

BOARD OPERATIONAL GOALS

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 goals:

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: September 9, 2003

SCHOOL BOARD LEGAL STATUS

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: September 9, 2003

SCHOOL BOARD ELECTIONS

The elections of members of the Board of Education shall be held on the third Tuesday in May, unless due to a conflict with religious observance, the Board requests that the Commissioner approve changing the election date to the second Tuesday in May. The request is due to the Commissioner by March 1st. 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.

Candidates for office shall be nominated by a petition directed to the district clerk which is signed by at least twenty-five (25) qualified voters of the district or by two (2) percent of the number of voters in the previous annual election, whichever is greater.

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place. Electioneering includes the display or distribution of any banner, poster, placard, button, or flyer, on behalf of or in opposition to any candidate or issue to be voted upon.

Cross-ref: 1050, Annual Election and Budget Vote
1500, Public Use of School Facilities

Ref: Education Law §§2012; 2014; 2018; 2018-a; 2019-a; 2031; 2031-a; 2035
Appeal of Giuliano, 37 EDR 572 (1998)
Appeal of Fitzpatrick, 30 EDR 124 (1990)
Appeal of Heidbrink, 29 EDR 192 (1989)
Appeal of Gasparini, 23 EDR 25 (1983)

First Reading: April 21, 2016
Second Reading: May 10, 2016
Adoption date: May 10, 2016

VOTING PROCEDURES

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; and
 - 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

Paper ballots shall be used for recording the votes on all elections, budget votes, and votes on special propositions.

Each ballot box 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.

Election inspectors shall not advise or induce such voter to vote on any proposition or candidate, and if the election inspector were to learn how the individual voted, the election inspector shall never reveal the vote(s) recorded to any other person at any time.

Write-in ballot spaces are required. Ballots containing the names of nominated candidates will be provided by the Board. There will be as many write-in spaces as there are vacancies at the time of election.

The writing in 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; 2022; 2025; 2030; 2031; 2032; 2035; 2037; 2603; 2607; 2610; 2613
Election Law §§3-224; 5-106; 5-612; 5-400
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)

First Reading: May 24, 2016
Second Reading: June 14, 2016
Adoption date: June 14, 2016

Board Member Qualifications

The qualifications of a member of the Board of Education are that the individual:

1. Must be able to read and write;
2. Must be qualified voter of the district; that is, a citizen of the United States, at least 18 years of age or older, and not adjudged to be incompetent;
(Note; a convicted felon is barred from running for a seat on a board of education if his or her maximum prison sentence has not expired or if he or she has not been pardoned or discharged from parole)
3. Must be and have been a resident of the school district for at least one year prior to election;
4. May not have been removed from any school district office within the preceding year;
5. May not reside with another member of the same school board as a member of the same family;
6. May not be a current employee of the school district; and
7. May not simultaneously hold another incompatible public office.

Ref: Education Law §§2102;2103;2502(7)
Education Law §5-106(2)-(4), (6)
Rosentock v. Scaringe, 40 N.Y.2d 563 (1976)
Matter of Schoch, 21 EDR 300 (1981)

First Reading: October 14, 2014

Second Reading: October 28, 2014

Adoption: October 28, 2014

UNEXPIRED TERM FULFILLMENT

The Board of Education has the power to fill any vacancy, by a majority vote, which may occur on the Board by reason of death, resignation, removal from office or from the school district, or refusal to serve, of any member or officer of 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.

Ref: Education Law §§1709(17); 2113

Adoption date: September 9, 2003

SCHOOL DISTRICT OFFICER AND EMPLOYEE CODE OF ETHICS

The Board of Education recognizes that sound, ethical standards of conduct serve to increase the effectiveness of school Board members and their staff, as educational leaders in their community. Actions based on an ethical code of conduct promote public confidence and the attainment of district goals. The Board also recognizes its obligation to set forth a code of ethics under the provisions of the General Municipal Law, to adopt a code of ethics setting forth the standards of conduct required of all district officers and employees.

Therefore, every officer and employee of the district, whether paid or unpaid, including members of the Board of Education, shall adhere to the following code of conduct:

1. Gifts: An officer or employee shall not directly or indirectly solicit any gift or accept or receive any gift having a value of \$75 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

NOTE: The paragraph above concerning gifts from children is optional and offered for the Board's consideration.

2. Confidential information: An officer or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. In addition, he/she shall not disclose information regarding any matters discussed in an executive session of the Board whether such information is deemed confidential or not.
3. Representation before the Board: An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school district.
4. Representation before the Board for a contingent fee: An officer or employee shall not receive or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before the school district, whereby the compensation is to be dependent or contingent upon any action by the school district with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.

5. Disclosure of interest in matters before the Board: A member of the Board of Education and any officer or employee of the district, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he or she has in such matter. The term "interest" means a pecuniary or material benefit accruing to an officer or employee.
6. Investments in conflict with official duties: An officer or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties.
7. Private employment: An officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.
8. Future employment: An officer or employee shall not, after the termination of service or employment with the Board, appear before the Board or any panel or committee of the Board, in relation to any case, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration. This shall not bar or prevent the timely filing by a present or former officer or employee of any claim, account, demand or suit against the district on his or her own behalf or on behalf of any member of his or her family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this Code of Ethics to be distributed to every officer and employee of the school district. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Superintendent shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the district's jurisdiction in a place conspicuous to the district's officers and employees.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board's code of ethics and its accompanying regulation may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Cross-ref: 6700, Purchasing

Ref: General Municipal Law §§806-808

Adoption date: September 9, 2003

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 shall also perform such annual functions as are designated by law.

The annual reorganizational meeting of the Board of Education shall be held in the month of July prior to the 14th of the month.

The meeting shall be called to order by the District Clerk, who shall preside until the election of a new president. The order of business to be conducted at the reorganizational meeting shall include the following items required or implied by state law and/or regulation:

- I. Call to Order
- II. Pledge of Allegiance
- III. Administration of Oath

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

IV. Election of Officers

The Board shall elect a president, vice-president, district clerk and appoint treasurer 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.

- V. Administration of Oath to the Newly Elected Officers
- VI. Appointments

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

Purchasing Agent	District Tax Collector
School Attorney	District Independent Auditor
School Health Enumerator	Census Enumerator
Records Management	Records Management
Records Access Officer	Safety Officer
Insurance Officer	Attendance Officer
Title IX Officer	Substitute Call-in Person

School Lunch Receiving Officer
 School Lunch Reviewing Officer
 Extra-Classroom Activity Account Treasurer

VII. Bonding of Personnel

The Board may bond the following personnel handling district funds:

District Clerk
 School Attorney
 District Treasurer
 Extra-Classroom Activity Account Treasurer
 Superintendent of Schools

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.

VIII. Designations

The Board shall designate:
 Official depositories for district funds
 Official district newspapers
 AHERA (asbestos) Designee
 Regular Meeting Schedule

The Board shall fix the day and hour for the holding of regular meetings, which shall be at least once each month while school is in session, in the rooms provided for the Board, unless otherwise ordered by the Board. In addition the Board will designate the Public Notice posting locations.

IX. Authorizations

- a. National School Lunch Program
- b. School Breakfast/Lunch Prices
- c. Re-adoption of previous Board Policies and Code of Ethics
- d. Petty Cash Fund
- e. Certification of Payroll
- f. Authorization of the single signature of the District Treasurer to validate school checks
- g. Authorization of two signatures on the Extra-Curricular Activity checks (Superintendent of Schools and Extra-curricular Treasurer)
- h. Authorization for Superintendent to sign special State and Federal Projects
- i. Authorization of the Superintendent to approve budget transfers

X. Other Items

- a. Instructional Substitutes Pay, Certified and Non-certified
- b. Not-teaching Substitutes Pay (teacher's aides, cafeteria staff, maintenance and bus drivers)
- c. Mileage Reimbursement Rate

XI. Committee Assignments

- a. Budget Committee Chairperson
- b. Budget Committee Member

XII. Adjournment

Cross-ref: 2310, Regular Meetings

Ref: New York State Constitution, Article XIII, §1
Public Officers Law §§10; 13
Education Law §§1707; 1804(4); 2130

Adoption date: September 9, 2003

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 act as chief fiscal officer of the Board;
3. to execute all documents on behalf of the Board;
4. to appoint all standing and ad hoc committees;
5. to act as an ex-officio member of all committees;
6. to call special meetings he/she considers necessary or on request of one member of the Board;
7. to vote together with other members of the Board;
8. to perform the usual and ordinary duties of the office;
9. to act as temporary chair of the annual district meeting and special district meetings; and
10. to, along with the other members, offer resolutions, and discuss questions.

Duties of the Vice-President

The Vice-President shall be authorized to act for the President in case of the President's absence or inability to act, within statutory limitations.

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: September 9, 2003

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).

Cross-ref: 4315.1, AIDS Instruction
4321, Programs for Students with Disabilities
6110, Budget Planning

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

Adoption date: September 9, 2003

SHARED DECISION-MAKING AND SCHOOL-BASED PLANNING

The Board of Education encourages the participation of the community in improving education in our schools. In accordance with the regulations of the Commissioner, the Board has adopted a plan for the effective participation of parents, teachers, administrators and the Board in shared decision-making at the building level. This plan specifies:

1. the educational issues which will be subject to decision sharing and cooperative planning at the school level;
2. the manner and extent of the expected involvement of all parties;
3. the means and standards by which all parties will evaluate improvement in student achievement;
4. the means by which all parties will be held accountable for the decisions made;
5. the process whereby disputes will be resolved at the local level; and
6. the manner in which all state and federal requirements for the involvement of parents in planning and decision-making will be coordinated with and met by the overall plan.

A copy of the Plan for Participation by Teachers and Parents in School-Based Planning and Shared Decision-Making shall be available at each school and at the central district office; individual copies of the plan will be provided upon request.

Every two years, the Board shall review the plan to determine its effectiveness and to recertify or amend the plan, as needed. Any amendment or recertification of the plan will be developed and adopted in accordance with section 100.11 of the Regulations of the Commissioner.

The amended or recertified plan together with a statement of the plan's success in achieving its objectives, shall be submitted to the Commissioner of Education for approval no later than February 1st of each year in which biennial review takes place. The first such review shall have been submitted to the Commissioner no later than February 1, 1996.

Adoption date: September 9, 2003

SCHOOL ATTORNEY

The Board of Education shall retain legal counsel, who shall be appointed at the Annual Organizational Meeting of the Board of Education. This legal counsel will represent the Board of Education, and shall report directly to the Board. The attorney shall have applicable legal expertise to represent the interests of the school district.

The selection of legal counsel shall be carried out in accordance with state law and regulation, as well as Board policy.

Any attorney working for the Board as legal counsel must be admitted to the bar of New York State and duly licensed to practice law in New York State. Other qualifications, such as years of experience representing school districts in the area of education law, shall be outlined in the Request for Proposal.

The written agreement with the attorney and/or law firm shall describe, at a minimum, the cost (e.g., hourly rates, retainer agreement), services provided, representation (e.g., in hearings, courts, investigations, negotiations), level of participation at Board meetings, who may contact the attorney(s), who has access to the attorney(s) and process for doing so, who directs the work of the attorney(s), and how the attorney(s) will communicate information to the Board. Generally, any information shared with the contact person will be shared with the Board as a whole.

The written agreement will outline how the Board is apprised of new and total charges, and how the status of the retainer is reported to the district. The status of the retainer agreement and costs will be monitored by the Superintendent or his or her designee.

The Attorney and/or law firm will be the legal advisor to the Board. In that capacity, the legal counsel's duties will include, but not be limited to, the following:

1. to advise the Board with respect to all legal matters relating to the district, including, but not limited to, interpretation of the Education Law of the State of New York, and all other statutes, rules or regulations affecting the district;
2. to be easily accessible to the Board and the Superintendent of Schools (and, at the discretion of the Superintendent, to his/her administrative staff), with respect to legal matters arising out of the day-to-day administration of the district this includes being available for Board meetings at the Board's request;
3. to review and to represent the district in the preparation of contracts, as requested by the district (other than the contract for school attorney services);

4. to advise and assist in matters of litigation pursuant to the retainer agreement;
 5. to review the legality of all policies or regulations to be adopted by the Board
 6. to review and advise with respect to any legal papers served upon the district to commence legal action; and
 7. to recommend the retainment of special counsel as he or she may deem necessary in the circumstances, subject to the approval of the Board. Retaining additional legal counsel shall be subject to the process outlined in Board policy.
- The school attorney and/or firm will report any censure, suspension, or disbarment to the Board.

Cross-ref: 2210, Board Organizational Meeting
2410, Policy Development, Adoption, Implementation and Review
6700, Purchasing
6741, Contracting for Professional Services

First Reading: October 13, 2015
Second Reading: October 27, 2015
Adoption date: October 27, 2015

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: September 9, 2003

SPECIAL MEETINGS

In an effort to anticipate and respond to special circumstances which may arise during district operations, any member of the Board of Education may call special and/or emergency meetings of the Board. Notice of such meetings will be given at least 24 hours before the date of the meeting to every Board member. If less than a week in advance, public notice of the meeting will be given to the extent practicable.

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: September 9, 2003

EXECUTIVE SESSIONS

The Board of Education reserves the right, within the constraints of state law, to meet in executive session. Executive sessions are not open to the public. Such sessions can be requested by any member of the Board or the Superintendent of Schools. The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof.

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. The motion to enter into executive session must identify the general area(s) of the subject(s) to be considered. 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 of executive sessions will include only a record or summary of any final action taken by the Board by formal vote, and the date and vote taken on such action.

Ref: Education Law §1708 (3)
Public Officers Law §§100 et seq.
Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Adoption date: September 9, 2003

NOTICE OF MEETINGS

The Board of Education believes that public notice of its activities is essential to ongoing, proactive cooperation between the Board and the community it serves.

To this end, and in accordance with state law, notice of meetings shall be sent to all members of the Board, Superintendent of Schools, District Treasurer, and to the newspapers of the district. The time, date and place of regular Board meetings is established at the Reorganizational Meeting. If a meeting is scheduled at least a week in advance, notice must be given to the public by posting in one or more designated public places not less than 72 hours prior to the meeting.

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: September 9, 2003

AGENDA PREPARATION AND DISSEMINATION

The agenda and preparation for meetings shall be the responsibility of the Superintendent of Schools in consultation with the Board of Education President. Board members, employees of the school district, students, or other member of the public may suggest agenda items by contacting the Superintendent. Individuals wishing to be heard at a Board meeting shall advise the Superintendent in advance. The agenda, however, shall always allow for recognition and comments by members of the public on agenda items. Items of business introduced from the floor will generally not be acted upon at the same meeting.

A complete set of materials for the regular meeting shall be sent to each Board member, the Superintendent, the District Treasurer and others as required. Advance dissemination of the agenda shall be the responsibility of the District Clerk.

Adoption date: September 9, 2003

Administration in Policy Absence

The Board of Education recognizes that decision making within the district is fostered through up-to-date district policies. The district's policies are continually updated to reflect current laws and regulations, updated standards, and as needed based on priorities.

From time to time there will be issues, questions or decisions that may not appear to be specifically addressed in current adopted policy documents.

The Superintendent of Schools is authorized to take action, in absence of policy, in those situations where failure to take action on a timely basis would be inappropriate.

When examining the situation to determine the appropriate action in absence of policy, one or more of the following resources are to be used by the Superintendent as sources of information: BOCES, NYSSBA, and NYSCOSS policy drafts; legacy policy documents, and/or the school's attorney.

First Reading: August 8, 2006

Adoption: August 24, 2006

This policy was drafted from a sample policy of Peru Central School.

BOARD MEETING PROCEDURES

Each Board of Education meeting shall be conducted in an orderly manner which provides time for and encourages community involvement. The order of business at each regular meeting shall be as follows:

1. Call to order, roll call
2. Pledge of Allegiance
3. Approval of minutes
4. Business Items
5. Action Items
6. Reports from Superintendent
7. Reports from Board
8. Information and Correspondence
9. Public comment
10. Executive Session (as appropriate)
11. 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.

Adoption date: September 9, 2003

QUORUM

A majority of the members of the Board of Education shall constitute a quorum for the transaction of the business of a regular meeting. Should there be fewer than three members of the Board present at a regular 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 shall be valid only upon vote of the majority of the total membership of the Board.

Adoption date: September 9, 2003

RULES OF ORDER

Robert's Rules of Order, Revised shall be used informally to govern all business procedures except where in conflict with adopted Board of Education policy.

Adoption date: September 9, 2003

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. Such 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 is to be forwarded to each member of the Board not later than the time the agenda for the next meeting is disseminated.

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: September 9, 2003

**BROADCASTING
AND TAPING OF BOARD MEETINGS**

The use of any tape recording device at public meetings of the Board of Education or committee appointed thereby is permissible as long as the device is unobtrusive and will not distract from the true deliberative process of the Board. The Board President or chairperson of the committee shall be informed prior to the meeting that such recordings are being made.

The Board and/or the committee reserves the right to direct that a tape recording be made to ensure a reliable, accurate, and complete account of Board meetings.

The Board permits the broadcasting of public meetings of the Board or any of its committees as long as such broadcasting is done in a manner which is unobtrusive and does not interfere with the deliberative process of the body.

Ref: Open Meetings Law, Public Officers Law §§100 *et seq.*
Mitchell v. Board of Education of Garden City UFSD,
113 AD2d 924 (1985)
Feldman v. Town of Bethel, 106 AD 2d 695 (1984)
People v. Ystueta, 99 Misc 2d 1105(1979)

Adoption date: September 9, 2003

POLICY DEVELOPMENT, ADOPTION, IMPLEMENTATION AND REVIEW

The Board of Education is responsible for adopting and assessing the effectiveness of the written policies by which the district is governed. The Board recognizes that written policies are essential to district governance in that they:

- Govern effectively and efficiently across time, situations, and individuals.
- Provide the foundation and guidance for administrative action.
- Publicize the federal, state, and local rules that govern the district.
- Help to evaluate progress by including measurable outcomes.

Development

The Board is committed to developing written policies which:

- Clearly define the district's goals and objectives and reflect the Board's vision.
- Define roles and responsibilities and identify who is responsible for what.
- Provide the Superintendent and district staff with clear guidance regarding expected district administration.
- Allow for flexibility that is needed for day-to-day operations.
- Include measurable outcomes.

Any member of the Board, district staff, students, parents, district taxpayers or other member of the public may identify policy issues. Such issues shall be identified to the Superintendent. The Superintendent shall be responsible for submitting policy issues to the Board for consideration and for keeping a record of all policy initiatives submitted to the Board.

Before acting on any proposed policy, the Board will assemble the relevant facts, receive recommendations from individuals and groups who will be affected by the policy, and discuss, debate and decide on the substance of the policy in open meeting. The Superintendent shall be responsible for identifying the individuals and groups who will be affected by the policy. The Superintendent may seek input on policy initiatives from the following:

- The President of each employee negotiating unit
- The President of the Coordinating Council of Parent-Teacher Organizations and the President of each PTO unit
- Student Council

The Superintendent shall be responsible for preparing a written draft of all proposed policies. When reviewing the contents of a proposed policy, the Board will consider whether the proposed policy:

- Is within the scope of the Board's authority.
- Is consistent with state and federal law and the state and federal Constitutions.
- Supports the district's goals and objectives.
- Reflects good practice (e.g., educational, personnel, business, etc.).
- Is reasonable and not arbitrary or discriminatory.
- Adequately covers the subject.
- Is consistent with the Board's existing policies.
- Can be administered in a practical, cost effective manner.

Adoption

Once a proposed policy has been drafted, it shall be placed on the Board's agenda for a first reading, giving all persons interested in it an opportunity to express their views. The Board will not take any official action on any policy on first reading, unless a majority of the Board decides that it is necessary to do so.

If the draft policy is acceptable or if it is not acted upon out of necessity after the first reading, the draft policy will be placed on the Board's agenda for a second reading, at which time the Board will officially act.

The school attorney may be consulted to review new policies or revisions to an existing policy prior to its being adopted by the Board.

Implementation

The Superintendent shall be responsible for implementing all policies adopted by the Board. This responsibility shall include: promulgating any necessary administrative regulations, ensuring that the policy is included in the board policy manual, and publicizing the policy as necessary to ensure that persons affected by the policy are aware of it.

The board policy manual shall be kept in the district office and made available to the public upon request.

Review

The Superintendent shall be responsible for informing the Board of any policies that are out-of-date or in need of revision. In addition, the Board Policy Committee will review the policy manual on a regular basis and will make recommendations to the full board regarding updates as necessary to ensure that the policies are consistent with board goals and district practices.

Ref: Education Law §1604, 1709, 1804

Adoption date: September 9, 2003

NEW BOARD MEMBER ORIENTATION

The Board of Education and the administrative staff shall assist each new Board member-elect to become familiar with and to understand the Board's functions, policies and procedures, and the school district's operation before taking office. Each Board member-elect shall, as soon as possible,

1. be given selected materials covering the function of the Board and the school district, including (a) policy manual, (b) copies of key reports prepared during the previous year by school Board committees and/or the administration, (c) the *School Law* handbook prepared by the New York State School Boards Association, (d) access to minutes of Board meetings of the previous year, (e) latest financial report of the district, (f) copies of pertinent materials developed by the New York State School Boards Association, and (g) any other materials which may be deemed helpful and informative;
2. be invited to attend all Board meetings and functions, except executive sessions;
3. be invited to meet with the Superintendent of Schools and other administrative personnel to discuss the services that they perform for the school Board and the school district; and
4. be invited and encouraged to attend the New York State School Boards Association's workshop for New School Board Members.

Adoption date: September 9, 2003

BOARD MEMBER TRAINING

Members of the Board of Education 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 the fiscal oversight, accountability and fiduciary responsibilities of a school board member.

Additionally, Board members elected or appointed for a first term beginning on or after July 1, 2011, shall, within the first year of his or her term, complete a training course to acquaint him or her with the powers, functions and duties of boards of education, as well as the powers and duties of other governing and administrative authorities affecting public education.

These mandatory trainings may be taken together as a single course or separately.

Each member shall demonstrate compliance with these requirements by filing with the District Clerk a certificate of completion of such course issued by the provider. Actual and necessary expenses incurred in complying with this requirement shall be a charge against the school district.

Cross-ref: 2510, New Board Member Orientation
2521, School Board Conferences, Conventions, and Workshops

Ref: Education Law §2102-a

First Reading: June 14, 2011
Second Reading: June 28, 2011
Adoption date: June 28, 2011

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 board associations, as well as in the activities of other educational groups. Board members are encouraged to study and examine materials received from these organizations.

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 Superintendent of Schools will include workshops and conferences warranting school board consideration to attend on behalf of the district.
2. The Board shall determine particular meetings and conferences that in the best judgment of the Board warrant participation by Board representatives or all members. The Board, by majority vote, may authorize particular members, officers and/or district officials such as the Superintendent of Schools and Treasurer to attend such meetings or conferences to represent the Board.
3. The Board will reimburse conference attendees for reasonable and necessary expenses not paid for directly by the district in advance, such as travel, hotel, meals, registration and/or materials, in a manner consistent with established district policy for such reimbursements.
5. Board members may receive pre-payment for conference attendance only in accordance with established district policy and protocols for reimbursement.
6. When any Board member or approved Board representative attends a conference, convention, or workshop, the individual will be requested to share information, recommendations, and materials acquired at the meeting with the Board or the Superintendent of Schools.

Cross-ref: 6830, Expense Reimbursement

Ref: General Municipal Law §77-b

Education Law §2118

Matter of Mazzeo, 20 EDR 155 (1980)

First Reading: February 14, 2006

Adoption date: March 15, 2006

This policy updates the previous Policy dated: September 9, 2003.

This is based on a sample policy and recommendation from the New York State School Boards Association

CONDITIONAL & EMERGENCY CONDITIONAL APPOINTMENT

The Board of Education recognizes that there may be instances in which it is necessary, upon recommendation of the Superintendent of Schools, for the Board to make a conditional appointment or an emergency conditional appointment of a prospective employee. To provide for the safety of students who have contact with an employee holding a conditional appointment or an emergency conditional appointment, the Board adopts the following policy.

No district employee who holds a conditional or emergency conditional appointment shall be in contact with students other than to provide the specific instruction or other services for which the employee was hired, except as deemed appropriate by the administration.

In no event shall such employee be left alone with an individual student.

The administration shall provide heightened supervision of such employees while on school district property during the period of their conditional or emergency conditional appointment including, for example, unannounced visits to classrooms, walking the hallways, and/or any other appropriate activities.

In addition, the district will ensure that all conditional and emergency conditional appointed employees become aware of and receive training regarding the prohibition against child abuse in an educational setting and of their responsibility for reporting any such abuse at the commencement of their conditional or emergency conditional appointment.

Failure to comply with this policy will result in appropriate disciplinary action.

For purposes of this policy, the terms "conditional appointment" and "emergency conditional appointment" shall refer to any employee holding conditional or emergency conditional appointment, as defined in Section 1709 of the Education Law.

Cross-ref: 9620, Child Abuse in an Educational Setting

Ref: Education Law §§1125-1133; 1604; 1709; 1804; 2503; 2554; 3035
8 NYCRR §§100.2 (hh); Part 87

First Reading: August 8, 2006

Adoption date: August 24, 2006

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COMMUNICATION AMONG INDIVIDUAL BOARD MEMBERS

The Board of Education recognizes its responsibility to adhere to the Open Meetings Law and protect the public's right to observe its meetings and deliberations. The board shall adhere to the spirit and intent of this law and agrees that private, informal communication will not be used to replace board meetings.

Voting, action, and/or deliberation by a board may only occur at a meeting during which a quorum of board members has physically convened or convened by means of video-conference.

Freedom of Information Law

In addition, the board recognizes communications maintained in some physical form, including e-mail stored in a computer, that are received or prepared for use in board business or containing information relating to board business may be regarded as public records which may be inspected by any person upon request, unless otherwise made confidential by state or federal law.

Board members shall avoid reference to confidential information about employees, student or other matters in e-mail communications because of the risk of improper disclosure. Board members shall comply with the same standards as school employees with regard to confidential information.

Cross Ref.: 1120, School District Records
2160, School District Officer and Employee Code Ethics

Ref: Public Officers Law §§ 102, 103, 108
Family Educational Rights and Privacy Act, 20 U.S.C. 1232g
Robert J. Freeman, Executive Director, NYS Committee on Open
Government "E-Mail: Food for Thought"

First Reading: August 28, 2007
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