

SECTION: FINANCES

TITLE: LOCAL TAXPAYER
BILL OF RIGHTS

ADOPTED: FEBRAURY 17, 1999

REVISED: APRIL 18, 2007

FERNDALE AREA SCHOOL DISTRICT

621. LOCAL TAXPAYER BILL OF RIGHTS	
<p>1. Purpose 53 Pa. C.S.A. Sec. 8401 et seq</p>	<p>As a local taxing authority, the Board recognizes the school district's responsibility to comply with the requirements of the Tax Reform Act of 1998.</p>
<p>2. Definition Act 511 of 1965 53 Pa. C.S.A. Sec. 8422</p>	<p>Eligible taxes shall be defined as all non-real estate taxes, including per capita; occupation, occupation assessment and occupation privilege; income and net profits; business gross receipts; privilege; amusements or admissions; and any other tax authorized by the Local Tax Enabling Law.</p>
<p>3. Authority 53 Pa. C.S.A. Sec. 8423</p>	<p>The Board shall adopt a Local Taxpayer Bill of Rights that includes the following components:</p> <ol style="list-style-type: none"> 1. Taxpayer rights and the district's obligation during an audit or administrative review of the taxpayer's books or records. 2. Administrative and judicial procedures for a taxpayer to appeal or seek review of a tax decision. 3. Procedures for filing and processing refund claims and taxpayer complaints. 4. Enforcement procedures.
<p>53 Pa. C.S.A. Sec. 8423</p>	<p>The Board shall ensure that taxpayers are notified about the district's Local Taxpayer Bill of Rights any time they are contacted regarding assessment, audit, determination, review and collection of any tax other than property taxes.</p>
<p>4. Delegation of Responsibility</p>	<p>It shall be the responsibility of the Business Manager, and/or other designated school district employee to develop procedures to implement this policy which shall include:</p> <ol style="list-style-type: none"> 1. Preparation and dissemination of the required notice of availability of the Local Taxpayer Bill of Rights.

<p>53 Pa. C.S.A. Sec. 8423</p> <p>5. Guidelines 53 Pa. C.S.A. Sec. 8437</p>	<ol style="list-style-type: none"> 2. Preparation of a Local Taxpayer Bill of Rights. 3. Preparation of a procedure for the district to request information from a taxpayer. 4. Establishment of an administrative appeals process. 5. Development of the form, content, process and deadlines for taxpayers to file a tax appeal petition. 6. Formulation of rules of practice and procedure for hearings. <p>The district shall respond to taxpayer requests for the Local Taxpayer Bill of Rights by making copies available at the district offices or mailing at district expense, as required by law.</p> <p>Information obtained by the school district as a result of an audit, return, report, investigation, hearing or verification shall be confidential. If a violation of confidentiality is committed by an officer or employee of the Board, s/he shall be subject to discipline, which depending on the facts of the case, may include censure, suspension, fines and dismissal from office or discharge from employment.</p> <p><u>Appeals Process</u></p> <p>The district establishes the following administrative process to receive and make determinations on petitions from taxpayers relating to assessment, determination or refund of an eligible tax:</p> <ol style="list-style-type: none"> 1. Review and decision by the Board in executive session. 2. When deemed necessary by the Board because of the volume of petitions or for other good reason, hearing and decision by a hearing officer appointed by the Board, which shall determine the qualifications and compensation of the appointee. <p><u>Special Provision</u></p> <p>The Business Manager shall coordinate the district's policy with the Ferndale Area tax collectors so that the respective jurisdictions are established and to ascertain that the tax collector meets the statutory requirements for a Taxpayers Bill of Rights.</p>
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