

# INTERMEDIATE UNIT 1

TITLE: FUNCTIONS

ADOPTED: August 12, 2004

REVISED: August 11, 2005

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|                                                        | 003. FUNCTIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                                                        | Section 1. <u>Legislative</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| SC 301, 407, 510,<br>511, 964<br>Title 22<br>Sec. 17.1 | <p>The Board shall exercise its rule-making power by adopting Board procedures and policies for the organization and operation of the Intermediate Unit. 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statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the Board.</p> <p>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.</p> <p>Board procedures shall be adopted, amended or repealed by a majority vote of the Board.</p> |
| Pol. 006                                               | Board policies shall be adopted, amended or repealed by a majority vote of the Board.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Pol. 007                                               | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                                                        | Section 2. <u>Executive</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| SC 963, 964, 965<br>Pol. 302                           | The Board shall exercise its executive power by the appointment of an Executive Director, 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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| <p>SC 510</p>                                     | <p>The Executive Director shall be responsible for the preparation of administrative guidelines for the operation of the Intermediate Unit that are not inconsistent with state and federal statutes or regulations; or with the applicable provisions of the collective bargaining agreement 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 guideline, provided that such actions are in accordance with the applicable provisions of the collective bargaining agreements.</p> <p>The Executive Director shall be delegated the authority to take necessary action in circumstances not provided for in Board policy, provided that such action be reported to the Board at the next meeting, and provided that such action is consistent with any applicable collective bargaining agreements.</p> |
| <p>Act 93 of 1998<br/>65 P.S. 1101<br/>et seq</p> | <p>The Executive Director shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.</p> <p>Whenever responsibility is delegated to the Executive Director or another administrator, it is understood that such individual may designate a representative to act on his/her behalf.</p> <p>Section 3. <u>Review</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <p>SC 510, 1126<br/>et seq</p>                    | <p>The Board may assume jurisdiction over controversies or disputes arising within the Intermediate Unit concerning any matter over which the Board has authority granted by statute or where the Board has retained jurisdiction in contracts or policies.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p>2 Pa. C.S.A.<br/>Sec. 551 et seq</p>           | <p>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.</p> <p>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 Intermediate Unit.</p>                                                                                                                                                                                                                                                                                                                                                                                                                       |