

Book	Policy Manual
Section	000 Local Joint Operating Committee Procedures
Title	Functions
Number	003
Status	First Reading
Legal	1. 24 P.S. 1850.1 2. 24 P.S. 1850.3 3. Pol. 000 4. Pol. 006 5. Pol. 007 6. 22 PA Code 339.41 7. Pol. 003 8. 24 P.S. 1126 et seq 9. 65 Pa. C.S.A. 1101 et seq 10. 2 Pa. C.S.A. 551 et seq Articles of Agreement
Last Reviewed	March 22, 2018

Legislative

The **Joint** Operating Committee shall exercise its rule-making power by adopting procedures and policies for the organization and operation of the school. 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or **regulations** of the State Board, or ordered by a court of competent authority, may be adopted, amended or repealed at any meeting of the **Joint** Operating Committee, provided the proposed adoption, amendment or repeal has been proposed at a previous **Joint** Operating Committee meeting and has remained on the agenda of each succeeding **Joint** Operating Committee meeting until approved or rejected.[\[1\]](#)[\[2\]](#)[\[3\]](#)

Changes in a proposed Joint Operating Committee procedure or policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.

The **Joint** Operating Committee may, upon a **majority** vote, cause to suspend at any time the operation of a procedure or policy, provided the suspension does not conflict with legal requirements; such suspension shall be effective until the next meeting of the **Joint** Operating Committee, unless an earlier time is specified in the motion to suspend.

Joint Operating Committee procedures and policies may be adopted or amended at a single meeting of the **Joint** Operating Committee in an emergency. An emergency shall be defined for purposes of this **policy** as any situation or set of circumstances which the **Joint** Operating

Committee has reason to believe will close the schools or jeopardize the safety or welfare of the **students** or employees.

Joint Operating Committee procedures **and** policies shall be adopted, amended or repealed by a majority vote of the **Joint** Operating Committee.[4]

Adoption, modification, repeal or suspension of a **Joint Operating Committee** procedure or policy shall be recorded in the minutes of the **Joint** Operating Committee **meeting**. All current procedures and policies shall be **maintained in the Joint Operating Committee** Policy Manual **and disseminated appropriately**. [5]

Executive

The functional head of the Erie County Technical School shall be the Director who is charged with planning, organizing, operating, and administering the programs and facilities in accordance with **Joint** Operating Committee policies and applicable state and federal laws. The Director is directly accountable to the **Joint** Operating Committee and shall attend and participate in all meetings of the **Joint** Operating Committee and its subcommittees except in matters relating directly to him/her. S/He shall develop the agenda for all meetings in cooperation with the Superintendent of Record and the Chairperson of the **Joint** Operating Committee and shall be prepared to speak on matters that appear on such agenda.[4]

The Director shall be responsible for implementing Joint Operating Committee policies and establishing administrative regulations for the operation of the school that are not inconsistent with federal and state statutes or regulations; are dictated by the policies of the Joint Operating Committee; are binding on employees and students when issued; and shall be submitted to the Joint Operating Committee for review at the next meeting. The Joint Operating Committee reserves the right to alter or rescind any such administrative regulation. [1][3]

The Joint Operating Committee reserves the right to review and to direct revisions of administrative regulations when it considers the regulations to be inconsistent with Joint Operating Committee policy or practices. However, the Joint Operating Committee shall not adopt administrative regulations unless required by law or requested by the Director. Such adoption and/or amendment of administrative regulations shall adhere to the policy for adoption and amendment of Joint Operating Committee procedures and policies. [7]

The Director shall implement a procedure to inform Joint Operating Committee members and designated employees of their responsibility under the Ethics Law. [9]

The Director, **in consultation with the Superintendent of Record**, shall **be delegated the authority to take necessary action in circumstances not provided for in Joint Operating Committee policy**. The Director shall **promptly** inform the **Joint** Operating Committee of such action. The **Director's** decision **may** be subject to review by the **Joint** Operating Committee.

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

Superintendent of Record

The administration of the ~~vocational career and~~ technical school shall be delegated to the Director and the Superintendent of Record. The Superintendent of Record shall be one of the Superintendents of the participating school districts or the Executive Director of the Intermediate Unit.[\[1\]](#)[\[6\]](#)

The Superintendent of Record shall review and sign those documents prepared by the Director that require the signature of a commissioned school officer. The Superintendent of Record shall consult with the **Joint** Operating Committee and the Professional Advisory Committee in the preparation of the annual evaluation of the Director and shall sign the official evaluation.

In all other duties, the Superintendent of Record shall perform in an advisory role to the Director. S/He shall consult with the Director and the **Joint** Operating Committee in all appropriate situations.

The Superintendent of Record shall serve for one (1) term.

Review

The **Joint** Operating Committee may assume jurisdiction over controversies or disputes arising within the school concerning any matter over which the **Joint** Operating Committee has authority granted by statute or where the **Joint** Operating Committee has retained jurisdiction in contract or policies.[\[8\]](#)[\[1\]](#)

In furtherance of its adjudicatory function, the **Joint** Operating Committee 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.[\[10\]](#)

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 Joint Operating Committee's decision on the school.[\[10\]](#)

Evaluation of Joint Operating Committee Procedures

The Joint Operating Committee shall plan ~~an annual~~ evaluation of its functions ~~as needed, as a Joint Operating Committee.~~ The Joint Operating Committee may evaluate Joint Operating Committee procedures, relationships, or activities, or focus on a particular area or issue.

~~The Joint Operating Committee Chairperson, working with the Director, shall develop an annual plan.~~

Last Modified by Terri Birchard on March 22, 2018