

## JOINT OPERATING COMMITTEE

### DIRECTOR'S REPORT

JUNE 2, 2021

ITEM 1: Recommend a supplemental contract for AYES Supervision for Robert Porter at the hourly rate of \$25 plus travel expenses – total expenses not to exceed \$400.

**It is necessary for us to supervise our students who are on AYES internships over the summer. The administration recommends a supplemental contract for Rob Porter, automotive instructor, for this supervisory responsibility.**

ITEM 2: Recommend part-time summer employment for Nick Professori, William Hillman, Samantha Whitby, Nicholas Brenner, Ethan Long, Ryan Keys, Brett Seelig and Khamani Johnson at the hourly rate of \$15.00.

**The administration recommends employing the individuals listed above to help with the extra work that must be accomplished over the summer including IT, custodial, greenhouse maintenance and summer program assistance.**

ITEM 3: Recommend adoption of Policy #100 (Comprehensive Planning). Attachment #1

ITEM 4: Recommend deletion of Policy #000 (Introduction), #008 (Organizational Chart), #009 (Policy Definition) and #011 (Committee Governance Standards/Code of Conduct

ITEM 5: Recommend first reading of the following policies from Section 000 – Joint Operating Committee Procedures: (Attachment #2)

Policy #000 (Joint Operating Committee Policy/Procedure/  
Administrative Regulations)

Policy #001 (Name and Classification)

Policy #002 (Authority and Powers)

Policy #003 (Functions)

Policy #004 (Membership)

Policy #006 (Meetings)

Policy #006.1 (Attendance at Meetings Via Electronic Communications)

Policy #007 (Policy Manual Access)

Policy #011 (Principles for Governance and Leadership)

ITEM 6: Recommend approval to employ a Health Care Sciences Instructor.

ITEM 7: Recommend approval of Resolution relative to funding of the capital improvements project. (Attachment #3)

ITEM 8: Recommend \$15.00 as hourly rate of pay for Substitute Front Office staff.

ITEM 9: Recommend approval of Sevn X (forensics analysis) pending solicitor review. (Attachment #4)

ITEM 10: Recommend employment of the following individual: (resume included)

Name: Dr. Ashley Gray  
Position: Exercise Sciences & Rehabilitation Therapy Instructor  
Effective Date: August 23, 2021  
Salary Step/Salary: A-4/\$53,296.00  
Employment Status: Full-time/190 days  
Benefits: As stated on the current Teachers Contract

ITEM 11: Recommend supplemental contract for Dr. Ashley Gray for ten days at her per-diem rate for program curriculum preparation.

ITEM 12: Recommend approval to sunset the Health and Safety Plan that was in place for the 2020-2021 school year and authorize the Administration to develop and implement a health and safety plan for the summer of 2021 as well as develop a plan for the 2021-2022 school year which shall be consistent with guidance from the Montgomery County Office of Public Health, the Pennsylvania Department of Education and/or other applicable state agencies.

ITEM 13: Recommend approval of the following staff members for the 2021 Summer Programs at the rate of \$30/hour:

Fred Arthur	Deja Johnson	Jarrett Young
Nick Hughes	Troy Madden	Michael Hoult
Melissa Trocheck	Gerald Damon	Michele Ruhl

ITEM 14: Recommend approval of the Collective Bargaining Unit with the CMTHS Teachers Association effective July 1, 2021 through June 30, 2024. (Attachment #5)

NOTE: We typically discuss appointment of a PSBA Delegate for the Virtual Assembly on October 23, 2021.

**SETH SCHRAM**  
**ADMINISTRATIVE DIRECTOR**

Book	Policy Manual
Section	100 Programs
Title	Comprehensive Planning
Code	100 - NEW
Status	From PSBA

### **Purpose**

The Joint Operating Committee recognizes the importance of comprehensive planning in developing and guiding the goals, educational programs and operations of the school. Participation by educational stakeholders is a critical element of such planning.

### **Authority**

The Joint Operating Committee shall provide guidance in the school's comprehensive planning process, and shall ensure active participation by Joint Operating Committee members, administrators, teachers, other school personnel, students, parents/guardians and representatives from businesses and the community.

As part of the comprehensive planning process, the Joint Operating Committee directs that the school develop and implement individual plans and components as required by law, regulations, and funding and program requirements.[1]

The Joint Operating Committee directs that the goals and action plans developed through comprehensive planning shall be continuously monitored and reviewed.

The Joint Operating Committee may periodically conduct surveys to determine the vocational technical needs of the participating school districts, in order to facilitate comprehensive planning.[2]

### **Professional Education**

The school shall develop and submit a professional education plan to the Secretary of Education for approval every three (3) years, as required by law and regulations. Prior to approval by the Joint Operating Committee and submission to the Secretary of Education, the professional education plan shall be made available for public inspection and comment in the school's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.[3][1][4][5]

### **Induction**

The school shall develop and submit an induction plan to the Department of Education for approval every six (6) years, as required by law and regulations. Prior to approval by the Joint Operating Committee and submission to the Department of Education, the induction plan shall be made available for public inspection and comment in the school's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.[1][6][5]

### **Student Services**

The school shall develop and implement a written plan every six (6) years for providing a comprehensive and integrated program of student services, as required by law and regulations. Prior to approval by the Joint Operating Committee, the student services plan shall be made available for public

inspection and comment in the school's administrative offices and the nearest public library for a minimum of twenty-eight (28) days.[1][Z][8]

### **Delegation of Responsibility**

The Superintendent of Record and/or Administrative Director shall be responsible for organizing the comprehensive planning process, ensuring participation in accordance with Joint Operating Committee policy and submitting the required plans to the Department of Education.

The Administrative Director or designee shall be responsible for implementing the goals and action plans developed through comprehensive planning and providing written progress reports to the Joint Operating Committee.

#### Legal

1. 22 PA Code 4.13
  2. 24 P.S. 1850.1
  3. 24 P.S. 1205.1
  4. 22 PA Code 49.17
  5. Pol. 333
  6. 22 PA Code 49.16
  7. 22 PA Code 12.41
  8. Pol. 146
- 22 PA Code 4.4  
22 PA Code 4.33  
Pol. 002  
Pol. 004  
Pol. 101  
Pol. 105  
Pol. 107  
Pol. 109  
Pol. 701

Book	Policy Manual
Section	000 Joint Operating Committee Procedures
Title	Joint Operating Committee Policy/Procedure/Administrative Regulations
Code	000 - NEW
Status	From PSBA

### **Authority**

The procedures and policies adopted by the Joint Operating Committee are intended to establish the general and overall rules within which the daily operations of the school are to be governed. Administrative regulations for carrying out and implementing Joint Operating Committee procedures and policies are to be developed and implemented by the administration, under the direction of the Administrative Director. As applicable, members of the school community are expected to comply with both Joint Operating Committee procedure, policy and administrative regulations, subject to the limitations and exceptions set forth. However, failure of the Joint Operating Committee or the administration to comply with policy or procedure shall not invalidate any lawful action taken.[1]

### **Contents**

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

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

### **Limitations**

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

Joint Operating Committee procedures, policies and administrative regulations are limited by legal constraints, as are the rights of those to whom Joint Operating Committee procedures, 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 Joint Operating Committee in adopting a procedure, or policy, or of the administration in establishing a regulation, the following presumptions, among other legally applicable presumptions, may be used:

1. That neither the Joint Operating Committee nor the administration intends a result that is absurd, impossible of execution or unreasonable.
2. That neither the Joint Operating Committee nor the administration intends to violate the federal or state Constitutions or any other applicable law.

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

Legal

1. 24 P.S. 1850.1

Book	Policy Manual
Section	000 Joint Operating Committee Procedures
Title	Name and Classification
Code	001
Status	From PSBA

### **Name**

**The Board of School Directors shall be known officially as the Area Vocational Technical Board of Central Montco Technical High School, hereinafter sometimes referred to as the Joint Board.**<sup>[1][2][3][4]</sup>

**The Joint Operating Committee of Central Montco Technical High School shall consist of those members chosen by the Joint Board.**

### **Composition**

**Central Montco Technical High School is comprised of the following participating school districts: Colonial, Norristown Area and Upper Merion Area.**<sup>[1][5][6]</sup>

### **Purpose**

**The Central Montco Technical High School is organized for the purpose of providing a program of vocational and technical training and education to students, out-of-school youth and adults residing within the participating school districts.**<sup>[7][8][9]</sup>

### **Intermediate Unit**

**Central Montco Technical High School is assigned to Montgomery County Intermediate Unit No. 23.**<sup>[10][11]</sup>

### **Classification**

The Central Montco Technical High School cannot be classified as a school district. However, to the extent it is consistent with Article 18 of the Pennsylvania School Code, it shall follow the mandates set forth for a third class school district.<sup>[3]</sup>

### **Address**

**The official address of the Central Montco Technical High School shall be 821 Plymouth Road, Plymouth Meeting, PA 19462.**

Legal

1. 24 P.S. 1807
2. 24 P.S. 1840.1
3. 24 P.S. 1850.1
4. 24 P.S. 1850.3
5. 22 PA Code 4.35
6. Articles of Agreement
7. 24 P.S. 502
8. 24 P.S. 1841
9. 22 PA Code 4.3
10. 24 P.S. 901-A
11. 24 P.S. 902-A



Book	Policy Manual
Section	000 Joint Operating Committee Procedures
Title	Authority and Powers
Code	002
Status	From PSBA

### **Authority**

**The authority to establish, equip, furnish, operate and maintain the vocational technical school is vested in the Joint Board, which consists of all school directors of the participating school districts. Actions of the Joint Board shall be voted upon and recorded in accordance with law.[1][2][3][4][5]**

**The Joint Board, under the authority granted by the School Code, shall delegate to the Joint Operating Committee the responsibility for operating, administering, and managing Central Montco Technical High School.[4][6][7]**

### **Powers**

**The Joint Board shall establish a vocational technical school to provide an educational program for eligible students and adult residents of participating school districts.[8][1][3][4][5]**

**The Joint Operating Committee shall equip, furnish, operate and maintain the vocational technical school. It shall adopt and enforce policies and regulations for the management of school affairs and the conduct and department of employees and students.[4][6][7]**

**The Joint Operating Committee shall manage and operate the school within the budgetary limits adopted by the Joint Board.[4][7]**

**The Joint Operating Committee, in accordance with its statutory mandate, shall adopt procedures for its own operation, and policies for the guidance of the Chief School Administrator (Superintendent of Record) and Administrative Director in operating the school. Such procedures and policies shall be consistent with law, have a rational and substantial relationship to a legitimate purpose of the Joint Operating Committee, and be directed towards the maintenance and support of a thorough and efficient system of vocational technical education.[4][6]**

**The Joint Operating Committee shall establish educational goals for the students of the school and govern a program of education designed to meet those goals. The Joint Operating Committee shall be responsible for evaluating the educational program and activities of the school. The Joint Operating Committee shall be responsible for enforcing mandatory laws and regulations.[4][6][9]**

**The powers of the Joint Board and Joint Operating Committee are not vested in the individual school director. No such individual is authorized to act on behalf of such bodies to carry out any statutorily authorized powers, except for those acts stated in law.**

Legal

1. 24 P.S. 1807
2. 24 P.S. 1840.1
3. 24 P.S. 1841
4. 24 P.S. 1850.1
5. 22 PA Code 4.35
6. 24 P.S. 1850.3
7. Articles of Agreement
8. 24 P.S. 502
9. Pol. 100

Book	Policy Manual
Section	000 Joint Operating Committee Procedures
Title	Functions
Code	003
Status	From PSBA

### **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** 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 administration of the vocational technical school shall be delegated to the Administrative Director and the Chief School Administrator (Superintendent of Record). The Chief School Administrator (Superintendent of Record) shall be one of the Superintendents** of the participating school districts.[1][6]

The Administrative Director shall enforce state and federal laws and regulations and **the policies of the Joint Operating Committee.**

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

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

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

### 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 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 Administrative Director, shall develop an annual plan.

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