

BOARD OPERATIONAL GOALS

The Board of Trustees, 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 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 reflect 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 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: December 10, 1998

Reviewed: August 9, 2022

SCHOOL BOARD LEGAL STATUS

The legal status of the Board is that of a corporate body established pursuant to the laws of New York State.

The Board of Trustees is a three-member board elected by the residents of the district. Each member of the Board shall serve 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.

Ref: Education Law 331701; 1702; 1703; 1804(i); 2101(2); 2105

Adoption: December 10, 1998

Reviewed: August 9, 2022

SCHOOL BOARD POWERS AND DUTIES

The Board of Trustees is the governing body of the school district. The Board is entrusted with the responsibility of developing policies under which the district is managed.

The powers and duties of the Board are as stated in the Education Law and other applicable New York State law.

Final authority on all district matters, except as restricted by law, will be vested in the Board.

Cross-ref: 2111, Board Member Authority

Ref: Education Law 331604; 1604-a; 1701; 1708; 1709; 1710

Adoption: December 10, 1998

Reviewed: August 9, 2022

SCHOOL BOARD POWERS AND DUTIES REGULATION

The powers and duties of the Board of Trustees, as the governing body of the school district, include, but are not limited to, the following:

Standards of Governance

1. Act officially only as a Board of Trustees and comply with all obligations required by law.
2. Develop and adopt written policies in all areas of school district governance and operations in order to provide direction to staff and students and information to the community.
3. Maintain strong ethical standards. Avoid conflicts of interest between public position and professional career or private life.
4. Adopt standards for the conduct of school Board meetings and business, including use of agendas, Board committees, and community participation.
5. Assess Board performance regularly. Seek opportunities for Board growth and development.

Educational Program

1. Establish a cooperatively developed, district wide vision of the purpose of schooling in the community as well as the rules, roles and relationships needed to realize that vision.
2. Adopt a strategic plan for implementing the district's vision or mission, incorporating individual school's goals and objectives, indicators of progress, and systems of program evaluation and student performance assessment.
3. Collaboratively develop and approve desired learning outcomes, performance standards and plans for shared decision making and site-based planning in support of the district's strategic plan.

Administration and Personnel

1. Hire an educational leader to serve as Superintendent. Adopt a description of his/her professional duties and provisions for performance evaluation as well as retention or removal from the position based on those evaluations and contractual obligations.
2. Through the Superintendent, retain and support a staff who meets the highest standards of quality and performance.
3. Establish and adopt policies regarding staff recruitment, development, evaluation, discipline and termination of employment.
4. Set priorities and procedures for negotiating staff and service contracts and ratify contracts as required.
5. Provide for a secure and healthful environment for staff and students by means that include ensuring quality in facilities and transportation services for students.
6. Assess and respond to needs associated with school facilities and equipment and maintenance or upgrading thereof.

Fiscal Management

1. Approve the budget and spending priorities.
2. Approve construction projects, capital expenditures, contracts and budget reports within a framework: of policy and delegated authority suitable for the Board.
3. Systematically link policies and decisions regarding allocation of funds with curriculum, instruction and desired learning outcomes.

School-Community and Governmental Relations

1. Engage in activities that promote a positive image for public schools.
2. Develop effective channels of communication with parents and the larger community to inform them regularly of school activities, to promote resolution of problems as close to their point of origin as possible, and to encourage ongoing dialogue about and understanding of issues and policies under Board consideration.
3. Seek to shape and strengthen state and federal educational legislation, communicating their potential local impact to our elected representatives.

Cross-ref: 9160, Personnel Records

Adoption: December 10, 1998

Reviewed: August 9, 2022

SCHOOL BOARD ACCESS TO PERSONNEL RECORDS

In accordance with the Regulations of the Commissioner of Education, members of the Board of Trustees may review employee personnel records only for the purpose of aiding the members to fulfill their legal responsibilities in making decisions in such employee personnel matters as appointments, assignments, promotions, demotions, remuneration, discipline or dismissal, or to aid in the development and implementation of personnel policies, or such other uses as are necessary to enable the Board to carry out legal responsibilities.

Board members may review employee personnel records provided:

1. the Superintendent is requested in advance to present the personnel records at a regularly scheduled open meeting of the Board;
2. the records are reviewed during an executive session;
3. the personnel records are returned in their entirety to the Superintendent at the conclusion of the Executive Session; and
4. no reproduction of the record is made and no written notes are taken of the contents of employee personnel records.

The information contained in such records shall only be used by the Board for the purpose of aiding Board members in decisions.

Cross-ref: 9160, Personnel Records

Ref: Education Law 991604; 1604-a; 1701; 1708; 1709; 1710 8
NYCRR, Part 84
Gustin v. Joiner, 95 Misc. 2d 277 (1978), *affdt* AD2d 880 (1978) *Matter of Bruno*, 4 EDR 14 (1964)

Adoption: December 10, 1998
Reviewed: February 10, 2014
Revised: August 9, 2022

BOARD MEMBER AUTHORITY

Members of the Board of Trustees have legal authority for the conduct of the district school only when acting as a body, by majority vote, in a properly convened session.

Board members acting as individuals have no authority over school affairs or school personnel. The Board will not be bound in any way by any individual's statement or action unless the Board, through adopted policy or by majority vote, has delegated this authority to the individual member.

Members of the Board are free to speak as individuals on issues related to school affairs, but when doing so are expected to communicate clearly that any such expression represents their own individual view and not the view of the Board.

Every Board member is expected to sign and abide by the School Board Member Code of Conduct attached to and made part of this policy.

Cross-ref: 2110, School Board Powers and Duties
 2330, Executive Sessions

Ref: Education Law 991604; 1701; 1708; 1709; 1710
 General Municipal Law a805-a *Matter of Bruno*, 4
 EDR 14 (1964)

Adoption: December 10, 1998

Reviewed: August 9, 2022

SCHOOL BOARD MEMBER CODE OF CONDUCT

As a member of my Board of Trustees, I will strive to improve public education, and to that end I will:

attend all Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;

work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during vigorous debate and points at issue;

base personal decisions and votes upon all available facts in each situation and upon honest conviction, unsaved by partisan bias of any kind;

work with other Board members to establish effective Board policies and to delegate authority for the administration of the school to the Superintendent;

abide by the final majority decisions of the Board;

remember that Board members have no legal authority outside Board meetings and to conduct any relationship with the school staff, the local citizens and the media on the basis of this fact;

encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;

maintain familiarity with educational issues through study and participation in programs providing needed information, such as those sponsored by state and national school boards associations;

support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;

avoid being placed in a position of conflict of interest, and refrain from using my Board position for personal or partisan gain;

refrain from disclosing confidential information acquired in the course of my official duties and from using such information to further my personal interests;

remember always that my first and greatest concern must be the educational welfare of the students attending the public school.

Board Member Signature

Date

Cross-ref: 2330, Executive Sessions

Adoption: December 10, 1998

Reviewed: August 9, 2022

BOARD MEMBER SCHOOL VISITS

An individual member of the Board of Trustees shall notify the Superintendent/designee upon entering the building. The individual Board members rights are no greater or different from those of any other individual. Concerns or opinions related to the education program in the school shall be directed to the Superintendent.

Cross-ref: 1240, Visitors to the Schools

Ref: *Matter of Bruno*, 4 EDR 14 (1964)

Adoption: December 10, 1998

Reviewed: August 9, 2022

SCHOOL BOARD ELECTIONS

The elections of members of the Board of Trustees shall be held on the third Tuesday in May, unless this date conflicts with religious observances on that day, in which case the state will designate the voting date. 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 Trustees, and
3. any special propositions that have been properly presented.

Cross-ref: 1050, Annual District Meeting and Election
6120, Budget Hearing

Ref: Education Law 992012; 2013; 2014; 2018; 2018-a; 2019-a; 2031; 2035

Adoption: December 10, 1998

Reviewed: August 9, 2022

CANDIDATES AND CAMPAIGNING*Nominations*

Candidates for the office of member of the Board of Trustees shall be nominated by petition. Such petition shall be directed to the District Clerk through the School Business Office, 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 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 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. Candidates for the Board are nominated to serve at-large and do not run for a specific seat on the Board.

Electioneering

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place.

Cross-ref: 1050, Annual District Meeting and Election
6120, Budget Hearing

Ref: Education Law B20 18

Adoption: December 10, 1998
Revised: November 14, 2016
Reviewed: August 9, 2022

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 offers to vote; and
4. qualified to register or is registered to vote in accord with section 5-106 of the Election Law which excludes:
 - a. those convicted felons who have not been pardoned or had their rights of citizenship restored, those whose maximum sentence of imprisonment has not expired; and/or those who have not been discharged from parole;
 - b. persons adjudged mentally incompetent by a court.

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

Voting

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

The voting location will 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 to keep a poll list containing the name and legal residence of each person before such person is permitted to vote.

Entering the voting location with another person is prohibited, except upon request from a voter. The election inspector shall not advise or induce such voter to vote on any proposition or candidate, and the election inspector shall never reveal the vote(s) recorded by the voter to any other person at any time.

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

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

Absentee Ballots

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

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

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

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

Ref: Education Law 392012; 2014; 2018; 2018-a; 2018-b; 2018-c; 2019; 2019-a; 2020; 2025; 2032(2)(e); 2035; 2037; 2603; 2607; 2610; 2613 Election Law 993-224; 5-106; 5-612; 5-400; 5-406 *Matter of Rodriguez*, 31 EDR 471 (1992) *Matter of Gresty*, 31 EDR 90 (1991) *Matter of Ferro*, 25 EDR 175 (1985) *Matter of Manno and Moloney*, 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: December 10, 1998
 Reviewed: February 10, 2014
 Revised: August 9, 2022

APPLICATION FOR ABSENTEE BALLOT

- 1) Applicant's Name: _____
- 2) Applicant's Residence Address (include street and number or town and rural delivery route) _____
- 3) I declare that on the day of this election I am a qualified voter, at least 18 years of age, a U.S. citizen and has resides the Edinburg Common School District for at least thirty (30) days.
- 4) Reason you are not able to appear in person to vote on the day of the school district vote: (check one)
 - ___ (a) Patient in hospital
 - ___ (b) Physical disability or illness
 - ___ (c) Occupation or business will require that you be outside of the county or city of residence on such day during voting hours
 - ___ (d) Will be on vacation outside the county or city of residence on such day during voting hours
 - ___ (e) Detained in jail awaiting action by grand jury or awaiting trial
 - ___ (f) Confined in prison after conviction of an offense other than a felony
 - ___ (g) Qualified voter spouse, parent, or child also entitled to vote as an absentee, if expected to be absent from district and accompanying applicant upon personally completing and signing an application in accordance with above
- 5) If you checked 4(c):
 - (a) If occupation or business ordinarily requires such absence, briefly describe your occupation or business.
 - (b) Otherwise, briefly describe special circumstances, which require absence.
- 6) If you checked 4(d) above:
 - (a) Dates expect to begin and end vacation: _____ to _____
 - (b) Place to vacation _____
 - (c) Name & address of employer (if self-employed, so state) _____

I hereby declare that the foregoing is a true statement to the best of my knowledge and belief, and I understand that if I make any material false statement in the foregoing statement of application for absentee ballots, I shall be guilty of a misdemeanor.

Dated: _____ Signature of voter: _____

INSTRUCTIONS FOR APPLICANT

Complete this application form and return it to the School District Clerk at 4 Johnson Road, Edinburg, NY 12134, at least seven (7) days before the proposition vote if the absentee ballot is to be mailed to you, or at least one (1) day before the proposition vote if you will pick up the absentee ballot.

Adopted: January 11, 2000
Revised: August 9, 2022

BOARD MEMBER QUALIFICATIONS

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

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

A Board member who has been removed from a school district office shall be ineligible to be appointed or elected to school district office for one year from the date of removal.

No employee of the school district may be a member of the Board, except as permitted by law.

Ref: Education Law 932102; 2103; 2502(7)

Adoption: December 10, 1998
Reviewed: August 9, 2022

OATH OF OFFICE

Newly elected or appointed, as well as re-elected members and officers of the Board of Trustees (including the President and the Vice President) and officers of the district (including the District Clerk, District Treasurer and the Superintendent) must take their constitutional oath of office and sign it within 30 days of the beginning of their term of office. They shall be sworn in by the Board President, District Clerk or any notary public at the reorganizational meeting, and the oath shall be filed with the District Clerk within 30 days of the beginning of their term of office or notice of appointment.

Cross-ref: 2210, Board Reorganizational Meeting

Ref: New York State Constitution, Article 13 31 Public
Officers Law 3310; 15; 30 Education Law
331709(20-a); 2503(15); 2509(4) Op. Art. Gen. 190-
29 Op. St. Compt. 83-214

Adoption: December 10, 1998

Reviewed: August 9, 2022

BOARD MEMBER RESIGNATION

A member of the Board of Trustees may resign his/her office by filing his/her resignation with the District Clerk. The effective date of the resignation must be within 30 days after the date of filing.

Ref: Public Officers Law 33 1 (l) (h)

Adoption: December 10, 1998

Reviewed: August 9, 2022

BOARD MEMBER REMOVAL FROM OFFICE

After a member of the Board of Trustees has been served with a written copy of all charges and a hearing has been conducted, the Board may remove a member found guilty of official misconduct. Members are subject to removal by the Commissioner of Education, after a hearing, for neglect of duty or for the willful violation or disobedience of a law or a decision, order or regulation of the Commissioner or Board of Regents.

A vacancy on the Board may also be declared if it is clearly established that a member has failed to attend three consecutive meetings without sufficient excuse. The Board may use its discretion to determine if a members excuses are valid or if removal is warranted.

A vacancy may also be declared if a member has changed his/her legal residence from that of the school district.

Ref: Education Law 33306; 1709; 2109

Adoption: December 10, 1998

Reviewed: August 9, 2022

UNEXPIRED TERM FULFILLMENT

The Board of Trustees has the power to fill any vacancy, by a majority vote, which may occur in said 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 331709(17); 2113

Adoption: December 10, 1998

Reviewed: August 9, 2022

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 school Board members and district staff as educational leaders in their 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.

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.
 1. *Gifts:* An officer or employee shall not directly or indirectly solicit, 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.
 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. 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.
 3. *Representation before the Board or District:* An officer or employee shall not

receive or enter into any agreement, express or implied, for compensation for services, other than employment with the district, to be rendered in relation to any matter before the school district.

4. *Disclosure of interest in matters before the Board:* A member of the Board of Trustees 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 known direct or indirect financial or other private interest he or she has in such matter. The term Ainterests means a pecuniary or material benefit accruing to an officer or employee.
5. *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.
6. *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.
7. *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.
8. *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 a 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 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 the business office 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 this Code of Ethics may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Cross-ref: 1810, Gifts to School Personnel
2330, Executive Sessions 6700,
Purchasing

Ref: General Municipal Law, Article 18 Public
Officers Law, Articles 6; 7 New York
Civil Service Law a75

Adoption: December 10, 1998
Revised: August 9, 2022

BOARD MEMBER CONFLICT OF INTEREST

The members of the Board of Trustees shall avoid acting in circumstances where their personal interest conflicts with that of the public whose interest they have been elected to represent. The actions of the Board shall be governed by the applicable provisions of the General Municipal Law, any other applicable law and the code of ethics established pursuant to Board Policy 2160.

Ref: Education Law 392103; 2502(7); 2590-c; 2590-g; 2590-j (4); 3016 General
Municipal Law 33800 et seq. Local Finance Law 360.10

Adoption: December 10, 1998
Reviewed: August 9, 2022

BOARD REORGANIZATIONAL MEETING

The Board of Trustees recognizes its obligation to hold an annual reorganizational meeting. The purpose of the reorganizational meeting shall be 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 Trustees shall be prior to July 15th.

The meeting shall be called to order by the previous Board President or his/her designee, who shall preside until the election of a new president. The order of business to be conducted at the organization meeting shall include the following items required or implied by state law and/or regulation:

I. *Administration of Oath*

The District Clerk, or in the District Clerk's absence, the Chairperson, shall administer the oath of office to newly-elected Board members. Such oath shall conform to Article XXI-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.

II. *Election of 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 Officers*

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

District Treasurer	Deputy Treasurer
Clerk of the Board	

IV. *Other Appointments*

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

School Physician	School Attorney
Census Enumerator	Attendance Officer
District Auditor	Asbestos Designee
Records Management Officer	Title DC/Section 504 Hearing Officers)
Records Access Officer	
Central Treasurer, Extra classroom Activity Account	

V. *Bonding of Personnel*

The Board may bond the following personnel handling district funds:

District Clerk	School Attorney
Tax Collector	Deputy Treasurer
District Treasurer	Central Treasurer of Student Activity Account

The Board may, in each instance, specify the amount of the bond it intends to obtain.

The Board may include any of the above officers in a blanket undertaking, pursuant to law and the Commissioner's Regulations, rather than bond individuals.

VI. *Designations*

The Board shall designate:

Official depositories for district funds
Official district newspapers

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.

VII. *Authorizations:*

- a. of person to certify payrolls
- b. of school purchasing agent
- c. of attendance at conferences, conventions, workshops, etc., with designated expenses
- d. to establish petty cash funds (and to set amount of such funds)
- e. to designate authorized signatures on checks
- f. of Superintendent to approve budget transfers in accordance with the Regulations of the Commissioner of Education and policy 6150.

VII. *Other Items:*

- a. establish rate for mileage reimbursement
- b. other

The Board shall conduct general business at this meeting before it adjourns, if it so desires.

Cross-ref: 2122, Oath of Office
5252, Student Activities Fund Management

Ref: Education Law 331707; 1804(4); 2130

Adoption: December 10, 1998
Reviewed: August 9, 2022

BOARD OFFICERS

The President and Vice-President of the Board of Trustees shall be elected by members of the Board at the annual reorganizational 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 act as temporary chair of the annual district meeting and special district meetings; and
8. to perform the usual and ordinary duties of the office;

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: Education Law 91709; 2105(6); 2502; 2504; 2553; 2563; 2590-b New York State Constitution, Article 13 32

Adoption: December 10, 1998
Reviewed: August 9, 2022

APPOINTED BOARD OFFICIALS

District Clerk

The Board of Trustees shall annually appoint a District Clerk. Such appointment shall continue until the next reorganizational meeting. The salary of the District Clerk shall also be fixed annually at the reorganizational meeting. The District Clerk shall:

1. have working knowledge of the state Education Law concerning the office of the District Clerk, such as the laws governing procedures for annual district meetings and elections, candidates' petitions and qualifications, teacher tenure hearings, etc.;
2. be a Notary Public;
3. verify and sign official documents;
4. give written notice of appointment to persons appointed as inspectors of election;
5. conduct the annual district election, budget votes, and special district referendum, including the library budget vote;
6. give official notice to persons duly elected or appointed to office;
7. take the oath of office of new trustees of the Board;
8. prepare and coordinate items for the Annual Reorganizational Meeting of the Board;
9. call the Annual District Meeting to order, call for nominations of a Chairperson of the meeting, and, if nominated, serve as Clerk of the meeting;
10. call all other meetings to order in the absence of the president and vice president;
11. maintain all official records of the school district;
12. keep the policy manual of the Board and add and distribute material to the Board and administration after Board action;
13. file all correspondence and records relating to matters of the school district, involving the Board;
14. keep and file all information regarding special committees of the Board;
15. act as a secretarial liaison between the Board, administration, and residents of the school district;
16. prepare and arrange publication of legal notices;
17. act as liaison to the official newspapers of the district to which he/she shall provide reporters with meeting notices; follows up on Board news releases;
18. attend all Public meetings of the Board (Regular and Special) as well as public hearings of the Board and, when requested:
 - a. record minutes,
 - b. handle follow-up correspondence,
 - c. transcribe and distribute completed minutes;
19. receive, copy, distribute, follow-up and file all incoming correspondence of Board members and keep the administration and school attorney apprised of correspondence relating to specific situations;
20. handle all outgoing correspondence of the Board President as well as the other members of the Board;
21. receive and answer telephone requests from school Board members, administration, the school attorney, and the community whenever necessary;
22. process registrations for Board members attending various seminars and workshops, make travel arrangements for Board members on Board-related trips, and process expense accounts;
23. participate in the handling of bond sales to ensure successful completion;
24. receive subpoenas and claims against the school district as well as process appeals to the Commissioner of Education and;
25. perform any other work requested of him/her by the Board or the Superintendent.

District Treasurer

The Board of Trustees shall also annually appoint a District Treasurer. Such District Treasurer shall serve until the next reorganizational meeting, or until a successor has been appointed. The District Treasurer shall perform such duties imposed upon the office by statute or law. Among the duties of the District Treasurer are to:

1. act as custodian of all monies belonging to the district; receive all monies belonging to the district; deposit all monies received in banks designated by the Board; pay out district monies on written order of the Board; and sign salary checks. The Board may designate a limit on hand drawn checks that the District Treasurer may issue without additional signatures or approval;
2. keep proper books of account in conformity with requirements of the State Education Department, the Uniform System of Accounts as prescribed by the Comptroller of the State of New York in accordance with Section 36 of the General Municipal Law, and of the Board;
3. render a monthly report for each fund showing the cash balance on hand at the beginning of the month, receipts by source during the month, total disbursements during the month, cash balance on hand at the end of the month, and reconciliation with bank statements;
4. prepare expenses of the District's meetings, the District Clerk, and the Board for the annual budget;
5. be the custodian of the records for Freedom of Information Law purposes and public access to records;
6. render a monthly report for each fund including no less than the revenue and appropriations accounts required in the annual state budget form. This report must show the status of these accounts as to:

Revenue Accounts:

- a. estimated revenues
- b. amounts received to date of report
- c. revenues estimated to be received during balance of the fiscal year

Appropriation Accounts:

- a. original appropriations
- b. transfers and adjustments
- c. revised appropriations
- d. expenditures to date
- e. outstanding encumbrances
- f. unencumbered balances

The Treasurer also has the responsibility for filing, keeping and protecting all district financial reports and records after current use.

The District Treasurer shall file a bond for the faithful performance of his/her duties, or be covered under a blanket undertaking pursuant to policy 2210, V.

The Board may appoint, fix the term, and fix the compensation of such other officials as may be necessary for its proper functioning.

Ref: Education Law 33902; 2121; 2122; 2130

Adoption: December 10, 1998

Revised: August 9, 2022

BOARD-SUPERINTENDENT RELATIONSHIP

The Board of Trustees believes that the development and adoption of policies is the most important function of a School Board, and the execution of the policies is the function of the Superintendent of the school district.

Delegation by the Board of its executive powers to the Superintendent provides freedom for him/her to manage the school within the Board's policies and frees the Board to devote its time to policymaking 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 educational programs and for keeping the Board informed about district operations and problems.

Adoption: December 10, 1998
Reviewed: August 9, 2022

BOARD COMMITTEES

The Board of Trustees may, from time to time, establish committees whose membership will consist of members of the Board. The president of the Board shall serve as an ex-officio member of all committees. 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.

Board committees shall undertake studies and make reports as charged by the Board, but shall not act on behalf of the Board. 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.

Cross-ref: 2260, Citizens Advisory Committees

Adoption: December 10, 1998

Reviewed: August 9, 2022

CITIZENS ADVISORY COMMITTEES

The Board of Trustees recognizes that it can use talents, resources, and interests available among the district's residents to assist in developing the programs needed for the maintenance of a quality educational program in 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 citizen's 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 to public release. Final reports shall be delivered to the Board at a meeting scheduled by the Board to receive the report. Final reports and recommendations of the committee shall be given full consideration before a final decision is made by the Board. 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. Ad hoc advisory committees shall be discharged upon completion of their assignment(s) by formal resolution of the Board.

Cross-ref: 2250, Board Committees
2265, Shared Decision-Making and School-Based Planning
4315.1, AIDS Instruction
4321, Programs for Students with Disabilities
6110, Budget Planning
7800, Closing of Facilities

Ref: Education Law 934402; 4601 8
NYCRR 3135.3(2)

Adoption: December 10, 1998
Reviewed: August 9, 2022

SHARED DECISION-MAKING AND SCHOOL-BASED PLANNING

The Board of Trustees encourages the participation of the community in improving education in our school. 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.

Cross-ref: 2260, Citizens Advisory Committees

Adoption: December 10, 1998
Reviewed: February 10, 2014
Revised: August 9, 2022

SCHOOL ATTORNEY

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

The School Board President, members of the School Board, the Superintendent of Schools, or his/her designee may contact the counsel on legal matters affecting the operation of the school district, or is specified in the most current retainer agreement. Board members and administrators shall be informed of who is allowed to contact the attorney and the process for doing so.

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

Any attorney working for the Board of Trustees 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 presenting school districts in the area of education law, shall be outlined in the RFP(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 and/or law firm, who has access to the attorney and/or law firm, and the process for doing so, who directs the work of the attorney and/or law firm, and how the attorney and/or law firm 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/her designee.

The Attorney and/or Law Firm will be the legal advisor to the Board. In the capacity, the legal counsel's duties will include, but not 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 (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 any and all contracts which the district may be obliged to execute (other than purchase orders usually issued for the purchase of goods, equipment and services);
4. to advise and assist in matters of litigation;
5. the Board may, at their discretion, request that the attorney review a proposed policy and/or regulation.
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 and retaining additional legal counsel shall be subject to the process outlined in the Board Policy; and

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

Ref: Education Law 992560; 3023; 3028; 3811 Civil Service Law 3211
General Municipal Law 950-k; 104-b *Yorktown Central School District
No.2 v. Yorktown Congress of Teachers*,
42 AD2d 422, 348 NY2d 367 (1973) *Matter of Harrison Central School
District v. Nyquist, et al.*, 59 AD2d 434,
400 NY2d 218 (1977) *Matter of Cook*,
33 EDR 311 (1993)

Adoption: December 10, 1998
Review: January 29, 2014
Revised: August 9, 2022

REGULAR MEETINGS

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

The dates of regular Board of Trustees 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, the District Treasurer, District Clerk and other specified personnel as deemed necessary.

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.

Adoption: December 10, 1998
Reviewed: August 9, 2022

SPECIAL MEETINGS

In an effort to anticipate and respond to special circumstances which may arise during district operations, any member of the Board of Trustees 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 331606; 2504; 2563
Open Meetings Law, Public Officers Law 33100 et seq.

Adoption: December 10, 1998
Reviewed: August 9, 2022

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.

The vote to go into executive session shall be detailed enough to allow the public to understand the topic the Board will be discussing, without disclosing specifics. Discussions in executive session shall be limited to the topic(s) identified in the motion.

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

Individual Board members, acting on their own, shall not disclose 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.

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.
Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Adoption: December 10, 1998
Revised: January 2, 2018
Reviewed: August 9, 2022

NOTICE OF MEETINGS

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

In accordance with state law, notice of meetings shall be sent to all members of the Board of Trustees, Superintendent, 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. 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 33/00 et seq.
Education Law 33\606\ 1708; 2504; 2563

Adoption: December 10, 1998
Reviewed: February 10, 2014
Revised: August 9, 2022

CONSENT AGENDA

To make more efficient use of meeting time, the Board of Trustees authorizes the use of a consent agenda as part of its regular meeting agenda. The consent agenda will condense the routine business of the Board (e.g., approving Board minutes, reviewing monthly expenses) into either a single motion or several categorical motions such as personnel, warrants, minutes.

The consent agenda will be prepared by the Superintendent in consultation with the President and/or the Vice President of the Board.

Individual items on a consent agenda will not be discussed prior to action. However, if any Board member believes that any item on the consent agenda requires discussion, that Board member may request that the item be removed from the consent agenda, and the item shall be removed. The removed item shall then move to the regular agenda. All items not removed will be moved, seconded, and voted upon either in one motion or in several categorical motions without discussion.

Adoption: December 10, 1998
Reviewed: August 9, 2022

AGENDA PREPARATION AND DISSEMINATION

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

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

Persons suggesting items of business must submit the item to the Superintendent at least 3 days prior to a regular meeting and 1 day prior to a special meeting. Items will not be added to the agenda later than these time periods, unless the item is of an emergency nature and authorized by the Superintendent in consultation with the Board President.

The agenda, however, shall always allow for recognition and comments by members of the public. Items of business introduced from the floor will not be acted upon at the same meeting. The agenda will specify whether the item is an action item, a consent item, a discussion item or an information item.

Availability of Agenda and Supporting Materials

The agenda and any supporting materials will be distributed to board members five days in advance of the board meeting to permit careful consideration of items of business. A complete set of materials for the regular meeting shall be sent to each Board member and others as necessary in advance of the meeting to permit them time to give items of business careful consideration. The agenda, and supporting material to be discussed at the board meeting that is permissible to be released to the public, will be posted on the district's website, and made available upon request to the District Clerk, twenty-four hours before the meeting. The agenda shall also be made available to the press, representatives of the community, staff, student organizations and to others upon request. The District Clerk is responsible for ensuring that the agenda is available to the public and the media.

Adoption: December 10, 1998
Revised: November 9, 2021
Reviewed: August 9, 2022

BOARD MEETING PROCEDURES

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

- I. Introduction
 - A. Call to Order-Pledge of Allegiance
 - B. Roll Call
 - C. Welcome
 - D. Privilege of the Floor
 - F. Board Report/Announcements
 - G. Superintendents Reports/Announcements

- II. Old Business
 - A. Review of Tasks

- III. Board Action Items
 - A. Approval of Minute Transcripts
 - 1.
 - B. CPSE/CSE Committee on Pre-School/Special Education Recommendations

- IV. Requests for Board action
 - A. Board Members
 - 1.
 - B. Treasurer
 1. Treasurers Reports
 2. Payment of claims
 - C. Superintendent

- V. Privilege of the Floor

"In accordance with its practice and for legal and ethical consideration, the Board of Trustees of the Edinburg Common School District does not permit oral comments from the public relating to specific personnel decisions regarding individuals employed by the District during the portion of its meeting where the Board permits public comment. Members of the public are welcomed to send questions, comments, or concerns regarding these or other matters to the Board in writing"

Executive Session (if necessary)

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 of Trustees 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: December 10, 1998
 Revised: February 10, 2014
 Reviewed: August 9, 2022

QUORUM

A majority of the members of the Board of Trustees shall constitute a quorum for the transaction of the business of a regular meeting. Should there be fewer than two members of the Board present at a regular meeting, a time for the new meeting shall be set, 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: December 10, 1998
Reviewed: August 9, 2022

RULES OF ORDER

Robert's Rules of Order, Revised shall govern all business procedures except where in conflict with adopted Board of Trustees policy.

Adoption: December 10, 1998
Reviewed: August 9, 2022

MINUTES

The Board of Trustees 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.

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 33100 et seq.
Freedom of Information Law, Public Officers Law aa84 et seq.
Education Law 32121

Adoption: December 10, 1998
Reviewed: August 9, 2022

RECORDING AND BROADCASTING OF BOARD MEETINGS

The use of any recording device at public meetings of the Board of Trustees 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 reserve 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.

Cross-ref: 4321, Programs for Student with Disabilities

Ref: Open Meetings Law, Public Officers Law 33100 *et seq.*
Mitchell v. Board of Education of Garden City UFSD,
113AD2d924 (1985) *People v. Ystueta*, 99
Misc 2d 1105(1979)

Adoption: December 10, 1998
Revised: February 10, 2014
Reviewed: August 9, 2022

BOARD HEARINGS

The Board of Trustees shall schedule public hearings in accordance with the law and on occasions when it wishes to gather information and seek opinions on important issues affecting the school district. The Board shall take no formal action at a public hearing.

The time and place of the hearings shall be designated in the notice of the hearing. All interested persons or their representatives shall have an opportunity to present facts, views, or arguments relative to ideas or proposals under consideration.

At the beginning of each hearing the Board may present information on the topic of the hearing. Speakers shall be required to give their name and address. Nonresidents do not have the privilege of speaking at public hearings except when permission is granted by the chair.

Speakers at public meetings, generally, will be limited to three minutes for their presentation. However, this time limit may be adjusted by the chair if the size of the audience or the number of requests to speak is small and an increase in the time would not unduly extend the length of the hearing. Any adjustment in time shall apply to all speakers from the audience.

Any speaker who is out of order may be cautioned by the chair. If such remarks or behavior persists, the speaker's privilege to address the Board will be terminated.

Adoption: December 10, 1998
Reviewed: August 9, 2022

FORMULATION, ADOPTION AND AMENDMENT OF POLICIES

The Board of Trustees recognizes that the adoption of written policies constitutes the basic method by which the Board exercises its leadership in the operation of the district. Policies, which set forth the purpose of district programs, may be proposed for adoption, changes, or repeal at any regular or special Board meeting, by any member of the school community. The Board delegates to the Superintendent the responsibility and authority to establish any and all rules, regulations, and/or procedures necessary to implement and maintain its policies.

Accordingly, the Superintendent is directed to initiate a program of Board policy revision to include the following items:

1. periodic review and evaluation of all present Board policy;
2. preparation of additional policies as needed;
3. consultation with district staff and community members on an advisory basis;
4. presentation of proposed policy in draft form to the Board for consideration prior to action; and
5. continuation of the New York State School Boards Policy Codification System.

To adopt, change, or repeal a policy requires a majority vote of the entire Board. Such vote will be taken at the next regular meeting.

Rules and regulations are subject to modification by Board action at any meeting. The initiative for change normally comes from the Superintendent.

To permit time for study of all new policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments may be presented as an agenda item to the Board in the following sequence:

1. Information item - distribution with agenda (this may be an announcement that a policy is being developed in a particular area and that interested persons may submit suggestions)
2. Discussion item - first reading of the proposed policy or policies; response from Superintendent; report from any Board or advisory committee assigned responsibility in the area; Board discussion and directions for any redrafting
3. Action item - discussion, adoption, or rejection, four weeks following the initial proposal

The formal adoption of policies shall be recorded in Board minutes. Only those written statements so adopted and so recorded shall be regarded as official Board policy.

A copy of the Board policy manual will be available to all Board members and administrators in the main office. Every staff member shall have access to the Board Policy Manual.

Cross-ref: 2460, Policy Review and Evaluation

Ref: Education Law 931604 (a); 1709(1); 1804

Adoption: December 10, 1998

Revised: August 9, 2022

ADMINISTRATION IN POLICY ABSENCE

In cases in which action must be taken within the district where the Board of Trustees has provided no guidelines for administrative action, the Superintendent shall have the power to act, but his/her decisions shall be subject to review by the Board at its regular meeting. It shall be the duty of the Superintendent to inform the Board promptly of such action and of the need for policy.

Adoption: December 10, 1998
Reviewed: August 9, 2022

POLICY DISSEMINATION

The Board of Trustees recognizes the need for widespread familiarity with district policies and regulations, and therefore directs the Superintendent to implement the following:

1. maintain an updated policy manual that includes appropriate administrative regulations and takes precedence over all previous manuals, and be responsible for its presence at all Board meetings;
2. all board members will be provided an up-to-date index of all policies;
3. have available to each board member, for the duration of his/her term, a complete and updated policy manual;
4. ensure that personnel are familiar with Board policies which affect them, directly or indirectly.
5. disseminate Board policies and manuals to all concerned, as he/she deems appropriate and/or necessary; and
6. place a copy of the Board policy manual in the district offices to ensure that district policies are available to the public.
7. All policies will be added to the school website.

Adoption: December 10, 1998

Revised: August 9, 2022

POLICY REVIEW AND EVALUATION

The Board of Trustees will evaluate the effect of its policies and the manner in which they have been implemented by the administration. In such evaluation, the Board may call upon staff, students, and community participation.

The Board directs the Superintendent to bring to its attention any policy areas in need of revision or new development. The Board shall review the entire manual at least once every three years to ensure that the manual is up-to-date. The Board shall note those policies which must be reviewed even more frequently (e.g., student conduct and discipline, investments and purchasing, which must be reviewed annually).

Board policy may be revised as outlined in Policy 2410, Formulation, Adoption, and Amendment of Policy.

Cross-ref: 2410, Formulation, Adoption and Amendment of Policies

Ref: General Municipal Law, 3939; 104-b 8
NYCRR 3100.2(1) (2)

Adoption: December 10, 1998
Reviewed: February 10, 2014
Revised: August 9, 2022

NEW BOARD MEMBER ORIENTATION

The Board of Trustees 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 access to selective materials covering the function of the Board and the school district, including (a) policy manual index, (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) 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 Board Association, and (g) any other materials which may be deemed helpful and informative;
2. be invited to attend all Board meetings and to participate in discussion;
3. be invited to meet with the Superintendent 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: December 10, 1998
Reviewed: February 10, 2014
Revised: August 9, 2022

BOARD MEMBER TRAINING

Members of the Board of Trustees 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 board members, as well as the powers and duties of other governing and administrative authorities affecting public education.

These mandatory trainings may be taken together or 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.

Every Board member will complete at least one training per year which addresses topics pertinent to serving successfully as Board members, in their roles as fiscal stewards, policymakers, and governance leaders. In years where Board members complete the state-mandated training, they are not required to take additional training under this paragraph. Such training can take the form of in-person conferences, online webinars or classes, facilitated retreats, or other format approved by the Board. The Board shall determine participation in training by majority vote. The Board shall include in the annual budget sufficient funds for at least one training per Board member per year.

The Board President and Board Vice President, when newly-elected, will complete at least one training on the duties, roles and responsibilities of school board officers. Such training can take the form of in-person conferences, online webinars or classes, facilitated retreats, or other format approved by the Board. The Board shall determine participation in training by majority vote. The Board shall include in the annual budget sufficient funds for at least one such training per newly-elected Board officer.

Cross-ref: 2510, New Board Member Orientation;
2521, School Board Conferences, Conventions, and Workshops
6830, Expense Reimbursement

Ref: Education Law §2102-a

Adoption: 02/08/2011
Review date: January 29, 2014
Revised date: August 9, 2022

SCHOOL BOARD CONFERENCES, CONVENTIONS, WORKSHOPS

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

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

1. The Superintendent will distribute information to each Board member on conferences, conventions, and workshops. The Board shall decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the school district.
2. The Board will reimburse conference attendees (Board members) for reasonable and necessary expenses not paid for directly by the district (travel, hotel, meals, and registration) as per policy 6830.
3. When any Board member attends a conference, convention, or workshop, the member will be requested to share information, recommendations, and materials acquired at the meeting.

Cross-ref: 6830, Expense Reimbursement

Adoption: December 10, 1998
Revised: January 10, 2006
Reviewed: August 9, 2022

MEMBERSHIP IN SCHOOL BOARDS ASSOCIATIONS

The Board of Trustees may maintain memberships in the New York State School Boards Association, and other organizations established for Boards of Education.

Board members should take the responsibility to attend association meetings for the purpose of Board development and gathering new information.

Adoption: December 10, 1998
Reviewed: August 9, 2022

BOARD-STAFF COMMUNICATIONS

The success of any school system requires effective communication between the Board of Trustees and school staff. Such communication is necessary for facilitating proposals for the continuing improvement of the educational program and for the proper disposition of personnel problems which may arise.

The main goal of both the Board and the staff is to provide the best possible educational opportunities for the entire community. To achieve this end, good Board-staff relations must be maintained in a climate of mutual trust and respect. At the same time, the Board in exercising its public trust to provide thorough and efficient public education, cannot dissipate or transfer its responsibilities.

In accordance with good personnel practice, staff participation in the development of educational and personnel policies will be encouraged and facilitated. The Superintendent, as professional leader of the staff and the chief executive of the Board, will establish the avenues for Board-staff communication.

All communications and reports to the Board from staff members and staff organizations will be submitted to the Board through the Superintendent. However, this will not be construed as denying the right of any staff member to appeal any action or decision of the Superintendent to the Board.

All effective means of facilitating channels of communication between the Board and staff will be explored in order to promote close and cooperative action for the continuing improvement of the educational program and the mutual benefit of the school system and the community.

Adoption: December 10, 1998
Reviewed: August 9, 2022