



FAST FACTS: **Re**quired School Director Training



Section 328 of the PA Public School Code of 1949 (24 P.S. § 3-328) was added to the School Code by Act 55 of 2017 and was subsequently amended by Act 18 of 2019. Section 328 mandates that school directors serving on the school boards of public school districts complete training as outlined below. Similar requirements apply to members of the boards of trustees of charter schools.

The Pennsylvania School Boards Association is an accredited statewide provider for required school director training to all school directors in both live sessions and in asynchronous online modules.

Note: An asterisk (*) indicates points reflecting what PSBA regards as the safest interpretation of unclear statutory language, in order to achieve unquestioned compliance.

NEWLY ELECTED OR APPOINTED SCHOOL DIRECTORS

- Newly elected or newly appointed school directors must complete a minimum of five hours of training during the first year of their first term of office on the school board.
- For newly elected school directors, the first year begins on the first Monday in December following their election, regardless of when the board organization meeting occurs or when they took the oath of office.
- For newly appointed school directors, the first year of their first term begins when they take the oath of office.
- The training must be completed during that first year in office. In order to count as satisfying the requirement, the training cannot be completed prior to taking office.*
- The basic training for new school directors must include a minimum of five hours of training on the following:
 - » Instruction and academic programs, to include, but not be limited to, a minimum of one hour of instruction on best practices related to trauma-informed approaches
 - » School personnel
 - » Fiscal management
 - » Operations
 - » Governance
 - » Ethics and open meetings, to include accountability requirements
- In compliance with Act 18 of 2019, at least one hour of the training for new school directors must be devoted to trauma-informed approaches. No minimum duration is specified for the other topics that must be addressed in the overall five hours of training.

REELECTED SCHOOL DIRECTORS

- School directors who have been elected or reappointed to a subsequent term of office must complete a minimum of three hours of advanced training within the first year of being reelected or reappointed.
- For reelected school directors, the first year begins on the date of the November election.
- For reappointed school directors, the first year begins when they take the oath of office.



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- In order to count as satisfying the requirement, the advanced training cannot be completed prior to the date of reelection or reappointment.*
- The advanced training for reelected or reappointed school directors must include instruction with information and relevant changes to the following:
 - » Federal and state public school law and regulations
 - » Fiscal management
 - » Trauma-informed approaches
- No minimum duration is specified for any of the advanced topics that must be covered in the overall three hours of training.
- Although the PA Department of Education (PDE) may require that the advanced training cover other information PDE deems appropriate to enable the school director to serve effectively, PDE has not yet prescribed such additional information.

SPECIAL SITUATIONS

A school director who is newly appointed to fill a vacancy and then is later elected to a further full or partial term of office is considered to have been reelected.

In that case the school director must first complete the five hours of training for new school directors within a year of first being sworn in, and then must complete the advanced training within a year of the November election day on which he or she was reelected, even though these completion time frames may significantly overlap.*

A school director who has previously served on a school board, has left office and is later elected or appointed as a school director after a break in school board service, is considered to be newly elected or newly appointed.

In that case the school director must complete the five hours of required training during the first year of his or her new term of office.*

DOCUMENTATION & ENFORCEMENT

- Section 328 does not specify any enforcement mechanisms or penalties for noncompliance with the training requirements, nor any responsibilities for enforcement.
- Section 328 also does not address what records should be made or maintained to document the completion of the required training by individual school directors.
- However, compliance with the training requirements may be among the various matters examined as part of the periodic school district audits conducted by the auditor general, and noncompliance may result in negative findings in audit reports.
- In addition, Section 318 of the School Code provides that if a school board neglects or refuses to perform duties mandated by the School Code, 10 resident taxpayers can petition the court to remove some or all of them from office for that reason. To date there have not yet been any court decisions applying Section 318 to noncompliance with mandatory training requirements, but it is a risk that should not be ignored. School directors removed from office pursuant to Section 318 are barred from holding office as a school director for a period of five years after being removed.
- Certificates of completion are provided to all school directors who complete the training provided by PSBA. It is strongly recommended that each school director provide a copy of the completion certificate to the school board secretary, who should keep them on file for the duration of the school director's service on the school board and until audits for that time period have been completed.
- Section 328 does not require that school districts or training providers report training completion information to PDE, nor that PDE collect or maintain such information.
- However, PSBA maintains internal records of who has completed training through the association and includes this information on the Success Starts Here website at www.successtartshere.org. Each district's specific landing page contains a "School District Leadership" section listing all school directors and the level of required training completed through PSBA's training program.