

() Required
(X) Local
(X) Notice

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 our students, 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 evaluation 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: January 2019

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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 overseeing school district affairs 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: July 1994

Revised: January 2019

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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.

Cross-ref: 1050, Annual Election and Budget Vote

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

Adoption date: July 1994

Revised: January 2019

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CANDIDATES AND CAMPAIGNING

Nominations

Candidates for the office of member of the Board of Education shall be nominated by petition. Such petition shall be directed to the District Clerk, shall contain the signatures and addresses of at least 25 qualified voters of the district or two percent of the voters who voted in the previous annual election, whichever is greater, and shall state the name and residence of the candidate. Each petition shall be filed with the District Clerk not later than 30 days preceding the Annual Meeting and Election at which the candidates so nominated are to be elected.

The District Clerk will supervise the procedure used to establish the order of names on the ballot. The Board may reject nominations if the candidate is ineligible or has declared an unwillingness to serve.

Reporting Expenditures

If a candidate's campaign expenditures exceed \$500, the candidate must file a sworn statement with both the district clerk and the commissioner of education itemizing their expenditures and contributions received. The statement must list the amounts of all money or other valuable things paid, given, expended or promised by the candidate, or incurred for or on the candidate's behalf with his or her approval.

A candidate who spends \$500 or less is only required to file a sworn statement with the district clerk indicating this to be the case. No other campaign expenditure statement is required.

An initial statement must be filed at least 30 days before the election, a second statement must be filed on or before the fifth (5th) day preceding the election and a final statement must be filed within 20 days after the election.

Electioneering

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 District Election and Budget Vote

Ref: Education Law §2018

Adoption date: July 1994

Revised: January 2019

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VOTING PROCEDURES

Eligibility 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 chairperson appointed by the Board. Such chairperson 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 a situation where the machines are unavailable due to mechanical failure. 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 inspectors of election 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 slots are required. Ballots containing the names of nominated candidates will be provided by the Board. There will be as many write-in slots 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 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
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: July 1994

Revised: January 2019

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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 a 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 an 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)
Election Law §5-106(2)-(4), (6)
Rosentock v. Scaringe, 40 N.Y.2d 563 (1976)
Matter of Schoch, 21 EDR 300 (1981)

Adoption date: July 1994

Revised: January 2019

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FILLING BOARD VACANCIES

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. 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: July 1994

Revised: January 2019

(X) Required Local Notice**SCHOOL DISTRICT OFFICER AND EMPLOYEE CODE OF ETHICS**

The Board of Education is committed to avoiding any situation in which the existence of conflicting interests of any Board member, officer or employee may call into question the integrity of the management or operation of the school district. The Board recognizes that sound, ethical standards of conduct serve to increase the effectiveness of district officers and staff as educators and public employees in the community. Adherence to a code of ethics promotes public confidence in the schools and furthers the attainment of district goals.

The Board also recognizes its obligation to adopt a code of ethics setting forth the standards of conduct required of all Board members, district officers and employees under the provisions of the General Municipal Law. Therefore, every Board member, officer and employee of the district, whether paid or unpaid, shall adhere to the following code of ethics. This policy is intended to supplement but not replace any applicable state and federal laws governing conflicts of interest applicable to school district board members, officers and employees.

Statutory Conflicts of Interest

It is 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 district or account or agreement with the district, whether expressed or implied which exceeds the sum of \$750.00 in any fiscal year.
- An “*interest*” is defined as a direct or indirect benefit that runs to the employee as a result of a contract with the district.

No Board member, officer or employee shall have an “*interest*” (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

1. a firm, partnership or association in which he/she is a member or employee;
2. a corporation in which he/she is an officer, director or employee;
3. a corporation in which he/she, directly or indirectly, owns or controls 5% or more of the stock;
4. a contract between the district and his/her spouse, minor child or dependents, except for an employment contract 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.

Gifts

A Board member, 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.

Confidential information

A Board member, 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. This includes matters discussed in executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law.

Representation before the Board or District

A Board member, officer or employee shall not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before the school district.

Disclosure of interest in matters before the Board

A Board member, officer or employee of the district, whether paid or unpaid, must publicly disclose the nature and extent of any 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), to the governing body and his/her immediate supervisor (where applicable) 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 exempted under Section 803(2) of the General Municipal Law. The term "interest" means a pecuniary or material benefit accruing to an officer or employee.

Investments in conflict with official duties

A Board member, 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. Exceptions to the conflict of interest law can be found in Section 802 of the General Municipal Law (see 2160-E.1).

Private employment

A Board member, 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.

Future employment

A Board member, officer or employee shall not, after the termination of service or employment with the district, appear before the Board in relation to any action, 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.

Involvement with Charitable Organizations

A Board member, officer or employee may be involved as a volunteer, officer or employee in a charitable organization which has a relationship with the district. If a Board member is a board member, officer or employee of the charitable organization the Board member must disclose such relationship in writing to the district, and the Board member must recuse himself or herself from any discussions or votes relating to the charitable organization which may come before the Board. When participating in the activities of the charitable organization, the Board member, officer or employee shall not disclose any confidential information learned in the course of his or her official duties or use such information to further personal interests. Additionally, the Board member, officer or employee shall not make representations on behalf of the district unless specifically authorized to do so by the Board.

Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this Code of Ethics to be distributed to every member of the Board, 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.

Ref: General Municipal Law §§806-808
Opn. St. Comp. 2008-01
Application of the Board of Education, 57 EDR Dec. No. 17,147 (2017)
Application of Nett and Raby, 45 EDR 259 (2005)

Adoption date: April 2015

Revised: January 2019

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 (X) Notice

BOARD ORGANIZATIONAL MEETING

The Board of Education recognizes its obligation to hold an annual organizational meeting. The purpose of the organizational 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 organizational meeting on the first Tuesday in July. If that day is a legal holiday, the Board will hold the meeting on the following day. 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 organizational meeting shall include items required or implied by state law and/or regulation. The Board may also conduct general district business, including properly entering into executive session, if necessary, at the end of the meeting before adjourning.

I. Oaths 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 the following district officers:

District Treasurer
 District Clerk
 Claims Auditor

Deputy Treasurer
 District Clerk Pro-Tem
 Audit Committee

IV. Appointment of Other Positions

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

School Physician	General Counsel
Designated Education Official	Labor Counsel
Fiscal Advisors	Bond Counsel
Internal Auditor	Records Access Officer
External Auditor	Records Management Officer
Title IX/Section 504 Hearing Officer(s)	Asbestos Designee
Treasurer(s) of Student Activity Account	Insurance Consultant
Purchasing Agent	Assistant Purchasing Agent
Committee on Special Education (CSE)	Other Consultants
Committee on Preschool Special Education (CPSE)	
Certification of Payroll	Auxiliary Police
Dignity Act	District Liaison for Homeless
Residency Hearing Officer	Chief Privacy Officer
District-wide School Safety Team	AIDS Advisory Committee
Health and Safety Committee	Wellness Committee
Building Visitation Committee	

V. Bonding of Personnel

The Board may bond the following personnel handling district funds:

District Clerk	Claims Auditor
Treasurer	Deputy Treasurer
Treasurer of Student Activity Accounts	Senior Accountant
Purchasing Agent	Asst. Purchasing Agent
Comptroller of Extraclassroom Activity Accounts	
Two Cashiers of Extraclassroom Activity Accounts	
Couriers (Messengers)	

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

VI. Designations

The Board shall designate/approve:

Official depositories for district funds
 Official district newspapers
 Publication of annual financial statement
 The dates of regular meetings

The date of the next annual organizational meeting
 The rate for mileage reimbursement

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. to establish petty cash funds (and to set amount of such funds);
- c.. to designate authorized signatures on checks

The Board shall review its policies on Investments (6240) and Purchasing (6700), and the Code of Conduct (5300), as required by law. The Board shall also review building-level student attendance data as required under Commissioner's Regulations section 104.1, and if the data shows a decline in attendance rates, shall review its policy on Attendance (5100).

Cross-ref: 2270, School Attorney
 2220, Board Officers
 2230, Appointed Board Officials
 2310, Regular Meetings
 5100, Attendance
 5252, Student Activities Funds Management
 5300, Code of Conduct
 6240, Investments
 6650, Claims Auditor
 6680, Internal Audit Function
 6690, Audit Committee
 6700, Purchasing
 6741, Contracting for Professional Services

Ref: New York State Constitution, Article XIII, §1
 General Municipal Law §103(2) (official newspapers)
 Public Officers Law §§10; 13; 30
 Education Law §§ 305(31) (designated educational official); 701 (meeting to elect president, may elect vice president); 1707 (date of meeting); 1904 (central high school districts in Nassau county); 2130 (appoint clerk, bonded treasurer and bonded tax collector); 2504 (small city meeting during the first week of July, day and time of regular meetings)
 8 NYCRR § 104.1 (requirement to review attendance data)

Adoption date: July 1994

Revised: January 2019

() Required
 (X) Local
 (X) Notice

BOARD OFFICERS

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

Duties of the President of the Board

Except as otherwise provided by law or order of the Board of Education, the President shall:

1. preside at all meetings;
2. execute all documents on behalf of the Board of Education;
3. have a vote on all questions before the Board;
4. have the right, in his/her discretion, to take part in the debate on any question under consideration;
5. decide questions of order in accordance with "Roberts' Rules of Order;"
6. act as temporary chairperson of the district's annual meeting and special district meeting; and
7. call a special meeting of the Board.

The President of the Board of Education is elected for a one year term of office and may be elected to succeed himself/herself for a maximum of two (2) years.

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: July 1994

Revised: January 2019

() Required
(X) Local
(X) Notice

APPOINTED BOARD OFFICIALS

District 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.

Treasurer

The Board of Education shall also annually appoint a Treasurer.

The 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, including monthly reports to the Board of Education.

Ref: Education Law §§2121; 2122; 2130

Adoption date: July 1994

Revised: January 2019

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BOARD-SUPERINTENDENT RELATIONSHIP

The Board of Education believes that the enactment of policies is the most important function of a school Board and that the execution of the policies is the duty of the Superintendent of Schools.

Delegation by the Board of its executive powers to the Superintendent provides freedom for the Superintendent to manage the schools within the Board's policies and frees the Board to devote its time to policy-making and appraisal functions.

The Board holds the Superintendent responsible for the administration of its policies, the execution of Board decisions, the operation of the internal machinery designed to serve the school program, and for keeping the Board informed about school operations and problems.

Ref: Education law §1711; 1953

Adoption date: July 1994

Revised: January 2019

Required
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BOARD COMMITTEES

The Board of Education may, from time to time, establish committees whose membership will consist of members of the Board. The president of the Board may serve as an ex-officio member of all committees to which he/she is not appointed. Board committees shall undertake studies and make reports as charged by the Board, but shall not act on behalf of the Board.

The Board may establish standing or ad hoc committees and reserves the right to terminate any committees at any time.

Any official policy-level action shall be in the sole discretion of the Board. The Board is in no way obligated to follow committee recommendations. The Board has the right to accept, reject, or modify all or any part of a committee recommendation.

Adoption date: July 1994

Revised: January 2019

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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. All appointed members shall receive and are expected to abide by the instructions in 2260-E.

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(b)(2), (c)(2)

Adoption date: July 1994

Revised: January 2019

CITIZENS ADVISORY COMMITTEES
Instruction to Lay Committee Members Appointed
by Wantagh Board of Education

1. Official authorization should be given such committees by the Board at a regular meeting.
2. The rules of the committee are as follows:
 - a. advisory only - no powers;
 - b. may be enlisted to help recommend policy;
 - c. work shall be confined within the field designated by the Board;
 - d. only the committee as a whole may officially advise the Board;
 - e. only the Board or its designated agents shall have the responsibility for school or committee publicity;
 - f. recommendations are to be made directly to the Board;
 - g. committees shall not engage in public controversy with the Board or school personnel. Individuals who think school policies are wrong and cannot be corrected through the influence of the committee upon school officials, should disassociate themselves from the committee and take action as individual citizens;
 - h. in accepting membership to a committee, a member agrees to attend meetings regularly and take part in group studies and deliberations;
 - i. in consideration of an issue, a member will withhold his/her final judgment until there has been a thorough study by the group of relevant facts and consideration;
 - j. members should maintain contact with many other citizens for suggestions. At all times, the members should be discreet and considerate of others involved in discussing affairs of the committee;
 - k. meetings of the committees should be open to non-members only by invitation, except for attendance by school personnel designated by the Board to sit with particular committees; and
 - l. the recommendation of committees to the Board may be made available to the public by mutual consent of the Board and the Committee.

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Revised: January 2019

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SCHOOL ATTORNEY

The Board of Education shall retain legal counsel, who shall be appointed at the Annual Organizational 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.

The Attorney must be admitted to the bar of New York State. The Attorney will be the legal advisor to the Board. In that capacity, the Attorney's duties will be:

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 issuing out of the day-to-day administration of the district;
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, at the discretion of the Board, the legality of policies or regulations to be adopted by the Board;
6. to review and advise with respect to any process served upon the district; and
7. to recommend the retainment of such special counsel as he or she may deem necessary in the circumstances, subject to the approval of the Board.

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

Cross-ref: 2210, Board Organizational Meeting
 6741, Contracting for Professional Services

Adoption date: July 1994

Revised: January 2019

() Required
(X) Local
(X) Notice

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 dates of regular Board of Education meetings shall be established at the annual organizational 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.

Board members are permitted to participate in board meetings via videoconferencing, in accordance with state law. Any site where videoconferencing is to take place must be open to the public. The district will comply with applicable notice requirements (see policy 2340).

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

Cross-ref: 2210, Board Organizational Meeting
2340, Notice of Meetings

Ref: Public Officer's Law §§102, 103, 104

Adoption date: July 1994

Revised: January 2019

- Required
 Local
 Notice

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: July 1994

Revised: January 2019

() Required
 () Local
 (X) Notice

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: July 1994

Revised: January 2019

Required
 Local
 Notice

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, including the district's website.

If a board member intends to participate in a board meeting via videoconference, the public notice of the meeting will indicate that videoconferencing will be used, specify the location(s) for the meeting and state that the public may attend at any of the locations.

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

Adoption date: January 2019

() Required
(X) Local
(x) Notice

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
2. Pledge of Allegiance and Moment of Silence
3. Superintendent's Report
4. Approval of Minutes
5. Approval of Financial Reports
6. Report of the Administration
7. Unfinished business
8. New business
9. Adjournment
10. Reports / Presentations / Information
11. Public Comment

The regular order of business may be changed at any meeting (and for that meeting only) by the Board President.

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: July 1994

Revised: January 2019

() Required
(X) Local
(x) Notice

RULES OF ORDER

Robert's Rules of Order Newly Revised shall be adhered to in conducting a meeting of the Board of Education, except as otherwise required by law.

Adoption date: July 1994

Revised: January 2019

() Required
 () Local
 (X) Notice

MINUTES

The minutes of the meetings of the Board of Education shall include the following:

1. the classification (regular, adjourned or special), date, and place of meeting;
2. the call to order stating time, person presiding and his/her office;
3. the record of the roll call of Board members;
4. a notation of the presence or absence of the Superintendent of Schools and a notation of other staff members' presence;
5. a record of any corrections to the minutes of the previous meetings and the action approving them;
6. a record of all communications presented to the Board;
7. a record of the hearing of all petitions of citizens;
8. a record of any reports of Board members or staff members;
9. a record of each motion placed before the Board; and
10. special marking to indicate policy matters.

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 no 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. 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.

The minutes shall be permanently filed and indexed for reference purposes. All reports requiring Board action, resolutions, agreements and other written documents may be made a part of the minutes by reference, and, if so, shall be placed in the files as a permanent record.

Public Access to Minutes

The approved minutes of the Board are published on the district website.

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: July 1994

Revised: January 2019

- () Required
 () Local
 (X) Notice

BROADCASTING AND TAPING OF BOARD MEETINGS

As a meeting of a public body, school board meetings are open to the public so that people can witness and observe the decision making process. To further reach members of the community who may not be able to attend, meetings open to the public shall be open to being photographed, broadcast, and/or webcast.

The use of any photography, broadcast, recording equipment or other such device to allow for the broadcasting or recording of public meetings of the Board of Education, or a 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 reserves the right to direct that an audio or visual recording be made to ensure a reliable, accurate, and complete account of Board meetings. The Board President will inform attendees at the opening of the meeting that the meeting is being recorded.

Ref: Open Meetings Law, Public Officers Law §§100 *et seq.*
 Committee on Open Government, Model Rules: Public Access to
 Meetings of Public Body,
http://dos.state.ny.us/coog/modelregs_photo_record_broadcast.html
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: October 2017
 Revision: January 2019

() Required
(X) Local
 (x) Notice

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 brought to the attention of 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 Superintendent in conjunction with the Board's Policy Committee will assemble the relevant facts, receive recommendations from individuals and groups who will be affected by the policy. The Board will discuss, debate, and decide on the substance of the policy in open meeting. The Superintendent and the Board's Policy Committee shall be responsible for identifying the individuals and groups who will be affected by the policy.

The Board's Policy Committee 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 Superintendent shall consult with the school attorney, as necessary, prior to the adoption or revision of any policy.

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 published on the district website.

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 an annual 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 (powers and duties of board of education)

Adoption date: July 1994

Revised: January 2019

() Required
(X) Local
() Notice

NEW BOARD MEMBER ORIENTATION

The Board of Education and the Superintendent 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) access to district email and shared drives,
 - (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;
 - (g) photo identification cards, and
 - (h) any other materials which may be deemed helpful and informative;
2. be invited to attend all Board meetings and functions;
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: July 1994

Revised: January 2019

Required
 Local
 Notice

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

Adoption date: July 1994

Revised: January 2019

Required
 Local
 Notice

**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.

The district will reimburse conference attendees for all pre-approved expenses.

Cross-ref: 6830, Expense Reimbursement

Adoption date: January 2019