

BOARD OPERATIONAL RESPONSIBILITIES

The Board of Education, as a legally constituted body of elected representatives, bears the responsibility of setting policy for the school district. The Board acts in accordance with authority and responsibility vested in it by federal and state laws, rules, and regulations on behalf of the district's citizens.

In order to ensure that its educational programs provide all students with a high-quality education, the Board hereby establishes as its responsibilities:

1. to work closely with the community to ensure that Board actions and performance take into consideration the concerns and aspirations of the community;
2. to identify the educational and technological needs of the community and industry, and to transform such needs into programs aimed at stimulating students and preparing them for future careers;
3. to employ a Superintendent of Schools capable of ensuring that the district maintains its position as an outstanding school system, and that school personnel carry out the policies of the Board with energy and dedication;
4. to provide leadership in order that goals and objectives of the district, as set forth by the Board, can be effectively carried out. Board action should be confined to policy-making, planning and appraisal with the Board delegating authority to the Superintendent for the implementation of policies; and
5. to evaluate the Board's performance in relation to these goals, and to establish and clarify policies based upon the results of such evaluation.

Adoption date: March 19, 2009

SCHOOL BOARD LEGAL STATUS AND POWERS AND DUTIES

The Board of Education is a five-member Board elected by district residents. Each member of the Board serves for three years. The terms of office of Board members shall not all expire in the same year. Board members are responsible for school district management and policy-making.

The legal status of the Board is that of a corporate body established pursuant to the laws of New York State. Any liability of the district is a liability of the Board of Education as a corporation and not that of the members of the Board as individuals.

Members of the Board of Education have legal authority for the conduct of the district schools only when acting as a body in a properly convened session. Board members acting as individuals have no authority over personnel or school affairs.

The Board will not be bound in any way by any individual's statement or action unless the Board, through an adopted policy or by a majority vote of Board membership, has delegated this authority to the individual member.

The Board is entrusted with the responsibility of developing policies under which the district is managed. In addition, the Board has all the powers and duties stated in the Education Law and other applicable New York State law.

Complete and final authority on all district educational matters, except as restricted by law, will be vested in the Board.

Ref: Education Law §§1604; 1604-a; 1701; 1702; 1703; 1708; 1709; 1710
1804(1); 2101(2); 2105

Adoption date: March 19, 2009

SCHOOL BOARD ELECTIONS

The elections of members of the Board of Education shall be held on the third Tuesday in May, unless this date conflicts with religious observances on that day, in which case it shall be held on the second Tuesday in May. The polls shall be open for those hours designated by the district. The following items shall be voted upon:

1. the annual budget,
2. any vacancies on the Board of Education, and
3. any special propositions that have been properly presented.

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place. Displays or handout items of any political nature, except those provided by law, shall be prohibited by any individual, group or organization in any school building on those days when the polls are open for voting on school district matters, including, but not limited to, the annual school budget, candidates for the Board of Education, special propositions, etc.

Cross-ref: 1050, Annual Election and Budget Vote

Ref: Education Law §§2012; 2013; 2014; 2018; 2018-a; 2019-a; 2031; 2035

Adoption date: March 19, 2009

SCHOOL BOARD ELECTIONS REGULATIONEligibility to Vote

A person shall be entitled to vote in any school district election and in all matters placed upon the official ballot, if such person is:

1. a citizen of the United States;
2. at least 18 years of age;
3. a resident within the school district for a period of 30 days next preceding the election at which such person desires to vote;
4. qualified to register or is registered to vote in accord with section 5-106 of the Election Law which excludes:
 - a) those convicted felons who have not been pardoned or had their rights of citizenship restored, those whose maximum sentence of imprisonment has not expired; and/or those who have not been discharged from parole;
 - b) persons adjudged mentally incompetent by a court

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law provisions. Each annual or special election or meeting shall have a presiding chairman appointed by the Board. Such chairman shall have the responsibility of properly handling any challenges to the qualification of any voter.

Voting

Voting machines shall be used for recording the votes on all elections, budget votes, and votes on special propositions. The only exception to the use of voting machines shall be an emergency situation whereby the machines are unavailable due to a mechanical failure or state or local law prohibiting their use. If this should arise, paper ballots will be used.

Each voting machine shall have at least two election inspectors appointed by the Board in attendance during all voting hours. It shall be the duty of the District Clerk and assistant clerk or clerks to keep a poll list containing the name and legal residence of each person before such person is permitted to vote.

Entering a voting machine with another person is prohibited, except upon request from a voter, in which case an election inspector shall be allowed to enter the voting machine with that voter for the sole purpose of assisting that person in the actual manipulation of the voting machine. The election inspector shall not advise or induce such voter to vote on any proposition or candidate, and the election inspector shall never reveal the vote(s) recorded by the voter to any other person at any time.

Write-in ballot slots are required. Ballots containing the names of nominated candidates will be provided by the Board. On a paper ballot, one blank space will be provided under the name of the last candidate for each office so that voters may vote for candidates who have not been nominated for the offices to be filled at the election. There will be as many write-in slots as there are vacancies at the time of election.

The writing in, with a black lead pencil, of a name in the blank space so provided, will sufficiently indicate a vote. The district cannot require a voter to place any other mark beside the name of a write-in candidate.

Absentee Ballots

The Board provides for the use of absentee ballots for voting. Such ballots shall be available for the election of members of the Board of Education, the adoption of the school district budget, and on questions and propositions submitted to the voters of the district. The application must be received by the District Clerk at least seven days prior to the election, if the ballot is to be mailed to the voter; or the application must be received by the day before the election, if the ballot is to be personally delivered. The application must be completed and returned, and the individual must verify therein that he/she meets all voting requirements, and explain the reason for his/her inability to appear in person to vote.

In particular, the individual must explain that he/she will be unable to appear to vote in person on the day of the school district election because:

1. he/she will be a patient in a hospital, or unable to appear personally at the polling place on such day because of illness or physical disability;
2. his/her duties, occupation, business, or studies will require him/her to be outside of the county or city of his/her residence on such day;
3. he/she will be on vacation outside the county or city of his/her residence on such day; or
4. he/she will be detained in jail awaiting action by a grand jury; awaiting trial; or is confined in prison after conviction for an offense other than a felony.

The district shall request registration lists from the Board of Elections for those voters whose registration record has been marked “permanently disabled” and shall automatically mail absentee ballots to such voters in advance of each district vote or election.

Ref: Education Law §§2012; 2014; 2018; 2018-a; 2018-b; 2018-c; 2019; 2019-a; 2020; 2025; 2032(2)(e); 2035; 2037; 2603; 2607; 2610; 2613
Election Law §§3-224; 5-106; 5-612; 5-400; 5-406
Matter of Rodriguez, 31 EDR 471 (1992)
Matter of Gresty, 31 EDR 90 (1991)

Matter of Ferro, 25 EDR 175 (1985)
Matter of Manno and Maloney, 23 EDR 172 (1983)
Matter of Yost, 21 EDR 140 (1981)
Matter of Alpert and Helmer, 20 EDR 281 (1980)
Matter of Reigler and Barton, 16 EDR 256 (1977)

Adoption date: March 19, 2009

BOARD MEMBER QUALIFICATIONS

The qualifications of a candidate for the office of member of the Board of Education are that the candidate be:

1. able to read and write;
2. a qualified voter of the district; and
3. a resident of the school district for at least one year prior to election.

No employee of the school district may be a member of the Board.

Ref: Education Law §§2102; 2103; 2502(7)
Rosentock v. Scaringe, 40 N.Y.2d 563 (1976)
Matter of Schoch, 21 EDR 300 (1981)

Adoption date: March 19, 2009

FILLING BOARD VACANCIES

The Board of Education has the power to fill any vacancy, by a majority vote, which may occur on the Board. The person so appointed in the place of any such member of the Board shall hold his/her office until the next annual election of Board members. The unexpired term of the office will then be filled by election.

The Board shall have the power to call a special school district election for the purpose of filling the unexpired term of office of a member of the Board.

Ref: Education Law §§1709(17); 2113

Adoption date: March 19, 2009

CODE OF ETHICS

The Board of Education adopts the following Code of Ethics setting forth for the guidance of its members, officers and employees the standards of conduct that are reasonably expected of them. More specifically, such code shall provide standards of conduct of members, officers and employees regarding confidentiality and conflicts of interest.

I. Statutory Conflicts of Interest

It shall be a conflict of interest for a board member, officer or employee to benefit personally from contracts made in their official capacity.

“**Contract**” is defined broadly to include any claim or demand against the School District or account or agreement with the School District, whether expressed or implied exceeds the sum of \$750.00 in any fiscal year.

“**Interest**” is defined as a direct or indirect benefit that runs to the board member, officer or employee as a result of a contract with the School District.

A board member, officer or employee is deemed to have an “interest” in:

1. a firm, partnership or association in which he or she is a member or employee;
2. a corporation in which he or she is an officer, director or employee; or
3. a corporation in which he or she directly or indirectly owns or 5% or greater of the outstanding shares.
4. A board member, officer or employee also is deemed to have an “interest” in a contract between the district and his/her spouse, minor child or dependents, except for an employment contract entered into between the School District, a spouse, minor child or dependent of a board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

Personal interests which are **prohibited** by law include:

1. Interest in a contract with the School District where a Board member has the power or may appoint someone who has the power to negotiate, authorize or make payment or audit bills or claims under the contract, unless otherwise exempted by exception under law; and

2. Interest by a Chief School Officer, Treasurer or his/her Deputy or employee in a Bank or other financial institution that is used by the School District he or she serves. unless otherwise exempted by exception under law.

In order for a school board to enter into an enforceable contract where a board member, officer or employee of the School District has a prohibited conflict of interest which is not exempted by an exception to the law, the affected member, officer or employee must resign from his/her office or employment prior to the time that the board takes action upon the contract.

Exceptions

A board member, officer or employee shall be deemed not to have a conflict of interest in any of the exceptions listed in §802 of the General Municipal Law, including:

1. Contracts with membership corporations or other voluntary not-for-profit corporations or associations (e.g., Taylor Law collectively negotiated agreement, contract with a not-for-profit health services organizations) – are exempt from the conflict of interest rules. No board member is prohibited from voting on collectively negotiated agreements which are applicable to his/her spouse or children;
2. Appointment of a teacher as defined in §3016 of the Education Law, who is a relative or spouse of a Board Member, is permitted upon a two-thirds super majority vote, without limiting any Board member's right to vote.
3. The employment of a Board member as School Physician is permitted upon a two-thirds vote of the Board.
4. Contracts entered into by the district with a person who is subsequently elected or appointed to the Board, a School District, office or employment remain valid, except the contract may not thereafter be renewed.
5. Contracts between the School District and a Board member, officer or employee in which the total amount does not exceed \$750.00 in any fiscal year.
6. Where application of the conflict of interest rules would necessitate the engagement of a bank or trust company outside of the municipality or school district, the board may designate a bank or trust company in which the board president, treasurer or deputy treasurer has an interest in such entity. The designation shall be as a depository, paying agent or registration agent for the investment of funds.
7. A contract with a person, firm, corporation or association in which a municipal officer or employee has an interest prohibited solely by reason of employment as an officer or employee of such other entity, if their compensation will not be directly affected as a result of the contract with the municipality or school district affected as result of the contract with the municipality or school district and duties. Do not directly involve the procurement, preparation or performance of any part of the contract.

8. The designation of a newspaper, including an official newspaper, for the publication of notices, resolution or other proceeding where publication is otherwise required or authorized by law.
9. The purchase of real property or any interest therein when approved upon a petition to the State Supreme Court by the Board of Education.
10. Acquisition of real property or an interest in real property through eminent domain proceedings.
11. Sales of bonds and notes pursuant to §60.10 of the Local Finance Law.

Disclosure Requirements

Board members, officers and employees must publicly disclose the nature and extent of any non-excepted interest they or their spouse have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is an exception exempted under General Municipal Law §802; however, board members, officers and employees are encouraged to voluntarily make such disclosure.

If a board member is legally permitted to vote on a matter, but the matter is subject to disclosure by statute, or if the board member chooses to voluntarily disclose an excepted interest, the affected board member may request to be the last member called to vote on such matter.

II. Other Prohibited Activities

No School District officer or employee shall:

1. Use or attempt to use his or her official position to secure unwarranted privileges or exemptions for such officer or employee or others.
2. By his or her conduct give reasonable basis for the impression that any person can improperly influence such officer or employee or unduly enjoy special favor in the performance of official duties, or that he or she is affected by the kinship, rank, position or influence of any party or person.

III. Board Member Training

Board members elected or appointed for a term beginning on or after July 1, 2005 shall, within the first year of their term, complete a minimum of six hours of training on fiscal oversight, fiscal and other accountability and fiduciary responsibilities of a school board member from an authorized provider of such training. Each Board member must file a certificate of completion of such course issued by the provider with the District Clerk.

IV. Confidentiality Requirements for Board Members

Board members, officers or employees are prohibited from disclosing confidential acquired by them in the course of their official duties or using such information to further their personal interest. Board members, officers and employees who are privy to the Board packet materials that contain opinions, recommendations and/or evaluations shall not further disclose the contents of same. In addition, board members, officers and/or employees may not disclose the following matters, discussed in executive session or as contained in Board informational materials issued by the Superintendent:

- Matters which will imperil the public safety if disclosed.
- Matter which may disclose the identity of a law enforcement agency or informer.
- Information relating to current or future investigation or prosecution of a criminal offense.
- Discussions regarding proposed, pending or current litigation.
- Collective negotiations under the Taylor Law.
- The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment or employment or promotion or demotion or discipline or suspension or dismissal or removal of a particular person or corporation.
- The preparation, grading or administration of examinations.
- Proposed acquisition, sale or lease of real property, securities only when publicity would substantially affect the value thereof.
- Student records pursuant to the Family Educational Rights and Privacy Act (FERPA).
- Matters subject to the attorney-client privilege.

Upon the approval of a quorum of the board at a publicly conducted open meetings, matters discussed in executive session may be disclosed, except for those matters where individual privacy rights protected by statute or regulations would be violated (e.g., student records privacy rights, health/medical privacy rights, etc.).

V. Compatibility of Offices

Section 2103 of the Education Law prohibits the following office holders from also holding the office of Board of Education member:

- District Superintendent
- Treasurer
- School Tax Collector
- Librarian
- Village Zoning Board of Appeals Member

- Town Supervisor
- District Attorney
- Private School Board Member of a school located within the public school district County Elections Commissioner.

Not more than one member of a family sharing the same household shall be a member of the same board of education in any school district.

No employee of a board of education may be a member of such board.

VI. Gifts

No board member, officer or employee shall directly or indirectly solicit any gift or accept or receive any gift having a value of \$75.00 or more under circumstances in which it could reasonably be inferred that the gift was intended to influence him/her, or could reasonably be expected to influence him/her in the performance of his/her official duties or was intended as a reward for any official action on his/her part. If a board member, officer or employee receives any gift having a value of \$75.00 or more, such gift shall be returned.

VII. Contracts willfully entered into in violation of Article 18 of the General Municipal Law regarding conflicts of interest are deemed void.

VIII. Violations and Consequences

Bases for Removal

A board member may be removed from office for violating their oath of office and/or neglecting their duty.

The willful violation of Article 18 of the General Municipal Law is a misdemeanor any may also result in the Board member's removal from office.

A board member may be removed from office, upon the grounds of official misconduct for attempting to take official action on behalf of the board when such action is not authorized by statute, regulation or decisional law.

Pursuant to §2109 of the Education Law, a board member who refuses or neglects to attend three successive board meetings of which he or she was duly notified, without offering a good and valid excuse to the other members, may be removed from office. The vacating of office must be formalized by a board resolution declaring the same vacated.

If a board member discloses to any other party any confidential information acquired by him/her in the course of his/her official duties, including confidential matters, executive session restricted information as described in Point IV above, or such information as presented in the Superintendent's informational Board packets, or uses such information to further his/her personal interests, the Board may initiate a removal hearing upon the grounds of official misconduct or file a petition to the Commissioner of Education to have the member removed from office.

Board members shall be entitled to present questions regarding the confidential nature of information, in light of this policy to the school district's attorneys for a written opinion that will be made available to all members of the board. Such opinion must be solicited through the Board of Education President or in his/her absence through the Board of Education Vice President.

The willful receipt and retention of a gift having a value of \$75.00 or more may result in removal from the Board.

A board member may be removed for slapping, punching and/or assaulting another board member during a board meeting for official misconduct.

A board member's seat automatically becomes vacant for failing to file the signed oath of office card with the Board Clerk within 30 days after the commencement of the term of office, or within 30 days of notice of appointment to an appointive office.

A board member may be removed for failure to complete the minimum six hours of fiscal training and file the Certificate of Completion with the District Clerk.

A person removed from a school district office shall be ineligible to appointment or election to any district office for a period of one year from the date of removal.

Board Member Removal Process

In accordance with Education Law §1709(18), whenever a board member has been found guilty of any official misconduct following a hearing before the board he or she may be subject to removal by Board resolution. The hearing before the Board shall be conducted by a legally trained hearing officer who shall assist in the preparation of findings of fact and conclusion of law. Any board member subject to removal proceedings shall be entitled to a type written transcript at no cost. In the event of a Board determination to remove a member from the Board, there is a right to appeal to the Commissioner of Education.

In accordance with §306 and/or §1706 of the Education Law, the board may petition the Commissioner of Education for the removal of a board member guilty of any willful violation or neglect of duty of the Education Law or any other act pertaining to school districts and/or willful disobedience of any lawful requirement of the Commissioner of Education, or a want of due diligence in obeying such requirement.

In accordance with §1709(18), a Board or, upon petition, the Commissioner of Education may remove a member, however, neither has the authority to censure or reprimand a member.

Discipline of Other Officers and Employees

An officer, other than a Board member, or an employee may be subject to disciplinary action, including reprimand, fine, suspension or termination of employment, in accordance with due process of law, if applicable, for violating this policy.

IX. Distribution, Filing and Posting Requirement

The Superintendent shall distribute to every board member, officer and employee in the School District a copy of the code of ethics.

The district's code of ethics shall be filed in the State Comptroller's Office annually.

In accordance with §807, General Municipal Law, the Superintendent of Schools must ensure that a copy of Article 18, General Municipal Law is posted in each public building in a conspicuous place.

Adoption date: April 16, 2009

BOARD REORGANIZATIONAL MEETING

The Board of Education recognizes its obligation to hold an annual reorganizational meeting. The purpose of the reorganizational meeting is to elect officers of the Board and make the proper appointments and designations of other district employees for the proper management of the school district during the school year.

The Board will hold its annual reorganizational meeting on the first Tuesday in July. If that day is a legal holiday, the Board will hold the meeting on the first Wednesday in July. The Board may alternately hold the meeting on a date during the first 15 days in July that is not a legal holiday. The Board will choose this date by resolution at a Board meeting before July.

The district clerk shall call the meeting to order, and shall preside until the election of a new president. The order of business to be conducted at the reorganizational meeting shall include items required or implied by state law and/or regulation. The Board may also conduct general district business at the end of the meeting before adjourning.

I. Oath of Office

The District Clerk shall administer and countersign the oath of office to newly-elected Board members. The oath shall conform to Article XIII-1 of the New York State Constitution, and Section 10 of the Public Officers Law. No new Board member shall be permitted to vote until he/she has taken the oath of office.

II. Election of Board Officers

The Board shall elect a president and vice-president for the ensuing year, and administer the oath of office to them. A majority of all members of the Board shall be necessary for a valid election.

III. Appointment of District Officers

The Board shall appoint and the Board President administer the oath of office to the following district officers:

District Treasurer
District Clerk
Claims Auditor

Deputy Treasurer
Tax Collector

IV. Appointment of Other Positions

The Board shall appoint and establish the stipend (if any) for the following positions:

School Physician	School Attorney
School Dentist	Records Access Officer
Internal Audit Function	Records Management Officer
Title IX/Section 504 Hearing Officer(s)	
Treasurer of Student Activity Account	

V. Bonding of Personnel

The Board may bond the following personnel handling district funds:

District Clerk	Claims Auditor
Tax Collector	Deputy Treasurer
District Treasurer	
Treasurer of Student Activity Account	

The Board may, in each instance, specify the amount of the bond it intends to obtain. The Board may include any of the above officers in a blanket undertaking, pursuant to law and Commissioner's Regulations, rather than bond individuals.

VI. Designations

The Board shall designate:

- Official depositories for district funds, which are required to collateralize all deposits fully. All financial institutions must be credit worthy providing a Consolidated Report of Condition or be affiliated with the New York Federal Reserve Bank as primary dealers.
- Official district newspapers
- The day and time of regular meetings
- Rate for mileage reimbursement pursuant to IRS Guidelines.

The Board shall also adopt the rotational list of impartial hearing officers for the district as provided by the State Education Department.

VII. Authorizations:

- a. of person to certify payrolls
- b. of school purchasing agent
- c. of attendance at conferences, conventions, workshops, etc., with designated expenses
- d. to establish petty cash funds (and to set amount of such funds)
- e. to designate authorized signatures on checks
- f. of Superintendent of Schools to approve budget transfers

Cross-ref: 2310, Regular Meetings
5252, Student Activities Funds Management

Ref: New York State Constitution, Article XIII, §1
General Municipal Law §103(2) (official newspapers)
Public Officers Law §§10; 13; 30
Education Law §§ 701 (meeting to elect president, may elect vice president); 1707 (date of meeting); 2130 (appoint clerk, bonded treasurer and bonded tax collector);

Adoption date: April 16, 2009

BOARD OFFICERS

The President and Vice-President of the Board of Education shall be elected by members of the Board at the annual reorganization meeting in July.

Duties of the President of the Board

The duties of the President of the Board shall be as follows:

1. to preside at all meetings;
2. to call special meetings he/she considers necessary or on request of one member of the Board;
3. to appoint committees with the advice of fellow Board members;
4. to act as an ex-officio member of all committees;
5. to execute all documents on behalf of the Board;
6. to perform the usual and ordinary duties of the office.

Duties of the Vice-President

The Vice-President shall assume all the duties of the President in his/her absence.

Ref: New York State Constitution, Article 13 §2
Local Finance Law §2.00(5)(e)
Education Law §§1709; 2105(6); 2502; 2504; 2553; 2563; 2590-b

Adoption date:

APPOINTED BOARD OFFICIALSDistrict Clerk

The Board of Education shall annually appoint a District Clerk. The District Clerk shall:

1. keep an accurate record of the proceedings of the Board of Education and shall submit a copy of the proceedings to each Board member and the Superintendent of Schools;
2. file all correspondence and records relating to matters of the school district, involving the Board;
3. prepare and arrange publication of legal notices;
4. attend all public meetings of the Board (Regular and Special) as well as public hearings of the Board and, when requested:
5. perform duties pertaining to the preparation for, and conduct of district elections, budget votes, and special district referendum elections;
6. in the absence of both the President and Vice-President of the Board at a duly constituted meeting, determine the member with the longest tenure on the Board, in alphabetical order, and that member shall then assume all the usual duties of the President until either the President or Vice-President is in attendance;
7. administer the Oath of Office for all Board members and school district officers; and
8. perform any other work requested of him/her by the Board or the Superintendent.

District Treasurer

The Board of Education shall also annually appoint a District Treasurer. The District Treasurer shall:

1. act as custodian of all monies belonging to the district;
2. receive all monies belonging to the district and issue receipt for same;
3. deposit monies received in banks designated by the Board;
4. be bonded in such sum as shall be required before entering into the duties of the office;
5. pay out district monies on written order of officials of the Board; and
6. give detailed accounts of monies received and disbursed.

Ref: Education Law §§2121; 2122; 2130

Adoption date:

STUDENT REPRESENTATIVE TO THE BOARD OF EDUCATION

The School Board will choose to add two non-voting student members from the high school. The student board members shall have the rights of a regular school board member except for the right to vote and inclusion in executive sessions.

Adoption date: March 19, 2009

CITIZENS ADVISORY COMMITTEES

The Board of Education recognizes that it can beneficially utilize the talents, resources, and interests available among district residents to assist in developing the programs needed for the maintenance of a quality educational program in the schools of the district. To that end, the Board shall, at its discretion and in accordance with state law and regulation, appoint Citizens Advisory Committees of representative residents of the district to meet with the Board to provide advice and reaction about important matters before the Board which may have special significance for the community.

Each citizens committee organized by the Board shall be appointed and discharged by official Board resolutions. Resolutions appointing such committees shall state specifically the scope of the work of the committee.

Appointments to Citizens Advisory Committees shall be on the basis of interest, experience, expertise, and concern. No one shall be appointed as a representative of a specific group or area, unless it is the express purpose of the Board to have all areas of the community represented, in which case the Board will, in its discretion, appoint representative members of every such group or area. The Board shall make every effort to form a committee that is representative of the entire community.

Committees shall report all suggestions and recommendations to the Board and Superintendent of Schools prior to public release. Final reports shall be delivered to the Board at a meeting scheduled by the Board to receive the report.

The Board may accept, reject, or return committee recommendations for further study. Any action stemming from committee reports is the responsibility of the Board. Publicity, or the release of information, concerning committee findings shall be the responsibility and the prerogative of the Board. Advisory committees shall be discontinued upon completion of their assignment(s).

Ref: Education Law §§4402; 4601
8 NYCRR §135.3(2)

Adoption date: March 19, 2009

SCHOOL ATTORNEY

The Board of Education shall retain legal counsel who shall be appointed at the Annual Reorganizational Meeting of the Board of Education. The President of the Board, or the Superintendent of Schools or his/her designee, may contact the counsel on legal matters affecting the operation of the school district.

Selection of a School Attorney

The district, when seeking to retain a School Attorney, will first locate prospective qualified lawyers/law firms by:

1. advertising in trade journals;
2. checking listings of lawyers/law firms; or
3. making inquiries of other districts or other appropriate sources.

The district will then prepare a well-planned, written request for a proposal which will contain critical details of the services sought and submit this request to prospective applicants.

In selecting a School Attorney, the district will consider the cost of a retainer (or hourly fee), as well as such other factors as:

1. the special knowledge or expertise of the lawyer/law firm;
2. the quality of the service provided by the lawyer/law firm;
3. the staffing of the lawyer/law firm; and
4. the lawyer's/law firm's suitability for the district's needs.

The district will maintain documentation of the written proposals submitted by lawyer/law firm applicants for the position of School Attorney.

Adoption date: March 19, 2009

REGULAR MEETINGS

In order to perform its duties in an open and public manner, and in accordance with state law, the Board of Education shall hold regular business meetings once a month.

The time, dates and place of regular Board of Education meetings shall be established at the annual reorganizational meeting. In the event that the day appointed for a regular meeting falls on a legal holiday, the meeting shall be rescheduled. All regular Board meetings are open to the public, and meeting facilities shall provide access to persons with disabilities.

In addition to the members of the Board, the following individuals will regularly attend the business meetings of the Board: the Superintendent of Schools, and other specified personnel as deemed necessary.

Cross-ref: 2210, Board Reorganizational Meeting

Adoption date:

SPECIAL MEETINGS

Special meetings of the Board of Education must be called as requested by a member of the Board, making such a request to the Board President.

Such meeting requires a notice of 24 hours to all Board members.

If, in an emergency, a special meeting is held before the 24-hour notice can be given, each member may be asked to sign a waiver of notice. A statement regarding the time of notice and signature of such forms shall be entered in the minutes.

Ref: Education Law §§1606; 2504; 2563
Open Meetings Law, Public Officers Law §§100 et seq.

Adoption date:

EXECUTIVE SESSIONS

The Board of Education may hold executive sessions at which only the members of the Board or persons invited by the Board shall be present. However, the executive session is only available for the purpose of discussion, and except as the law allows, formal action must be taken in an open session.

Executive sessions can be requested by any member of the Board or the Superintendent of Schools.

A Board member must make a motion during an open meeting to convene in executive session. Upon a majority vote of its members, the Board may convene in executive session at a place which the Board President or said members may designate within the district to discuss the subjects enumerated below. Matters which may be considered in executive session are:

1. matters which will imperil the public safety if disclosed;
2. any matter which may disclose the identity of a law enforcement agent or informer;
3. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. discussions regarding proposed, pending or current litigation;
5. collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
7. the preparation, grading or administration of examinations; and
8. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

A Board may not take action in executive session except to vote on disciplinary charges against a tenured teacher.

Minutes shall be taken at executive sessions of any action that is taken by a formal vote and should consist of a record or summary of the final determination of such action and the date and vote thereon, provided, however, that such summary shall not include any matter which is not required to be made public by the Freedom of Information Law. Minutes taken shall be available to the public within one week from the date of the executive session.

Ref. Education Law §1708 (3)
Public Officers Law §§100 et seq.
Application of Nett and Raby, 45 EDR 259 (2005)
Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Adoption date:

NOTICE OF MEETINGS

For all regular and scheduled special meetings of the Board of Education, the District Clerk shall give adequate notice to all members and to the community.

If a meeting is scheduled at least a week in advance, notice will be given to the public and news media at least 72 hours prior to the meeting. A special meeting may be called upon 24-hour notice to Board members.

When a meeting is scheduled less than a week in advance the Board shall provide public notice to the extent practicable. Said notice shall be conspicuously posted in one or more designated public locations.

Ref: Open Meetings Law, Public Officers Law §§100 et seq.
Education Law §§1606; 1708; 2504; 2563

Adoption date:

AGENDA PREPARATION AND DISSEMINATION

The Superintendent in consultation with the Board President, shall prepare the agenda for each board meeting according to the order of business, to facilitate orderly and efficient meetings, and to allow board members sufficient preparation time.

Items of business may be suggested by any Board member, district employee, parent, student, or other member of the public, and must relate directly to district business. The inclusion of items suggested by district employees, parents, students, or other members of the public shall be at the discretion of the Superintendent, subject to the approval of the Board President.

Persons suggesting items of business must submit the item to the Superintendent at least seven days prior to a regular meeting and one day prior to a special meeting. Items will not be added to the agenda later than this time period, unless the item is of an emergency nature and authorized by the Superintendent in consultation with the Board President.

The agenda shall specify whether the item is an action item, a consent item, a discussion item or an information item.

The agenda may include:

- “action items” on which the Board is expected to reach a decision during the meeting;
- “consent items” addressing routine matters such as minutes and monthly expenses, which can be approved together without discussion;
- “discussion items” requiring discussion, but upon which action is not anticipated; and
- “information items” that require no action or discussion unless a board member asks for clarification.

The agenda and any supporting materials will be distributed to board members preferably five to seven days in advance of the board meeting, if possible, to permit careful consideration of items of business. The agenda will be released to the news media including local newspapers, radio stations and television stations in advance of the meeting. The agenda will also be available in the Superintendent’s office to anyone who requests a copy.

The District Clerk shall be responsible for ensuring that the agenda is available to the public and the media.

Cross-ref: 2350, Board Meeting Procedures

Adoption date: March 19, 2009

BOARD MEETING PROCEDURES

Each Board of Education meeting shall be conducted in an orderly manner consistent with Robert's Rules of Order Revised, which provides time for and encourages community involvement. The order of business at each regular meeting shall be as follows:

1. Call to order
2. Attendance
3. Pledge of Allegiance
4. Approval of Minutes
5. Monthly Reports
6. Reports
7. Public Comments on Agenda Items
8. Reports and recommendations of the Superintendent of Schools
9. Public Comments
10. Adjournment

The regular order of business may be changed at any meeting (and for that meeting only) by an affirmative vote of a majority and voting for the proposed change in the regular order of business.

Except in emergencies, the Board shall not attempt to decide upon any question under consideration before examining and evaluating relevant information. The Superintendent shall be given an opportunity to examine and to evaluate all such information, and to recommend action before the Board attempts to make a decision.

The Board may adjourn a regular or special meeting at any place in the agenda providing that arrangements are made to complete the items of business on the agenda at a future meeting. The minutes shall make notice of the adjournment, and the reconvened session shall be considered an addition to these minutes.

Quorum

A majority of the members of the Board of Education shall constitute a quorum for the transaction of the business of a meeting. Should there be fewer than three (3) members of the Board present at a meeting, a time for the new meeting shall be set by the members present and such meeting shall be deemed a regular meeting. Notice of rescheduled meetings shall be given to absent members pursuant to Policy 2340, Notice of meetings.

Final action on any resolution or motion shall be valid only upon vote of the majority of the total membership of the Board.

Adoption date:

MINUTES

The Board of Education believes that open and accurate communication regarding its internal operations enhances the district's public relations program and provides a record of the district's progress towards its annual goals. Therefore, the Board will maintain a complete and accurate set of minutes of each meeting, in accordance with law.

The minutes shall constitute the official record of proceedings of the Board and shall be open to public inspection within one week of executive sessions and within two weeks of all other meetings. Minutes which have not been approved by the Board within this time frame shall be marked, "DRAFT." A draft of the minutes of each meeting shall be forwarded to each member of the Board not later than the time the agenda for the next meeting is disseminated.

The District Clerk shall be responsible for taking the minutes, and shall present the draft minutes to the Board President within one day of the meeting. The minutes shall conform to an established format.

All motions, proposals, resolutions, and any other matters formally voted upon by the Board shall be recorded in Board minutes. In recording such votes, the names of the Board members shall be called in alphabetical order, and the record shall indicate the final vote of each Board member.

If a Board member is not present at the opening of a meeting, the subsequent arrival time of such member shall be indicated in the minutes.

Ref: Open Meetings Law, Public Officers Law §§100 et seq.
Freedom of Information Law, Public Officers Law §§84 et seq.
Education Law §2121

Adoption date:

**ADOPTION OF POLICY AND BY-LAW
OR ALTERNATION OR AMENDMENT**

Proposed additions, alterations, or amendments to these by-laws and policies (hereinafter called “resolutions of change in policy”) may be introduced by resolution at any meeting of the Board of Education. Any such resolution of change in policy shall be considered as formally introduced, provided opportunity is given for full discussion by the board at that meeting and the resolution, by majority vote of the board, is postponed to the next meeting that is not less than two weeks in the future and provided such resolution is sent to PTA Council, bargaining unit presidents and Site Based Councils and posted on the district web page immediately after presentation to the Board.

At the regular voting meeting to which such formally introduced resolutions of change in policy are postponed, they shall be taken up, in turn, as the first items of “Old Business” on the agenda, and they need be neither moved nor seconded at that time. Amendments to a resolution of change in policy may be made at any time the resolution is before the board. The formally introduced resolution of change in policy shall be considered adopted if it is approved by a majority of the board. At the discretion of the Board, the resolution may be postponed for action to a future meeting.

The Superintendent or a designee shall distribute copies of new or altered by-laws and policies to board members and designated holders of school policy manuals as soon as practicable following adoption.

Adoption date:

**SCHOOL BOARD CONFERENCES,
CONVENTIONS, WORKSHOPS**

In recognition of the need for continuing in-service training and development for its members, the Board of Education encourages the participation of all members in meetings and activities of area, state, and national school Boards associations, as well as in the activities of other educational groups. Board members are encouraged to study and examine materials received from these organizations as well as publications and tapes available in the Board's own library.

In order to control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

1. The Board will reimburse conference attendees (Board members) for reasonable and necessary expenses not paid for directly by the district (travel, hotel, meals, registration).
2. When any Board member attends a conference, convention, or workshop, the member will be requested to share information, recommendations, and materials acquired at the meeting.

Cross-ref: 6830, Expense Reimbursement

Adoption date: