

TAXPAYER BILLS OF RIGHTS DISCLOSURE STATEMENT

Every taxpayer is obligated to pay all taxes levied by the School District to which the taxpayer is subject. When taxes are not paid or a school district has questions about whether a taxpayer has fulfilled all tax obligations, the school district has legal rights to enforce taxpayer obligations. In conjunction with taxpayer obligations and school district rights, the Commonwealth of Pennsylvania has enacted a Local Taxpayers Bill of Rights which grants legal rights to taxpayers, and creates obligations for school districts so that equity and fairness control how a school district collects taxes. This document is the School District Disclosure Statement required by the Commonwealth's Taxpayer Bill of Rights.

APPLICABILITY/ELIGIBLE TAXES

This Disclosure Statement applies to eligible taxes levied by the Lackawanna Trail School District. For this purpose eligible taxes include any tax authorized under the Local Tax Enabling Act and other laws of the Commonwealth of Pennsylvania. The specific eligible taxes levied by the School District are per capita tax, occupation tax, gross receipts tax, occupation privilege tax, amusement tax, earned income tax, and real estate transfer tax. Real property taxes are excluded from this disclosure statement.

TAXPAYER RIGHTS AND SCHOOL DISTRICT OBLIGATIONS WHEN THE SCHOOL DISTRICT REQUESTS INFORMATION OR AUDITS TAXPAYER RECORDS

Minimum Time Period For Taxpayer Response

- The taxpayer has 30 calendar days from the mailing date to respond to the School District's request for tax information.
- The School District will notify the taxpayer of the procedures to obtain an extension of time in its initial request for tax information.
- Upon written request, the School District will grant reasonable time extensions for good cause.
- No action against the Taxpayer shall be taken until expiration of the response period including extensions.

Requests for Prior Years Returns

- An initial School District request for tax information may cover only taxes required to be paid or tax returns required to be filed no more than 3 years prior to the mailing date of the request.
- The School District may make a subsequent request relating to other taxes or returns if, after the initial request, the School District determines that the taxpayer failed to file a tax return, underreported income, or failed to pay a tax for one or more of the tax periods covered by the initial request.

Use of Federal Tax Information

- The School District may require a taxpayer to provide copies of federal tax returns if the School District can show that the information is reasonably necessary for enforcement or collection of a tax and the information is not available from the Pennsylvania Department of Revenue or other sources.

TAX OVERPAYMENT REFUNDS

A taxpayer may file a written request with the School District for a refund or credit for an eligible tax. The request must be made within 3 years of the due date for filing the return or 1 year after payment of the tax, whichever is later. If no return is required, the request must be made within 3 years after the payment due date, or within 1 year after payment, whichever is later. A tax return filed by the taxpayer showing a tax overpayment will be considered a written request for a cash refund unless the return indicates otherwise. If the taxpayer pays a tax as a result of receiving a notice of underpayment, the taxpayer must file a written request for a refund within 1 year of the payment date. Subject to certain exceptions, the

School District will pay interest, at a rate determined pursuant to the Pennsylvania Fiscal Code, from the date of overpayment until the date of resolution.

TAX ASSESSMENT/UNDERPAYMENT/REQUIRED NOTICE

The School District must notify the taxpayer, in writing, of the basis for any underpayment determined by the School District. The notice shall include (1) the tax period or periods at issue; (2) the amount by tax period; (3) the legal basis for School District's determination; and, (4) an itemization of revisions to return or report made by the School District.

TAX APPEALS

Tax Appeal Petitions

To appeal a tax assessment or denial of a refund request, the taxpayer must file a Tax Appeal Petition with the School District Business Office. This petition must be mailed or delivered to the attention of the Business Manager at the following address: **Lackawanna Trail School District, P.O. Box 85/ 179 College Avenue, Factoryville, PA 18419.**

- Tax Appeal Petitions requesting a refund must be filed within the time frame set forth above under "Tax Overpayment Refunds". The filing date will be established by reference to postmark of the United States Postal Service on or before final date of filing.
- Tax Appeal Petitions appealing a tax assessment or notice of underpayment must be filed within 90 days after the date of the tax assessment or underpayment notice.
- Tax Appeal Petitions must be in writing and set forth: (1) the name and address of the taxpayer; (2) the tax for which a refund is requested or which is being appealed; (3) the reasons requiring a refund or the objections to the assessment or notice of underpayment being appealed; and, (4) the facts supporting such reasons or objections. The petition must be accompanied by an affidavit of the taxpayer attesting that the statements in the petition are true and that the petition is not filed for purposes of delay. The School District shall provide a form affidavit for signature and to be notarized.

School District Decision

- The School District will set a date for a review and decision regarding the appeal not less than 15 nor more than 30 days after the petition is filed.
- The School District Board of School Directors will, in executive session, review the appeal and render a decision.
- The School District will issue a decision on Tax Appeal Petitions within 60 days after receipt of a complete and accurate petition.
- If the petition was complete and accurate when filed, the School District's failure to render a decision within 60 days will result in the petition being deemed approved.

Appeals to Court

- Any person aggrieved by a decision of the School District who has a direct interest in the decision has the right to appeal to the County Court of Common Pleas.
- Appeals to court must be filed with the court within 30 days after the mailing date of the School District's adverse decision.

SCHOOL DISTRICT ENFORCEMENT PROCEDURES

If a taxpayer has not paid a tax liability determined to be due or which the School District has reason to believe might be due, possible School District enforcement options include the following:

- The School District may contact the taxpayer to inquire about the tax.
- The School District may conduct an audit of taxpayer records.

- The School District may contact the taxpayer and attempt to resolve the liability through payment in full, an installment payment plan, or compromise.
- The School District may employ private collection agencies to collect the tax.
- The School District may file a lien against the taxpayer and, in some cases, against an employer or other person responsible for payment of the tax.
- The School District may file suit against the taxpayer before a district justice or in the County Court of Common Pleas.
- The School District may execute for sale and sell taxpayer real estate or personal property, based on a judgment or lien obtained through legal proceedings.
- The School District may seek criminal prosecution of the taxpayer.

TAX INFORMATION CONFIDENTIALITY

Information gained by the School District as a result of any audit, return, report, investigation, hearing or verification shall be confidential. However, confidentiality will not preclude disclosure for official purposes, whether in connection with legal proceedings or otherwise, and will not preclude disclosure to the extent required by any applicable law.

TAXPAYER COMPLAINTS

If a taxpayer has a complaint about a School District action relating to taxes, the School District Superintendent may be contacted in writing at the address set forth under "Tax Appeals". The Superintendent or another person designated by the Superintendent will facilitate resolution of the complaint by working with the appropriate School District personnel.

AVAILABILITY AND DISTRIBUTION

Annual Notice To Taxpayer

Any taxpayer contacted by the School District in relation to any of the procedures explained above, or any taxpayer, upon request, shall be mailed a copy of this Disclosure Statement or shall receive the Notification of Disclosure Statement in the form prescribed by law.

ENACTED at a regular meeting of the Board of School Directors held the 1st day of February, 1999.