The following are some of the reasons: death, resignation, removal from the district, failure to qualify or attend meetings.

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Section 3 Vacancy

A vacancy on the Board shall be filled by the appointment, by a majority vote of the remaining members of the Board, within thirty (30) days of the occurrence of the vacancy, of a person who shall serve until the first Monday of December after the first municipal election occurring more than sixty (60) days following his/her appointment; except that when a majority of the memberships are vacant, such vacancies shall be filled by the Court of Common Pleas of Montgomery County.

Article II Officers and Duties

The officers of the Colonial School District Board of Directors are President and Vice-President from the membership. The Secretary and Treasurer are not members of the Board. No individual may hold more than one office at a time.

Election of officers shall be by a majority of the Board. 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.

Section I President

The school directors shall annually, during the first week in December, elect from their members a President who shall serve for one (1) year.

The President shall preside at all meetings of the Board and perform other duties required by law. He/She shall call special meetings. The president may appoint sub-committees, subject to the confirmation of a majority vote of the Board. He/She shall execute documents when authorized by the Board.

Section 2 Vice-President

The school directors shall annually, during the first week in December, elect from their members a Vice-President who shall serve for one (1) year.

The Vice-President shall assume the responsibilities of the President in the absence of the latter -- or upon direct invitation for a specific assignment delegated to him/her by the President.

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Section 3 Secretary

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

The Secretary after the election and before entering upon his/her duties, shall furnish a bond which will be paid for by the school district.

All minutes, proceedings, resolutions, and correspondence of the Board and its Committees shall be recorded and kept on file by the secretary. Copies of the minutes shall be submitted to all Board members from the Board Work Session. The school secretary shall be compensated in such a manner and at a rate as the Board shall determine.

Section 4 Treasurer

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 she/he shall not be a member of the Board. (Districts of the second class). The school Treasurer shall not enter upon his/her duties until he/she has furnished bond in accordance with law and with the approval of the Board. The bond will be paid for by the school district.

The Treasurer shall be responsible for the monies of the school district and shall pay bills as authorized by the Board or By-Laws. The Treasurer shall be responsible for monthly and annual financial reports. The school Treasurer shall be compensated in such a manner and at a rate as the Board shall determine.

Vacancies in any office shall be filled by the school directors and such appointed officers shall serve for the remainder of the unexpired term.

Article III Auxiliary Personnel and Duties

Auxiliary Personnel shall be the Solicitor and Auditor. The persons elected to these offices shall receive a majority vote of the board. When 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.

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Section 1 Solicitor

The Board of School Directors shall annually select and appoint a Solicitor for a one-year term beginning July 1. The appointment and establishment of salary of the Solicitor shall take place at the regular meeting of the Board no later than May of each year.

The Solicitor shall advise the Board on specific legal problems submitted to him/her, prepare necessary documents and render legal opinions on fiscal and legal transactions of the Board, attend all regular and special meetings of the Board, attend all regular and special meetings of the Board and such committee meetings as required.

Section 2 Auditor

The Board shall provide for an annual audit by a certified public accountant firm of all financial accounts belonging to or controlled by the district as required by school law. The auditor shall be appointed and have his/her salary fixed at the regular meeting of the Board in May of each year. His/her term shall be for one year beginning July 1.

The Auditor shall be responsible for completing the audit in accordance with the general accepted auditing standards. He/she will prepare a report for the Board. He/she will make recommendations for improvements in record keeping, accounting, and related activities as may appear appropriate.

Section 3 Other Personnel

Other Appointees, their definite duties, and their salaries will be determined as the need arises.

Article IV Board Committees

Committees of school directors shall, when specifically charged to do so by the Board, conduct studies, make recommendations to the Board, and act in an advisory capacity, but shall not take action on behalf of the Board.

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

The Board may appoint Ad Hoc/Lay Advisory Committees. The duties of the Ad/Hoc Lay Advisory Committees will be outlined at the time of the appointment. The committee will

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serve at the pleasure of the Board. It is recommended that standing committees meet on a monthly basis unless directed otherwise by the chairperson. Members of a committee shall serve until the committee is discharged.

Article V Method of Operation

Section 1 Adoption of By-Laws

By-Laws which are consistent with the Board Policy and do not contravene the School Laws of the Commonwealth of Pennsylvania may be adopted or amended by the Board as provided for in the By-Laws.

Section 2 Amendment or Supervision of By-Laws and Regulations

Amendment:

a. By-Laws

The By-Laws of the Board shall be subject to amendment only when a majority vote of all members of the Board at two (2) meetings is held not less than twenty-seven (27) days apart and in the call for which the amendment has been described in writing.

Suspension:

a. By-Laws

The By-Laws of the Board shall be subject to suspension only upon a majority vote of all the members of the Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of all the members of the Board when no such written notice has been given.

The adoption, modification, repeal or suspension of a Board procedure shall be recorded in the Minutes of the Board. All current procedures shall be printed in the Board Manual.

Section 3 Signing of Checks

The district payroll checks shall be signed by the Secretary. All other checks will be signed

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by the President, Secretary and Treasurer.

Section 4 **Management of Bank Accounts**

The Board shall designate one or more banks or bank and trust companies as depository for the safeguarding of school funds by a majority vote of the entire Board of School directors.

Each designated depository shall furnish proper security for such deposits in the amount designated by the Board and in accordance with law.

Each designated depository shall be advised not to cash checks payable to the school district, but to deposit said checks to the district account.

Each depository shall be required to report to the Treasurer or Board, monthly, on the status of such funds in the manner required by law.

Section 5 **Bonding of Officers**

Prudent trusteeship of resources of this district dictates that employees responsible for the safekeeping of district funds be bonded.

The district shall be indemnified against loss of money by bonding of employees holding the following positions and in the amounts indicated:

<u>Title of Employee</u>	<u>Amount of Bond</u>
<i>Tax Collector</i>	<u>\$2.5 million</u>
<i>Treasurer</i>	<u>\$100,000</u>
<i>Secretary</i>	<u>\$10,000</u>

Both the Superintendent and Business Manager are covered by a dishonesty bond of \$300,000.

The Board will review the amount of the various bonds at the reorganization meeting.

Section 6 **Organization Meeting**

The school directors shall meet and organize annually during the first week in

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December. Notice of the time and place of the organization meeting shall be given to all members of the Board of School Directors by mail, at least five (5) days before the proposed meeting by the Secretary of the Board. The organization meeting shall be a regular meeting.

Regular Meetings *Regular meetings of the Board shall be held monthly. The meeting dates and times shall be set at the yearly reorganization meetings.*

Special Meetings *Special meetings shall be public and may be called for special or general purposes.*

The President may call a special meeting at any time and shall call a special meeting upon the presentation of requests, in writing, 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.

Work Sessions

The Colonial School Directors shall conduct monthly meetings. During each work session, the Directors will review the proposed topics for the monthly public meeting. Unless specifically indicated, discussion will be conducted in the presence of the public.

A period of time at the end of the open work session shall be set aside for public comments on matters discussed by the Directors.

Section 7 **Notice**

Notice of all public meetings of the Board shall be given by the publication of the date, place and time of such meetings in the newspaper of general circulation designated by the Board and the posting of such notice at the officers of the Board.

- a. Notice of regular meetings shall be given by the publication and posting of a schedule showing the date, place and time of regular meetings for the calendar year, at least three (3) days prior to the time of the first regular meeting.*
- b. Notice of all special meetings shall be given by 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.*

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Section 8 **Notification of Members**

It shall be the responsibility of the Board President and the Superintendent to prepare an agenda of the items of business to come before the Board at each regular meeting. The agenda, together with all such reports as can be completed, shall be provided each school director prior to the meetings.

Section 9 **Public and Executive Session**

The Directors shall retain the right to meet in closed sessions when the subject matter under discussion dictates the need for privacy. Topics that may be discussed in closed sessions, may include, but shall not be limited to, matters relating to negotiations, legal cases, personnel, contracts and hearing for staff or students.

Section 11 **Quorum**

A quorum shall be five (5) school directors present at a meeting. No business will be transacted at a meeting without a quorum, but the directors at such a meeting may adjourn to another time.

Section 12 **Presiding Officer**

The President shall preside at all meetings of the Board. 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 plurality of those present to preside at the meeting only. The act of any person so designated shall be legal and binding.

Section 12 **Order of Business**

The Order of Business shall be as follows, unless altered by the Chairperson or a majority of those present and voting:

*Call to Order
Pledge of Allegiance to the Flag
Roll Call
Reading of Minutes
Financial Report
Treasurer's Report*

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*Public Comments on the Agenda
Old Business
Correspondence
Superintendent's Report
Board Student Representative Report
New Business
Solicitor's Report
Committee Reports
For Your Information
Questions/Comments from the Floor
Adjournment*

Section 13 Parliamentary Authority

Unless otherwise provided in the Board's By-Laws, the Board shall conduct all its meetings in accordance with Robert's Rule of Order, Revised.

Section 14 Minutes

The Board shall cause to be made and retain as a permanent record of the district, Minutes of public meetings of the Board. Said Minutes shall be comprehensible and complete and shall show the date, place and time of the meeting; the Presiding Officer; subjects considered; actions taken; recorded votes; and those present. The Secretary shall provide each school director with a copy of the minutes of the last meeting, no later than (3) three days before the next meeting.

The Minutes of the Board meetings shall be approved at the next succeeding meeting.

The approved Minutes shall be signed by the Secretary of the Board.

Article VI Definition of By-Laws and Policy

By-Laws

Regulations, ordinances, rules or laws adopted by an association or corporation or the like for its government. The word has also been used to designate the local laws or municipal statutes of a city or town. See Kilgour v. Gratto, 224 Mass. 7, 112 N.E. 489, 490. But of late, the tendency is to employ the word "ordinance" exclusively for this class of

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enactments, reserving “by-laws” for the rules adopted by private corporations.

In England the term by-laws includes any order, rule or regulation made by any local authority or statutory corporation subordinate to Parliament; 1 Odgers, C.L. 91.

Policy

The general principles by which a government is guided in its management of public affairs, or the legislature in its measures.

This term, as applied to a law, ordinance, or rule of law, denotes its general purpose or tendency considered as directed to the welfare or prosperity of the state or community.

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