

Book	Policy Manual
Section	000 Local Joint Operating Committee Procedures
Title	Meetings
Number	006
Status	First Reading

Legal

1. 65 Pa. C.S.A. 701 et seq
2. 24 P.S. 422
3. 24 P.S. 405
4. 24 P.S. 426
5. 24 P.S. 427
6. 24 P.S. 428
7. 65 Pa. C.S.A. 703
8. 65 Pa. C.S.A. 709
9. 24 P.S. 423
10. 24 P.S. 421
11. Pol. 903
12. 24 P.S. 1850.1
13. 24 P.S. 609
14. 24 P.S. 687
15. 24 P.S. 803
16. 24 P.S. 1129
17. Pol. 003
18. Pol. 108
19. 24 P.S. 1804
20. Pol. 107
21. 24 P.S. 621
22. Pol. 610
23. 24 P.S. 514
24. 24 P.S. 1080
25. 24 P.S. 212
26. 24 P.S. 708
27. 24 P.S. 1503
28. 24 P.S. 518
29. 65 Pa. C.S.A. 706
30. 65 Pa. C.S.A. 705
31. 24 P.S. 433
32. 24 P.S. 407
33. Pol. 800
34. Pol. 801
35. Pol. 006
36. 65 Pa. C.S.A. 707
37. 65 Pa. C.S.A. 708
- Pol. 004

Pol. 005

Pol. 604

Last Revised March 22, 2018

Last Reviewed March 22, 2018

Parliamentary Authority

All Joint Operating Committee meetings will be conducted in an orderly and business-like manner. Robert's Rules of Order, Newly Revised, including small group rules shall govern the **Joint** Operating Committee in its deliberations in all cases in which it is not inconsistent with statute, **regulations** of the State Board, or **Joint Operating Committee** procedures.[\[1\]](#)

Quorum

A quorum shall **consist of a majority of the members of the Joint Operating Committee.** No business shall be transacted at a meeting without a quorum, but the members **present** at such a meeting may adjourn to another time.[\[2\]](#)

Presiding Officer

The Chairperson shall preside at all meetings of the **Joint** Operating Committee. In the absence, disability or disqualification of the Chairperson, the Vice Chairperson shall act instead. If neither person is present, a **Joint Operating** Committee member shall be elected Chairperson pro tempore by a plurality of those present to preside at that meeting only. The act of any person so designated shall be legal and binding.[\[3\]](#)[\[4\]](#)[\[5\]](#)[\[6\]](#)

Notice

Notice of all open public meetings of the **Joint** Operating Committee, including committee meetings and discussion 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 **Joint** Operating Committee and the posting of such notice at the **administrative** offices of the **Joint** Operating Committee.[\[7\]](#)[\[8\]](#)

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.[\[7\]](#)[\[8\]](#)
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.[\[7\]](#)[\[8\]](#)
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.[\[7\]](#)[\[8\]](#)
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.[\[7\]](#)

5. Notice of all public meetings shall be given to any newspaper(s) circulating in Erie County and a radio or television station which so requests.[\[8\]](#)
6. Notice of all public meetings shall be given to any individual who so requests and provides a stamped, addressed envelope for such notification.

Notice of all rescheduled meetings and special meetings shall be given to Joint Operating Committee members no later than twenty-four (24) hours prior to the time of the meeting.[\[9\]](#)[\[8\]](#)

Regular Meetings

Regular meetings of the **Joint** Operating Committee shall be public and shall be held at least once every two (2) months, **except when otherwise determined.**[\[10\]](#)[\[1\]](#)

1. Agenda

It shall be the responsibility of the Director to prepare an agenda of the items of business to come before the **Joint** Operating Committee at each regular meeting. The agenda, together with all **relevant** reports, shall be provided **to** each **Joint Operating** Committee member **prior to** 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 the Sunshine Act.**[\[9\]](#)[\[4\]](#)[\[1\]](#)

The Chairperson may call a special meeting at any time and shall call a special meeting upon presentation of **the** written requests of three (3) **Joint Operating** Committee members. Upon the Chairperson's failure or refusal to call a special meeting, such meeting may be called at any time by a majority of the **Joint Operating** Committee members.[\[4\]](#)

No business shall be transacted at any special meeting except that named in the call sent to members for such special meeting.[\[9\]](#)

Public Participation

A member of the public present at a meeting of the **Joint** Operating Committee may address the **Joint** Operating Committee in accordance with **law and Joint** Operating Committee **procedures and policy.**[\[1\]](#)[\[11\]](#)

Voting by the Joint Board

All actions of the Joint Board shall be by a majority vote of the members of the Board, either in convention or by mail ballot, as selected by the Joint Board.[\[12\]](#)

Voting by the Joint Operating Committee

All motions shall require for adoption a majority vote of those **Joint Operating** Committee members present and voting, except as provided by statute or **Joint Operating Committee** procedures.

1. The following actions require the recorded affirmative votes of two-thirds of the full number of **Joint** Operating Committee **members**:
 - a. Transfer of budgeted funds **during the first three (3) months of the fiscal year.**[\[13\]](#)[\[14\]](#)
 - b. Transfer 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.**[\[14\]](#)
 - c. Adopt or change textbooks without the recommendation of the Director.[\[15\]](#)
 - d. Dismiss, after a hearing, a tenured professional employee.[\[16\]](#)
2. The following actions require the recorded affirmative votes of a majority of the full number of **Joint** Operating Committee members:
 - a. Fixing the length of **the** school term.
 - b. Adopting textbooks recommended by the Director.[\[18\]](#)
 - c. Appointing the Director and Assistant Director.[\[12\]](#)
 - d. Appointing teachers and principals.[\[19\]](#)[\[12\]](#)
 - e. Adopting **planned instruction.**[\[20\]](#)
 - f. Establishing additional schools or departments.
 - g. Designating depositories for school funds.[\[21\]](#)
 - h. Expending school funds.
 - i. 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).[\[22\]](#)
 - j. Fixing salaries or compensation of officers, teachers, or other appointees of the **Joint** Operating Committee.[\[12\]](#)
 - k. Dismissing, after a hearing, a nontenured employee.[\[23\]](#)[\[24\]](#)
 - l. Adopting a corporate seal for the school.[\[25\]](#)
 - m. Vacating and abandoning property to which the **Joint** Operating Committee has title.[\[26\]](#)
 - n. Determining the holidays, other than those provided by statute, which shall be observed by special exercises and those on which the school shall be closed for the whole day.[\[27\]](#)

- o. Declaring that a vacancy exists on the **Joint** Operating Committee by reason of the failure or neglect of a **school director** to qualify.
- p. Adopting, amending, or repealing a **Joint** Operating Committee procedure or policy.[17]

Minutes

The **Joint** Operating Committee shall cause to be made, and **shall** retain as a permanent record of the school, minutes of all open **Joint** Operating Committee meetings. Said minutes shall be comprehensible and complete and shall show:[28][29]

1. Date, place, and time of the meeting.
2. Names of **Joint Operating Committee** members 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.[30]
7. Names of all citizens who appeared officially and the subject of their testimony.

The **Joint Operating Committee** Secretary shall provide each **Joint** Operating Committee member with a copy of the minutes of the last meeting prior to the next regular meeting.

The minutes of **Joint** Operating Committee meetings shall be approved at the next succeeding meeting and signed by the **Joint** Operating Committee Secretary.[31]

Notations and any tape or audiovisual recordings shall not be the official record of a public Joint Operating Committee meeting but may be available for public access, upon request, in accordance with Joint Operating Committee policy. Any notations and/or audiovisual recordings of a Joint Operating Committee meeting shall be retained and disposed of in accordance with the established records retention schedule.[32][33][34]

Recess/Reconvene

The **Joint** Operating Committee 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 **Joint Operating Committee** policy.[7][8][35]

Executive Session

The **Joint** Operating Committee may hold an executive session, which is not an open meeting, before, during, at the conclusion of an open 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 open meeting prior to or after the executive session.[36][37]

The **Joint** Operating Committee may discuss the following matters in executive session:

1. Employment issues.
2. Labor relations.
3. The purchase or lease of real estate.
4. Consultation with an attorney or other professional advisor regarding potential litigation or identifiable complaints which may lead to litigation.
5. Matters which must be conducted in private to protect a lawful privilege or confidentiality.

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

Work Sessions

The **Joint** Operating Committee may meet as a Committee of the Whole in an open meeting to **vote on or to** discuss issues. Public notice of such meetings shall be made **in accordance with Joint Operating Committee procedures.**[\[1\]](#)[\[35\]](#)

A meeting of the Committee of the Whole, not regularly scheduled, may be called at any time by the Chairperson. The Chairperson shall call such a meeting when requested to do so by Joint Operating Committee members. Public notice of such meeting shall be made in accordance with Joint Operating Committee procedures.
[\[35\]](#)

The Joint Operating Committee Secretary shall provide notice of a meeting of the Committee of the Whole in accordance with Joint Operating Committee procedures.
[\[7\]](#)[\[8\]](#)[\[35\]](#)

Committee Meetings

Committee meetings may be called at any time by the committee chairperson, with proper public notice, or when requested to do so by a majority of the members of the committee.[\[7\]](#)
[\[8\]](#)[\[35\]](#)

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

Unless held as an executive session, committee meetings shall be open to the public, other **Joint** Operating Committee members, the Director, **and the Superintendent of Record.**[\[1\]](#)

A majority of the committee or the Chairperson may invite Joint Operating Committee employees, consultants or other persons who may have special knowledge of the area under investigation.

Last Modified by Terri Birchard on March 22, 2018