

## BOARD OPERATIONAL GOALS

The Board of Education shall act in accordance with authority and responsibility vested in it by federal and state laws, rules, and regulations on behalf of the district's citizens.

The Board shall concern itself primarily with questions of policy, rather than with administrative details. The application of policies is an administrative task to be performed by the Superintendent of Schools and staff, who shall be held responsible for the effective administration and supervision of the entire school system.

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

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

Ref: Education Law §§1709; 1804

Adoption date: June 15, 2006

## SCHOOL BOARD LEGAL STATUS

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

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

The official name of the School District shall be North Shore Central School District at Glen Head, Glenwood Landing and Sea Cliff. The popular name of the School District shall be North Shore Schools.

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 §§315; 1604; 1604-a; 1701; 1702; 1703; 1708; 1709; 1710  
1804(1); 2101(2); 2105

Adoption date: June 15, 2006

## SCHOOL BOARD POWERS AND DUTIES

The Board shall provide for a school system and establish general policies for its operation in keeping with the rules and regulations of the State Education Department and the requirements of the laws of the State of New York. In carrying out this function the Board recognizes three general duties:

1. Formulating and interpreting educational policies
2. Delegating administrative duties
3. Making a continuous appraisal of progress

In fulfilling these general duties, the Board also recognizes the following additional definite and more specific responsibilities:

1. To select a Superintendent and to support the discharge of his/her duties;
2. To appoint, upon approval, school personnel nominated and recommended by the Superintendent;
3. To consider and act on policies for the school program. Any policy change initiated by the Board, or suggested by the staff or by the general public shall be submitted to the Superintendent for his/her consideration and recommendation prior to Board action;
4. To require and evaluate reports from the Superintendent on the educational program, personnel, and the financial status of the schools;
5. To consider, revise and adopt, for presentation to the voters of the district, an annual school budget recommended by the Superintendent;
6. To seek and utilize qualified professional services, as appropriate, when considering and deciding upon expansion of school services, school buildings and school facilities;
7. To assist in presenting to the public the needs and progress of the educational system;
8. To secure, by the exercise of its legal powers, the funds it deems necessary to finance the operation of the schools;
9. To recognize that authority to act rests only with the Board in official meetings, and that the individual member has no legal status to bind the Board outside of such meetings; and
10. To perform the specific duties imposed upon the Board by the laws of the State of New York.

Ref: Education Law §§1604; 1604-a; 1708; 1709; 1710; 1716; 1804; 2022

Adoption date: June 15, 2006

## SCHOOL BOARD ELECTIONS

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

1. the annual budget/tax levy,
2. any vacancies on the Board of Education, and in addition any special propositions that have been properly presented

The term of office of a trustee elected to a full term at an Annual Election of trustees shall commence on the date of the Annual Meeting of the Board of Education (Reorganizational Meeting) next following such Annual Election, and shall expire on the thirtieth day of June as shall be closest in time to three years from the date of such election.

The foregoing notwithstanding, any trustee whose term of office has expired shall hold over and continue to discharge the duties of such office until a successor trustee shall duly qualify to serve.

### 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 election, whichever is greater, and shall state the name and residence of the candidate. This number is set by School Law 2:23 (§2608(1)). 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.

### 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/tax levy, candidates for the Board of Education, special propositions, etc.

To minimize disruption in the school district, electioneering at other times should be conducted in a manner that does not interfere with any school activities.

The Board may display a copy or copies of any budget/tax levy or proposition to be voted upon, or any sample ballot for informational purposes.

Cross-ref: 1050, Annual Election and Budget Vote  
2121, Board Member Qualifications  
2150, Filling Board Vacancies  
2210, Board Reorganizational Meeting

Ref: Education Law §§1804; 2012; 2013; 2014; 2018; 2018-a; 2019-a; 2031;  
2035  
Public Officers Law §5

Adoption date: June 15, 2006  
Revised: December 15, 2011  
Revised: February 26, 2015

## 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; and
5. Properly registered to vote by either:
  - a. registering in person on the date, time and location designated for personal registration included in the legal notice each year, or
  - b. voting in a school election within the past four years, or
  - c. verification of registration to vote in the general political elections.
  - d. registering with the Nassau County Board of Elections.

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law provisions. The District Clerk will act as Chairman at each annual or special election. Such chairman shall have the responsibility of properly handling any challenges to the qualification of any voter.

### Voting

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

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

Write-in ballots are permissible. Ballots containing the names of nominated candidates will be included on the ballot as well as one blank space for each available office for write-in candidates.

The writing in, with a black ball point pen, of a name in the blank space so provided, will sufficiently indicate a vote. It will also be necessary for a voter to fill in the oval 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. Such ballots, including application forms, will be sent by the district clerk to or picked up from Central Office by qualified voters wishing to vote by absentee ballot, upon request, via first class mail. 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. Those appearing on a permanently disabled list provided by the Nassau County Board of Elections will be sent an Absentee Ballot automatically without the need of completing an application.

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 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. Proxy votes are not allowed.

Ref: Education Law §§2012; 2014; 2018; 2018-a; 2018-b; 2018-c; 2019; 2019-a; 2020; 2025; 2032(2)(e); 2035; 2037; 2603; 2607; 2610; 2613  
 Election Law §§3-224; 5-106; 5-612; 5-400; 5-406  
*Matter of Rodriguez*, 31 EDR 471 (1992)  
*Matter of Gresty*, 31 EDR 90 (1991)  
*Matter of Ferro*, 25 EDR 175 (1985)  
*Matter of Manno and Maloney*, 23 EDR 172 (1983)  
*Matter of Yost*, 21 EDR 140 (1981)  
*Matter of Alpert and Helmer*, 20 EDR 281 (1980)  
*Matter of Reigler and Barton*, 16 EDR 256 (1977)

Adoption date: June 15, 2006

Revised: June 14, 2018

## BOARD MEMBER QUALIFICATIONS

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

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

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

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

Adoption date: June 15, 2006



## 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.

At such school district election, as many of the candidates elected to the Board, not including those candidates who are incumbent trustees standing for re-election, as there are vacancies on the Board at such time, shall take office immediately. The candidate or candidates taking office in such manner shall be those receiving the greatest number of votes.

The candidate elected to the Board, including incumbent trustees standing for re-election, receiving the least number of votes among all candidates elected shall fill office for the balance of the unexpired term of the vacancy, unless such term expires on the thirtieth day of June next following such School District election, in which case the term of such candidate shall expire on the thirtieth day of June as shall be closest in time to three years from the date of such election. Provided, however, that should there be more than one vacancy to be filled by election, the candidate elected who receives the least number of votes shall fill the office for the shortest term.

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.

Cross-ref: 2100, School Board Legal Status  
2120, School Board Elections  
2120.2, Voting Procedures

Ref: Education Law §§1709(17); 1804; 2113

Adoption date: June 15, 2006

## 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 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 district officers and employees under the provisions of the General Municipal Law. Therefore, every officer and employee of the district, whether paid or unpaid, shall adhere to the following code of conduct:

1. Gifts: An officer or employee shall not directly or indirectly solicit any gift or accept or receive any gift having a value of \$75 or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.  
However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.
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.
3. Representation before the Board or District: An 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.
4. Disclosure of interest in matters before the Board: A member of the Board of Education and any officer or employee of the district, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other interest he or she has in such matter. The term "interest" 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 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.

#### 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

Adoption date: October 12, 2006

## **BOARD MEMBER CODE OF ETHICS**

The creation of a working relationship of trust and respect is at the heart of this professional covenant developed between the board, administration, staff and the community. Board members are expected to demonstrate their personal commitment and respect of the office they hold, and are so expected to perform the duties of a school board member in a manner consistent with this Code of Ethics. The Board will annually review an established set of Communication and Operational Protocols.

### **SCOPE**

The purpose of this policy is to set up norms solely for members of the North Shore School Board to follow at all times.

### **BOARD GOVERNANCE**

- Attend all regularly scheduled board meetings, insofar as possible, and review board run materials about the issues to be considered on each agenda.
- Set goals for the school system and establish policies to direct its administration.
- Maintain confidentiality of discussion conducted in executive session and of other privileged information.
- Abide by board decisions regardless of how individuals voted.
- Act only as a member of the board and do not assume authority as an individual in school matters.

### **BOARD-ADMINISTRATION RELATIONS**

- Give schools officials authority commensurate with their responsibility, work through the appointed school officials according to the school system's organization and policies.
- Expect the superintendent to keep the board adequately informed through regular written or oral reports and hold the superintendent accountable through an annual job performance evaluation.
- Refer complaints, requests, and concerns to the superintendent or other appropriate staff member.
- Use the established school officials' chain of command and avoid making commitments or promises that compromise the board, administration or the school system.
- Recognize that a board member's responsibility is to see that schools are well run, but not to run them.

**BOARD MEMBER RELATIONS**

- Retain independent judgment and refuse to surrender that judgment to individuals or special interest groups.
- Voice opinions responsibly, maintain good relations with other board members, respect other board members' rights and opinions, and make no disparaging remarks, in or out of board meetings, about other board members or school staff. Instead express opinions in a professional, fair manner.
- Accept the responsibility to secure facts before arriving at conclusions.

**PERSONNEL RELATIONS**

- Support employment of the best qualified people as school staff and insist on regular, impartial evaluation of all staff.

**COMMUNITY RELATIONS**

- Represent the entire community and vote for what seems best for the children and youth of the school system.
- Interpret the attitudes, wishes and needs of the community to school staff and communicate the aims, methods and goals of the school to the community.
- Create an environment that fosters community participation and involvement.
- Being a Board member carries significant personal responsibilities and most often the community will interpret comments stated by individual board members as an official statement made by an individual board member, and sometimes viewed as a representative from the complete board. While this may not be the intention of a verbal or written comment made by a board member, he/she must use discretion and try to avoid statements about community members that may be viewed as disparaging or personal attacks. Personal feelings about community members must be carefully expressed because of the responsibility carried as an elected official/board member.

**CONFLICT OF INTEREST**

- Avoid being placed in a position of conflict of interest. Refrain from using board membership for political, personal or business advancement.
- Recognize conflicts of interest and avoid being placed in a position of conflict of interest in statements you make in private or public, in hiring, letting bids, approving contracts, and other financial affairs of the school district.

Adoption Date: October 12, 2006  
 Reviewed: July 27, 2007  
 Approved: August 23, 2007  
 Reviewed: February 3, 2011  
 Re-Adopted: February 17, 2011  
 Revised: June 14, 2018

## BOARD REORGANIZATIONAL MEETING

The Board of Education recognizes its obligation to hold an annual reorganizational meeting. The purpose of the reorganizational meeting is to elect officers of the Board and make the proper appointments and designations of other district employees for the proper management of the school district during the school year. The Board shall also perform such annual functions as are designated by law.

The annual reorganization meeting of the Board of Education shall be held on the first Thursday in July (unless it is a legal holiday, in which case the meeting will be held on the first Wednesday), or by resolution, the Board may hold the reorganization meeting on any of the first fifteen days in July.

The Superintendent of Schools or his/her designee shall call the meeting to order, and shall preside until the election of a new president. The order of business to be conducted at the reorganizational meeting shall include items required or implied by state law and/or regulation:

### I. Administration of Oath

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

### II. Election of Board Officers

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

### III. Appointment of District Officers

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

- District Treasurer
- Clerk of the Board

IV. Other Appointments

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

- School Physician(s)
- Asbestos Designee
- Title IX Officer
- Treasurers of Student Activity Accounts
- Supervisors of Petty Cash Accounts
- Records Access Officer
- Records Management Officer

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

- Chief School Physician
- Bond Counsel
- District Internal Auditor
- Section 504 Hearing Officer(s)
- Secretary to the Board (Superintendent's Secretary)
- School Attorney
- Independent Auditors
- Insurance Broker
- Fiscal Advisor

V. Bonding of Personnel

The Board may bond the following personnel handling district funds:

- Internal Claims Auditor
- District Treasurer

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

VI. Designations

The Board shall designate:

- Official depositories for district funds
- 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:

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

VIII. Other Items:

- Per diem substitute rate
- Establish rate for mileage reimbursement
- Homebound teaching rate
- Other

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

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

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

Adoption date: June 15, 2006

Revised: December 15, 2011



## BOARD OFFICERS

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

### Duties of the President of the Board

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

- to preside at all meetings;
- to act as chief fiscal officer of the Board;
- to execute all documents on behalf of the Board;
- to act as an ex-officio member of all committees;
- to call special meetings he/she considers necessary or on request of one member of the Board;
- to vote together with other members of the Board;
- to perform the usual and ordinary duties of the office;
- to act as temporary chairman of the annual district meeting and special district meetings;
- to, along with the other members, offer resolutions, and to discuss questions; and
- to appoint committees with the advice of fellow Board members.

### 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.
- Oversees the evaluation process and authors the evaluation instrument for the Superintendent's evaluation and the Board's self-evaluation.
- Attends agenda meetings with the Board president and Superintendent

Ref: New York State Constitution, Article 13 §2  
 Local Finance Law §2.00(5)(e)  
 Education Law §§1709; 1804; 2105(6); 2502; 2504; 2553; 2563; 2590-b

Adoption date: June 15, 2006

Revised: February 26, 2015

## APPOINTED BOARD OFFICIALS

### District Clerk

The District Clerk shall be appointed annually by the Board of Education at the organization meeting, and in addition to performing the duties prescribed by law, shall act as Clerk of the Board. He or she shall:

1. attend all public meetings of the Board, executive meetings and meetings of committees of the Board when so requested;
2. be responsible for full and accurate minutes of the public meetings of the Board, and when so directed, record the minutes of meetings of committees of the Board and send a copy of such minutes to each member of the Board or committee at least one week prior to the next regular meeting of the Board;
3. give notice of all meetings of the Board, and when so directed, give notice of meetings of committees of the Board; and
4. perform any other work requested of him/her by the Board or the Superintendent.

### District Treasurer

The Treasurer of the District shall be appointed annually by the Board at the organization meeting, and shall:

1. perform the duties prescribed by law;
2. be the financial officer of the district;
3. execute and deliver a bond, in such amount and with such sureties as the Board may require before entering upon the discharge of his/her duties.
4. be the custodian of all monies belonging to the District from whatever source derived and shall deposit these monies in the depository designated by the Board;
5. pay all authorized obligations of the District as directed; and
6. at the regular meeting of the Board and at such other times as requested by the Board, furnish it with a detailed statement of the monies received and disbursed by him/her.

The Treasurer may not have any interest, direct or indirect, in a bank or trust company designated as a depository, paying agent, or investor of funds of the District.

Ref: Education Law §§1720; 2101; 2102; 2121; 2122; 2130

Adoption date: June 15, 2006

**BOARD COMMITTEES AND SUB-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 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 may terminate any committees at any time.

Board committee and sub-committee meetings shall be open to the public but shall not include a public comments portion.

Adoption date: June 15, 2006

Revised: July 5, 2016

## CITIZENS ADVISORY COMMITTEES

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

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

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

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

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

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

Adoption date: June 15, 2006

## SCHOOL ATTORNEY

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

District counsel shall advise the Board in all matters of a legal or technical nature relating to the interpretation of statutes set forth in the Education Law and other laws of the State of New York, as applicable. District Counsel will attend meetings of the Board when so requested.

### Selection of a School Attorney

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

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

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

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

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

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

Adoption date: June 15, 2006

Revised: February 26, 2015

## **CONSULTANTS TO THE BOARD**

The Board encourages the use of consultants to provide the schools with specialized services not normally required on a continuing basis. Sufficient funds will be made available to attract outstanding authorities in the various fields.

In the event a consultant promotes a commercial product, school personnel shall clarify in advance that his or her function is to provide information and advice, rather than to sell that product.

Adoption date: June 15, 2006

## BOARD MEETINGS

The meetings of the Board of Education are basic to the operation of the Board. All official action of the Board shall be taken only at formal sessions of the Board open to the public.

Since members of the Board are not permitted to act individually in their official function the Board meeting presents an opportunity for the school program to be discussed and appraised, and for individual biases and opinions to be aired, as the Board works toward consensus decisions on specific instances. In addition, the meeting provides an appropriate forum for items of interest or concern to individual citizens or groups of the school community to be heard and considered.

### Work Sessions

The Board may meet for work sessions to exchange information and develop understanding. The public will be welcome to attend, but ordinarily no public comments will be permitted.

Cross-ref: 2100, School Board Legal Status  
2310, Regular Meetings  
2320, Special Meetings  
2330, Executive Session

Ref: Education Law §§1708; 1804

Adoption date: June 15, 2006

## 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 not less often than once in each month while the schools are in session and in no event less often than once in each quarter.

The time, dates and place of regular Board of Education meetings shall be established at the annual reorganizational meeting, which shall constitute due and proper notice to all members of the Board. In the event that the day appointed for a regular meeting falls on a legal holiday, the meeting shall be rescheduled.

Such date, time or place may be subsequently changed by a majority vote of the Board, and if so changed, due notice in writing shall be given to each member of the Board by the District Clerk of the district, at least twenty-four hours in advance of such changed meeting.

All regular Board meetings are open to the public, and meeting facilities shall provide access to persons with disabilities. Whenever feasible, at least one meeting will be held in each of the schools of the district during the school year.

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 Reorganizational Meeting  
2340, Notice of Meetings

Adoption date: June 15, 2006



## 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.

The Superintendent of Schools and other specified personnel as deemed necessary attend all special meetings except those special meetings where the deliberations involve the Superintendent's evaluation.

Cross-ref: 2340, Notice of Meetings

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

Adoption date: June 15, 2006

## 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.

The name of the person who called for the executive session will also appear in the minutes of the public meeting. The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof.

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

Adoption date: June 15, 2006

## NOTICE OF MEETINGS

### Public Notice

For all regular and scheduled special meetings of the Board of Education, the District Clerk shall give adequate notice to the community. Notice of the date, time and place of each regular meeting shall be given at the annual organization meeting of the Board. In addition, 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.

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.

### Notice to Board Members

The District Clerk shall give due notice of each such meeting, in writing, to each member of the Board, at least twenty-four hours in advance of such meeting.

Notice of the date, time and place of each special meeting shall be given by the Clerk, in writing, to each member of the Board at least twenty-four hours in advance of such meeting. In addition, any member of the Board may call a special meeting by giving not less than twenty-four hours notice thereof to all other members of the Board.

Any member attending a regular or special meeting shall be deemed to have received due notice thereof. Any member not attending such meeting, and who did not receive proper notice thereof, may waive the requirement of such notice and ratify any action taken at such meeting.

Service of notice by mail shall be sufficient if deposited at such time as would give the required twenty-four hours notice, in the ordinary course of transmission by mail.

Ref: Open Meetings Law, Public Officers Law §§100 et seq.  
Education Law §§1606; 1708; 2504; 2563  
*Matter of Bd. of Educ. of UFSD No. 1 of the Town of Hume*, 29 St. Dep't Rep. 624 (1923)  
*Matter of District #3 of the Town of Highlands*, 40 State Dept. Rep. 617

Adoption date: June 15, 2006

## AGENDA PREPARATION AND DISSEMINATION

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

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

The agenda shall specify whether the item is an action item, a discussion item or an information item. Agenda items shall indicate, as appropriate, progress toward district goals.

The agenda and any supporting materials will be distributed to board members at least seven (7) days in advance of the board meeting, if possible, to permit careful consideration of items of business. The agenda and appropriate materials shall also be made available to the Superintendent and designated staff, and to members of the news media, the public, students and parents, upon request.

Any items added to the agenda after it has been disseminated to Board members shall be announced at the commencement of the Board meeting. Such may be excluded by majority vote of the Board members present.

Board members may suggest items for inclusion on the agenda to the Board President, and the President will ask the Board, as a whole, if the item should be included on the agenda. A motion to amend the agenda may be offered by the Board or by the Superintendent.

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

Cross-ref: 2350, Board Meeting Procedures

Adoption date: June 15, 2006

Revised: June 14, 2018

## 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. Pledge of Allegiance
2. Approval of Minutes and Reports
3. Comments from the Public and/or Student Government Organization
4. Report of the Superintendent
5. Regular Business, with comments from the public
6. Comments from the Public
7. Old Business
8. New Business
9. 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.

In the event of the absence of both the President and the Vice President at a public meeting of the Board, the Clerk shall call the roll and, on the appearance of a quorum, shall call the Board to order. A President pro tempore shall then be elected by the Board for the duration of such meeting, or until the appearance of the President. During any meeting of the Board, when the Vice President shall be absent, the President may designate any other member of the Board to act as the presiding officer, but such designation shall not continue beyond the meeting at which it shall be made.

The yeas and nays shall be taken and recorded by the clerk upon any question if such procedure is requested at the time by any member of the Board, or otherwise required by law.

Except in emergencies, the Board shall not attempt to decide upon any question under consideration before examining and evaluating relevant information. The Superintendent of Schools 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: June 15, 2006

## QUORUM

Public meetings of the Board shall be held only when a quorum is present. A quorum shall be a simple majority (more than half; or four out of seven) of the total number of Board members. If a quorum of the Board is present at a public meeting, affirmative votes equal in number to a majority of the whole Board shall be necessary for any formal action to be taken, except in cases where, by law, a larger proportion of the whole Board shall be required.

If less than a quorum shall be present (fewer than 4 (four) members of the Board) at any regular, special, or adjourned meeting, the District Clerk shall poll those members present, and declare the meeting adjourned, either *sine die* (without setting a specified day), or to a stated date, time and place, which shall be prior to the date of the next regular meeting. The District Clerk shall wait at least thirty minutes beyond the time set for commencement of such meeting before polling those members present.

Notice of rescheduled meetings shall be given to absent members pursuant to Policy 2340, Notice of Meetings. The District Clerk shall give due notice in writing to each member of the Board, at least twenty-four hours in advance, of the date, time and place of any such adjourned meeting.

Any member attending such adjourned meeting shall be deemed to have received due notice thereof. Any member not attending such meeting, who did not receive proper notice thereof, may waive the requirement of such notice and ratify any action taken at such meeting

Cross-ref: 2340, Notice of Meetings

Ref: General Construction Law §41  
Opinion of Counsel #70, 1 EDR 770 (1952)  
*Appeal of Greenwald*, 31 EDR 12 (1991)

Adoption date: June 15, 2006

**RULES OF ORDER**

Robert's Rules of Order, Revised shall govern all business procedures except where in conflict with adopted Board of Education policy or suspended for a meeting by a majority vote of the Board members present.

Adoption date: June 15, 2006



## MINUTES

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

After a draft is approved by the Board, 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 shall be forwarded to each member of the Board not later than the time the agenda for the next meeting is disseminated.

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

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

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

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

Adoption date: June 15, 2006

Revised: January 16, 2014

## **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.

All Board policies and administrative regulations shall take effect upon the date of their adoption, and shall supersede all other policies and regulations not in accordance herewith.

If any provision of Board policies and administrative regulations shall be determined to be illegal, or contrary to the regulations of the Commissioner of Education, the Education Law of the State of New York or other statutes or law, or unconstitutional, the validity and effectiveness of all the remaining provisions shall not be affected thereby and the latter shall remain in full force and effect.

### Development

The Board is committed to developing written policies which:

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

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

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

- Parents
- Faculty
- Staff
- Students
- District Legal Counsel

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

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

#### Adoption

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

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

The school attorney shall review every new policy or revision to an existing policy prior to its being adopted by the Board.

#### Implementation

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

- Board Members
- District Clerk
- District Administrators
- Faculty (where applicable)
- Staff (where applicable)
- Parents (where applicable)
- Students (where applicable)
- Community (where applicable)

The board policy manual shall be kept in the district office and made available to the public upon request. The policy manual shall also be made available on the district web page. A copy of the board policy manual shall be kept in each school building and any other location specified by the Board.

#### 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 will review the policy manual on a periodic basis and update it as necessary to ensure that the policies are consistent with board goals and district practices.

#### Emergency Action

An emergency shall be defined as any disruption of the educational program or threat to the safety or security of the students or staff.

Whenever any emergency exists or is deemed to be imminent, an existing bylaw or policy of the Board may be suspended or amended, or a new bylaw or policy adopted, by a majority of the members present and voting on a resolution to such effect, introduced at any duly constituted meeting of the Board.

Said resolution shall expire automatically at the first public meeting of the Board following the abatement of the emergency.

Cross-ref: 2420, Administrative Regulations

Ref: Education Law §§1604; 1709; 1804

Adoption date: June 15, 2006

## ADMINISTRATIVE REGULATIONS

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the school will be operated.

Such rules and detailed arrangements shall constitute the administrative regulations governing the schools. They must in every respect be consistent with the policies adopted by the Board. The Board reserves the right to review and veto administrative regulations should they, in the Board's judgment, be inconsistent with the policies adopted by the Board.

In the absence of applicable policy, the Superintendent is authorized to establish needed regulations subject to later confirmation in policy, should the Board so wish.

The Board itself shall formulate and adopt administrative regulations only when specific state laws require Board adoption, and may do so when the Superintendent recommends Board adoption in light of strong community attitudes, or probable staff reaction.

Ref: Education Law §§1709; 1804

Adoption date: June 15, 2006

## NEW BOARD MEMBER ORIENTATION

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

1. be given selected materials covering the function of the Board and the school district, including (a) policy manual, (b) copies of key reports prepared during the previous year by school Board committees and/or the administration, (c) the *School Law* handbook prepared by the New York State School Boards Association, (d) access to minutes of Board meetings of the previous year, (e) latest financial report of the district, (f) copies of pertinent materials developed by the New York State School Boards Association, and (g) any other materials which may be deemed helpful and informative;
2. be invited to attend all Board meetings and functions;
3. be invited to meet with the Board President, Vice President, 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: June 15, 2006

Reviewed: July 5, 2007

## NEW BOARD MEMBER ORIENTATION EXHIBIT

The following materials shall be presented to newly elected Trustees prior to their orientation, and be reviewed during the orientation session.

- Board's most recent self-evaluation
- Complete set of current contracts for each bargaining unit
- North Shore Schools Board of Education Policy Manual
- Complete budget packet, including approved budget, five year facilities plan, five year expenditure plan
- Most recently completed external audit report
- Most recent treasurer's report
- NYSSBA School Law Book
- NYSSBA Publication, "*Be a Better Board Member*"
- Faculty and Staff Handbook
- North Shore Schools Strategic Plan
- Who Does What? Summary of Responsibilities
- Key Board Policies

0000	2250	2510
1400	2300	2510E
2000	2310	2520
2100	2320	2521
2110	2330	3100
2160	2350	3120
2160-E	2351	3210
2210	2352	6605
2220	2410	6605-E
2230		

Reviewed: July 5, 2007

Adopted: July 26, 2007

**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. Such training may be offered as part of a general course of training for the purpose of educating Board members on their powers, functions and duties.

Each member shall demonstrate compliance with this requirement 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: June 15, 2006



## SCHOOL BOARD CONFERENCES, CONVENTIONS, WORKSHOPS

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

The Board may authorize any of its members or employees to attend any official or unofficial convention or conference of district officers or employees, or any school meeting or seminar directly or indirectly related to education or school matters, if believed to be of benefit to the district. Such authorization shall be approved and processed by the Superintendent in harmony with the adopted budget. If the Board so wishes it may, by resolution or by law, delegate the power to authorize such attendance to the Superintendent.

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

1. The Superintendent of Schools will compile, maintain, and distribute to each Board member a calendar listing school Board conferences, conventions, and workshops, to help the Board 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 for reasonable and necessary expenses not paid for directly by the district (travel, hotel, meals, registration).
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.
4. A Board member who has indicated that he or she will attend a conference, convention, workshop or other event and subsequently fails to attend, shall be responsible for any and all costs incurred by the District as a result of said failure to attend.

### Membership in School Boards Associations

The Board shall ordinarily hold membership in such local, state, and regional school board associations as may exist, and shall look upon such memberships as an opportunity for growth in board service.

Ref: Education Law §§1618; 1709; 1804; 2118  
 General Municipal Law §77-b  
*Matter of Mazzeo*, 20 EDR 155 (1980)

Adoption date: June 15, 2006

Revised: January 4, 2007

## COMMUNICATION AMONG INDIVIDUAL BOARD MEMBERS

The Board of Education recognizes its duty and responsibility to adhere to the Open Meetings Law and protect the public's right to observe its meetings and deliberations. The Board shall adhere to the spirit and intent of this law and agrees that private, informal communication will not be used to replace board meetings. The Board recognizes that the Open Meetings Law does not apply to executive session where confidential and privileged information is discussed.

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

While individual board members may communicate to share information or expertise, the Board does not condone any communication (i.e., telephone, conference call, mail, e-mail, or text messaging), directly or serially, which has the intent or effect of circumventing the Open Meetings Law.

### Freedom of Information Law

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

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

Cross ref: 1120 School District Records  
2160 School District Officer and Employee Code of Ethics

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

Adoption Date: January 30, 2014