

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

## GOVERNANCE AND OPERATIONS

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# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2000**

## **BOARD OPERATIONAL PRIORITIES**

The Board of Education, as a legally constituted body of elected representatives, bears the responsibility of setting policy, authorizing programs and overseeing implementation.

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 residents.

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

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 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 operational priorities, and to establish and clarify policies based upon the results of such evaluation.

Adoption Date: December, 1991

Revised: October 27, 2009

**SCHOOL BOARD LEGAL STATUS**

The Board of Education is a 7-member board elected by the residents of the District. The term of office for each member of the Board is three years. The terms of office of Board members shall not all expire in the same year. Board members may be elected for multiple terms of three-year intervals.

The legal status of the Board is that of a corporate body established pursuant to the Laws of New York State. No member of the Board can be held individually liable for actions brought against the District.

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 nor school affairs.

Members of the Board are free to speak to individuals on these issues outside of board meetings but such public expression is not to be construed as board policy. Information from executive sessions must remain confidential at all times. 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 □□1701; 1702; 1703; 1804(I); 2101(2); 2105

Adoption Date: October 27, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

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## SCHOOL BOARD ELECTIONS

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

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

Members of the Board of Education are elected at large by the qualified voters of the District.

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

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

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

Adoption Date: July 7, 2009  
Revised: July 13, 2016

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2120.1

## CANDIDATES AND CAMPAIGNING

### Nominations

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

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

### Reporting Expenditures

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

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

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

### Electioneering

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

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

Ref: Education Law §§2018; 2031-a

Adoption date: February 8, 2017

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## VOTING PROCEDURES

### Eligibility to Vote

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

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

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

### Voting

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

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

Upon request from a voter, an election inspector shall be allowed to assist that person in marking their ballot and/or in the actual manipulation of the ballot for acceptance by the voting machine. The election inspector shall not advise or induce such voter to vote on any proposition or candidate, and the election inspector shall never reveal the vote(s) recorded by the voter to any other person at any time.

Write-in ballot slots are required. Ballots containing the names of nominated candidates will be provided by the Board. On a paper ballot, one blank space will be provided under the name of the last candidate for each office so that voters may vote for candidates who have not been nominated for

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2120.2

the offices to be filled at the election. There will be as many write-in slots as there are vacancies at the time of election.

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

## Absentee Ballots

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

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

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

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

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

Adoption Date: September 8, 2009

Revised: September 3, 2014



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## VOTING PROCEDURES REGULATION

### Propositions

The Education Law contains provisions relating to submission of petitions to the Board to place propositions on the ballot in addition to the annual budget proposition. Pursuant to those provisions, the Board establishes the following guidelines:

1. Petitions for the submission of a proposition must contain 5% of the previous years voters, or a minimum of 100 signatures of qualified voters of the District.
2. Petitions must be presented to the District Clerk at least sixty (60) days prior to the budget vote for the Board of Education's review and to facilitate publication within the Legal Notice, and the preparation and printing of the ballots.
3. Wording of a petition must comply with legal requirements. If not, it may be changed or altered by the Board, or the Board may reject a petition for the failure to comply.

Propositions received in accordance with these specifications will be placed on the ballot as amendments and will be voted upon by the voters in the same manner as the proposed budget, except that the Board shall not be required to place any proposition on the ballot which is within the exclusive province of the Board, or otherwise forbidden by law.

### Poll Watchers

Identification and number of poll watchers: Candidates seeking to have poll watchers at the election shall notify the District Clerk no less than seventy-two (72) hours prior to the election that such candidate wishes to have a poll watcher present at the election. The candidate shall identify for the District Clerk his or her poll watcher(s) and such poll watchers will be provided with an identification tag indicating "Poll Watcher." Such previously identified poll watcher shall sign in with the District Clerk or designee (e.g. Chief Election Inspector, Election Inspector). One poll watcher at each Election District will be permitted per candidate at any given time. Poll watchers may not electioneer, must be unobtrusive, and may not interfere with the vote in any way. Poll watchers shall direct any questions or concerns to the District Clerk.

### Voting Machines

Poll watchers will not be permitted behind or near the voting machines at any time during voting hours. Each candidate or designated poll watcher shall be permitted to inspect the voting machines prior to the commencement of voting, and in, particular, the "public" and "protective" counters.

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## Location of Poll Watchers

An area with a full view of the polls will be designated for poll watchers by the District Clerk. Poll watchers will remain within the designated area and will not under any circumstances, be permitted to wander about the polling place.

## Final Vote Tally

The final vote will be recorded by the District Clerk accompanied by any of the following: Election Inspector, the Superintendent of Schools and/or designee, President of the Board of Education, and Board Counsel. Following the recording of the vote, poll watchers will be permitted to view the voting machines with the District Clerk and/or Election Inspector following which they will be locked by the representatives of the Suffolk County Board of Elections.

## Miscellaneous

Any questions regarding poll watchers are to be directed to the District Clerk. All actions of poll watchers shall be unobtrusive and may in no manner interfere with the orderly conduct of the voting. As any communication between poll watchers and voters may be perceived by others as electioneering, poll watchers should refrain from speaking with voters while in the polling place.

Please note that as the individual charged with the ultimate responsibility for the election, the District Clerk shall be entitled to exclude, extract or have extracted by security, or law enforcement if necessary, anyone whom he/she determines to be violating any of the foregoing poll watching rules or who in any other way interferes with the fair and orderly conduct of the election.

Adoption date: November 2010

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2121

## BOARD MEMBER QUALIFICATIONS

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

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

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

Adoption Date: September 8, 2009

Revised: April 22, 2015

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## **BOARD MEMBER OATH OF OFFICE**

Newly elected or appointed Board of Education members must take their constitutional oath of office within thirty (30) days of the beginning of their term of office. They shall be sworn in by Board President, District Clerk or any notary public, and the oath shall be filed with the District Clerk.

Ref: Public Officers Law § 10; 30

Adoption Date: December, 1991

Reviewed by Policy Committee: June 1, 2009

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## **BOARD MEMBER RESIGNATION**

A member of the Board of Education may resign his/her office by filing his/her resignation with the District Superintendent of Schools. The District Superintendent shall endorse the resignation and file it with the District Clerk.

Ref: Education Law §2111

Adoption Date: December, 1991

Reviewed by Policy Committee: June 1, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2140

## **BOARD MEMBER REMOVAL FROM OFFICE**

A member of the Board of Education may be removed from office for willful violation or neglect of duty, or for willfully disobeying any decision, order or regulation of the Commissioner of Education.

Notice of the charge and an opportunity for defense shall be provided. Official misconduct may be grounds for removal by the Board after a hearing.

A vacancy on the Board may also be declared if it is clearly established that a member has deliberately failed to attend three consecutive meetings without sufficient excuse or if a member has changed his/her legal residence from that of the school district.

Ref: Education Law §§306; 1709; 2109

Adoption date: December, 1991

Reviewed by Policy Committee: June 1, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2150

## FILLING BOARD VACANCIES

The Board of Education has the power to fill any vacant seat by appointment by a majority vote, which may occur by reason of death, resignation, removal from office, change of residency outside the boundaries of the School District, or refusal to serve, of any member of the Board. The person so appointed in the place of any such member of the Board shall hold his/her office until the next annual election of Board members. The unexpired term of the office will then be filled by election.

The Board shall have the power to call a Special School District election for the purpose of filling the unexpired term of a vacant seat on the Board within ninety (90) days of the vacancy. If the vacancy is filled by special election, the individual elected holds office for the balance of the unexpired term.

The Board may, by resolution, affirmatively choose to allow the vacant position(s) to remain vacant until the next annual election at which time the normally expired term(s) will be filled by the highest vote getter(s) with the vacant seat(s) filled by the next highest vote getter(s).

If the Board is deadlocked, and cannot act on any of the three (3) options enumerated above within ninety (90) days of the vacancy, then the District Superintendent of the Board of Cooperative Educational Services Supervisory District within which the School District is situated, may appoint a competent person to fill the vacancy until the next regular election.

Ref: Education Law §§1709(17); 2113  
Matter of Dam, 28 Ed. Dept Rep. 177, 179

Adoption Date: December, 1991

Revised: December 8, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

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



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

2. Confidential information: A Board Member, officer or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. This includes matters discussed in executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law.
3. Representation before the Board or District: A Board Member, officer or employee shall not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before the school district.
4. Disclosure of interest in matters before the Board: A Board Member, officer or employee of the District, whether paid or unpaid, must publicly disclose the nature and extent of any interest they or their spouse have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), to the governing body and his/her immediate supervisor (where applicable) even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is exempted under Section 803(2) of the General Municipal Law. The term “interest” means a pecuniary or material benefit accruing to an officer or employee. Exceptions to the conflict of interest law can be found in Section 802 of the General Municipal Law.
5. Investments in conflict with official duties: A Board Member, officer or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties. Exceptions to the conflict of interest law can be found in Section 802 of the General Municipal Law.
6. Private employment: A Board Member, officer or employee shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.
  - A District teacher or staff member may not provide private tutoring services, therapy or social services for any student who is presently in any of his/her classes or assignments.
  - A District teacher or staff member may not provide private tutoring services on school grounds or during the school day.

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7. Future employment: A Board Member, officer or employee shall not, after the termination of service or employment with the District, appear before the Board in relation to any action, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration.
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 the charitable organization the Board member must disclose such relationship in writing to the district, and the Board member must recuse himself or herself from any discussions or votes relating to the charitable organization which may come before the Board. When participating in the activities of the charitable organization, the Board member, officer or employee shall not disclose any confidential information learned in the course of his or her official duties or use such information to further personal interests. Additionally, the Board member, officer or employee shall not make representations on behalf of the district unless specifically authorized to do so by the Board.

### Distribution of Code of Ethics

The District Clerk shall cause a copy of this Code of Ethics to be distributed to every member of the Board, and a copy will be posted on the District web site. 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 District Clerk shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the District's jurisdiction in a place conspicuous to the District's officers and employees.

### Penalties

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

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

Adoption Date: September 8, 2009

Revised: January 24, 2012

March 7, 2018

**CODE OF ETHICS**

Section 1 Pursuant to the provisions of §806 of the General Municipal Law, the Board of Education recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be obtained and if public confidence is to be maintained in our unit of local government. It is the purpose of this local policy to promulgate these rules of ethical conduct for the officers and employees of the school district. These rules shall serve as a guide for official conduct of officers and employees of the district. The rules of ethical conduct of this local policy as adopted, shall not conflict with, but shall be in addition to any prohibition of article eighteen of the General Municipal Law or any other general or special law relating to ethical conduct and interest in contracts of municipal officers and employees.

Section 2 Definition

- a. "Municipal Officer or Employee" means an officer or employee of the Three Village Central School District, whether paid or unpaid, including members of the Board of Education, or their professional or nonprofessional staff and appointees.
- b. "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee unless the context otherwise requires.

Section 3 Standards of Conduct

Every officer or employee of the district shall be subject to and abide by the following standards of conduct:

- a. Gifts He/She shall not directly or indirectly, solicit any gift; or accept or receive any gift having a value of seventy-five dollars 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/her, in the performance of his official duties or was intended as a reward for any official action on his/her part.
- b. Confidential information He/She shall not disclose confidential information acquired by him/her in the course of his/her official duties or use such information to further his/her personal interest.
- c. Representation before one's own agency He/She shall not receive, or enter into any agreement, express or implied, for compensation for services to be rendered in relation to any matter before any municipal agency of which he/she is an officer, member or employee, or of any municipal agency over which he/she has jurisdiction or to which he/she has the power to appoint any member, officer or employee.

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- d. Representation before any agency for a contingent fee He/She shall not receive, or enter into any agreement, express or implied for compensation for services to be rendered in relation to any matter before any agency of his/her municipality, whereby the compensation is to be dependent or contingent upon any action by such agency with respect to such matter, provided that this paragraph shall not prohibit the fixing at any time of fees based upon the reasonable value of the services rendered.
  
3. Disclosure of interest To the extent that he/she knows thereof, a member of the Board of Education and any officer or employee of the district, whether paid or unpaid, who participates in the discussion or gives official opinion to the Board on any matter before the Board shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he/she has in such matter.

## Section 4 Lawsuit By Present or Former Board Member

Nothing herein shall be deemed to bar or prevent the timely filing by a present or former Board member or employee of any claim, account, demand or suit against the district, or any agency thereof on behalf of himself or any member of his family arising out of any personal injury or property damage or for any lawful benefit authorized or permitted by law.

## Section 5 Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this code of ethics to be distributed to every officer and employee of the school district within thirty days after the effective date of this code of ethics. Each officer and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his office or employment.

Section 6 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 may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Adoption date: December, 1991

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2170

## **BOARD MEMBER CONFLICT OF INTEREST**

The members of the Board of Education 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 □□2103; 2502(7); 2590-c; 2590-g; 2590-j(4); 3016  
General Municipal Law □□800 et seq.  
Local Finance Law □60.10

Adoption Date: December, 1991

Reviewed by Policy Committee: June 1, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2210

## BOARD ORGANIZATIONAL MEETING

The Board of Education recognizes its obligation to hold an annual organizational meeting. The purpose of the organizational 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 organizational meeting of the Board of Education shall be held during the first Tuesday in July (unless it is a legal holiday, in which case the meeting will be held on the first Wednesday).

The meeting shall be called to order by the previous President, Vice President or in their absence the most senior member of the Board who shall preside until the election of a new president. The order of business to be conducted at the organizational meeting shall include the following:

- a. The Clerk shall administer the oath of office to new 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.
- b. The Board shall elect a President, Vice-President, and Acting District Clerk for the ensuing year. A majority of all members of the Board shall be necessary for a choice.
- c. The Board shall appoint the District Clerk and the Board President will administer the oath of office.
- d. The Board shall appoint and the District Clerk will administer the oath of office to the following District officers:

District Treasurer  
Claims Auditor

Deputy Treasurer

- e. The Board shall appoint and establish the stipend (if any) for the following positions as needed:

School Physician  
Registrar  
Residency Officer  
Records Access Officer  
Internal Auditor  
External Auditor  
Audit Committee  
Treasurer(s) of Student  
Activity Account(s)  
Board of Registration

School Attorney  
Attendance Officer  
Designated Education Official  
Records Management Officer  
Parent Surrogates  
Asbestos Designee  
Purchasing Agent  
Chief Legal Officer for Taylor Law  
Superintendent Hearing Officer(s)  
Committee on Special Education (CSE)

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2210

Election Clerks and Inspectors  
Payroll Certification Officer  
Title IX/Section 504/ADA  
Compliance Officer

Committee on Preschool Special  
Education (CPSE)  
Title IX/Section 504 Hearing Officer(s)

- f. The Board shall bond the following District personnel:

|   |                  |
|---|------------------|
| District Clerk                              | Claims Auditor   |
| District Treasurer                          | Deputy Treasurer |
| Treasurer(s) of Student Activity Account(s) |                  |

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.

- g. The Board shall designate:

The depositories for District funds  
The official District newspapers  
The calendar for the upcoming school year  
The prices for school meals

- h. 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.

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

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

- j. In addition, the Board of Education authorizes the following:

- The Board President to appoint Impartial Hearing Officers on an as needed basis;
- The establishment of petty cash funds;
- The Superintendent to make budget transfers under \$10,000;
- The Superintendent or designee to apply for grants in aid consistent with District goals and objectives.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2210

Cross-ref: 2270, School Attorney  
2220, Board Officers  
2230, Appointed Board Officials  
2310, Regular Meetings  
5100, Attendance  
5252, Student Activities Funds Management  
5300, Code of Conduct  
6150, Budget Transfers  
6240, Investments  
6400, Depositories of Funds  
6410, Authorized Signatures  
6500, Bonded Employees and Officers  
6650, Claims Auditor  
6670, Petty Cash Accounts  
6680, Internal Audit Function  
6690, Audit Committee  
6700, Purchasing  
6710, Purchasing Authority  
6711, Authorization for Purchasing Meals and Refreshments  
6741, Contracting for Professional Services  
6840, Expense Reimbursement

Ref: New York State Constitution, Article XIII, §1  
General Municipal Law §103(2) (official newspapers)  
Public Officers Law §§10; 13; 30  
Education Law §§1707; 1804(4); 2130

Adoption Date: December, 1991

Revised: March 9, 2010



# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2220

## **BOARD OFFICERS**

The President and Vice-President of the Board of Education shall be elected by members of the Board at the Annual Organization Meeting in July. They shall continue to perform the duties of a Board Member with additional duties as stated.

### 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 School District;
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 upon request of another member of the Board;
7. To vote together with other members of the Board; and
8. To act as temporary chairman of the Annual District Meeting and Special District meetings.

### Duties of the Vice-President

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

Ref: Education Law §§1709; 2105(6); 2502; 2504; 2553; 2563; 2590-b  
New York State Constitution, Article 13.2

Adoption Date: December, 1991

Revised: November 4, 2009

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2230**

## **APPOINTED BOARD OFFICIALS**

The Board of Education shall annually appoint a District Clerk. Such appointment shall continue until the next organization meeting. The salary of the District Clerk shall also be fixed annually at the organization meeting. The District Clerk shall perform the duties and have the powers prescribed by law: i.e., send notices of all meetings to the members of the Board; make, keep, and distribute accurate minutes of all meetings of the Board; be responsible for the publication of legal notices; and perform such other duties as may be assigned to the office by the Board. The Acting District Clerk shall serve as clerk when the District Clerk is not available.

The Board of Education shall also annually appoint a District Treasurer. Such District Treasurer shall serve until the next organization meeting, or until a successor has been appointed. The salary of the District Treasurer shall be fixed annually at the Board organizational meeting. The District Treasurer shall perform such duties imposed upon the office by statute or law: i.e., shall report, at least monthly, to the Board the state of all accounts; shall act as official custodian of all district funds; shall sign all checks, including those for which facsimile signatures have been approved; and, shall perform such other duties as may be assigned to the office by the Board. The District Treasurer shall file a bond for the faithful performance of his/her duties, with sufficient security, approved by the Board in such amount as may be determined by a duly adopted resolution of the Board. The premium for such bond shall be paid by the district.

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 §§902; 2121; 2122; 2130

Adoption Date: December, 1991

Revised: July 2, 1996

Reviewed by Policy Committee: June 1, 2009

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2240**

## **BOARD-SUPERINTENDENT RELATIONSHIP**

The Board holds the Superintendent responsible and accountable for the implementation of its policies, the execution of Board decisions, the operation of the internal organizational structure designed to serve the educational programs, and for keeping the Board informed about District operations and problems.

Adoption Date: December, 1991

Revised: November 4, 2009

**BOARD COMMITTEES**

The Board of Education may, from time to time, establish committees whose membership will consist of members of the Board. 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. The membership of such ad hoc committees shall be comprised of less than the full membership of the Board.

The Superintendent of Schools, or his/her delegate, shall be ex-officio members of all committees.

Adoption Date: December, 1991

Reviewed by Policy Committee: June 1, 2009

Revised: September 26, 2018

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2260

## **ADVISORY COMMITTEES TO THE BOARD**

The Board of Education recognizes the benefit of obtaining input in the fulfillment of its responsibilities. One source of input for the Board may be to establish Advisory Committees for special projects or for providing advice or feedback on specific problems or issues.

Establishment of any Advisory Committee shall be by due resolution of the Board in accordance with State law and regulations. An Advisory Committee will be comprised of non-Board member representatives (e.g., students, staff, residents, technical experts, etc., depending upon the issue).

Procedures will be established by the Board at the time of creation of an Advisory Committee to include: duration of Committee membership, composition, and selection process; anticipated duration and procedures for dissolution of the Committee; specific charges or tasks assigned to the Committee; and payment of Committee expenses, if any.

Advisory Committees shall report all suggestions and recommendations to the Board for consideration. Final reports shall be delivered to the Board at a meeting scheduled by the Board to receive the report.

Any action to be taken by the Board as a result of work by an Advisory Committee is at the discretion of the Board (e.g., policy development, policy modification, etc.). The Board reserves the right to accept, reject, or modify all or any part of a Committee recommendation and may return any recommendation to the Committee for further consideration.

Responsibility remains with the Board for the release of any public statements or information concerning Advisory Committee findings.

Ref: 8 NYCRR §135.3

Adoption Date: December, 1991

Revised: November 17, 2009

**ADVISORY COMMITTEES REGULATION**

Types and Duration

All advisory committees shall be of a temporary and ad hoc nature for a period not to exceed the fiscal year of appointment. It is understood that these committees are purely advisory in nature and their findings and recommendations to the Board of Education are non-binding.

Organization

At the discretion of the Board of Education, citizens' committees may be organized to assist and advise the Board on specified assignments for a period not to exceed the fiscal year of appointment.

Advisory committees shall be appointed only when there is a definite function to be performed and this function shall be fully outlined to the committee when it is appointed.

Committees shall function only during the fiscal year of appointment or until completion of the assignment, whichever is shorter.

Reappointment of a committee for a subsequent fiscal year is at the discretion of the Board. Formal appointment or reappointment by the Board is a necessary condition precedent to any committee activity.

Committees may be dissolved at any meeting of the Board by motion duly made and passed.

Prospective Members and Appointments

All appointments of citizens to advisory committees to the Board shall be made by the Board. Vacancies shall be filled by the Board upon the advice of the committee, or otherwise.

Persons elected to serve on advisory committees shall be residents concerned with public education in the District, and able to give the time and effort necessary to carry out the assignment of the committee.

The Board shall appoint the chairperson of the committee.

Each citizens' committee shall appoint one of its members to serve as secretary to record the minutes of each meeting.

Responsibilities

The Board of Education will give written direction to the advisory committee as to their specific scope of responsibilities. Included in this will be the reasons the committee is needed and a timeline for the completion of their assigned tasks.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2260-R

## Composition

Committees shall be as broadly representative of the District as possible, bearing in mind the nature and functions of the particular committee.

The Board President and the Superintendent or his/her delegate shall be ex-officio members of all committees and may attend all meetings.

## Meetings

Meetings shall be announced in advance to all committee members and to all Board members through the office of the Superintendent.

Meetings shall be conducted in accordance with Robert's Rules of Order.

When advisable, the committee shall divide its work among subcommittees.

## Communication

The minutes of citizens' committee meetings, after approval by the committee, shall be promptly distributed to its members, members of the Board and the Superintendent.

Joint meetings of the Board and the citizens' committee shall be held at the request of the Board or of the chairperson of the citizens' committee.

At the conclusion of its assignment, a final written report shall be prepared by the citizens' committee and submitted to the Board. At this time, a joint meeting will be called to discuss the report and recommendations of the committee. Said written report shall then be filed with the District office and made available to the public.

## Liaison Personnel

One Board member and one administrator will be appointed to serve in an advisory, non-voting capacity to citizens' committees.

In order to ensure smooth and orderly procedures in the District, the chairperson of advisory committees shall maintain liaison with the Board through the Superintendent's office.

## Role of the Board Liaison

The role of a Board liaison to a Board-appointed committee shall be to:

1. Provide and ensure a channel of communication between the committee and the Board.
2. Receive interim communication between committee and Board. However, the final report shall be presented directly to the Board.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

**2260-R**

3. When desirable, act as a resource person to the committee, making appropriate contacts and securing information as necessary.
4. Interpret Board policy and scope of Board charges.
5. Report to the Board on committee's progress on a regular basis.

Although the Board liaison shall be privileged to all information afforded committee members, the Board member shall not be a voting member of the committee.

## Publicity

The residents of the District shall be informed of the organization, purpose and membership of all citizens' committees in the records of the Board and by other appropriate means.

## Extraordinary Expenses

Any extraordinary expenses to be incurred must receive prior approval from the Board or the Superintendent.

## Personnel Advisory Committees

As part of the recruitment process, the Superintendent or his/her designee will convene an advisory committee to meet with perspective top candidates for administrative positions in the Three Village Central School District. This committee will consist of central office administrators, building level administrators, teachers, non-instructional staff and parents. Their charge is to offer their insight on the top candidates and advise the Superintendent of their opinion as to the selection of a candidate for the position. Their input is purely advisory and non-binding.

Adoption date: December, 1991

Revised: October, 2010



**SHARED DECISION-MAKING AND**  
**SCHOOL-BASED PLANNING**

The Board of Education encourages the participation of the community in improving education in our schools. In accordance with the regulations of the New York State Commissioner of Education, 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 District Plan for Shared Decision Making and School-Based Planning 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, in collaboration with the District advisory committee, review the plan to determine its effectiveness and to amend or recertify the plan, as needed. Any amendment or recertification of the plan will be developed and adopted in accordance with section 100.11 of the Regulations of the Commissioner.

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

Ref: 8 NYCRR 100.11

Adoption Date: June, 1997

Revised: November 4, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2270

## SCHOOL ATTORNEY

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

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

1. to advise the Board with respect to all legal matters relating to the District, including, but not limited to, interpretation of the Education Law of the State of New York, and all other statutes, rules or regulations affecting the District;
2. to be easily accessible to the Board and the Superintendent of Schools (and, at the discretion of the Superintendent, to his/her administrative staff), with respect to legal matters issuing out of the day-to-day administration of the District;
3. to review and to represent the District in the preparation of contracts, as requested by the District (other than the contract for school attorney services);
4. to advise and assist in matters of litigation pursuant to the retainer agreement;
5. to review the legality of select policies to be adopted by the Board and select regulations to be implemented by the Superintendent;
6. to review and advise with respect to any process served upon the District; and
7. to recommend the retainment of such special counsel as he or she may deem necessary in the circumstances, subject to the approval of the Board.

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

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

Adoption Date: December, 1991

Revised: November 4, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2310

## REGULAR MEETINGS

The dates of regular Board of Education meetings shall be established at the Annual Organizational Meeting. In the event that the day appointed for a regular meeting shall fall on a legal holiday, the meeting shall be rescheduled. All regular Board meetings are open to the public, and announcements of such meetings shall be prominently posted in District offices, post offices, District Website, and School District Calendars. In addition, a calendar of coming meeting dates will be provided to community organizations so requesting, and to local newspapers.

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

In addition to the members of the Board, the following individuals will attend the regular meetings of the Board: the Superintendent of Schools, the Assistant Superintendents, 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 of the meeting.

Adoption Date: December, 1991

Revised: November 4, 2009  
April 9, 2013

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2320

## SPECIAL MEETINGS

Special and emergency meetings of the Board of Education may be called by any member of the Board. Notice of such meetings must be given at least 24 hours before the date of the meeting to every Board member, and include the time, place and the agenda to be acted upon. If less than a week in advance, Public Notice of the meeting must be given to the extent practicable.

If in an emergency a special meeting is held before the twenty-four hour notice can be given, the unanimous consent of the members of the Board must be received prior to the meeting. Such consent, when feasible, should be given in written or electronic form.

All special meetings of the Board shall be open to the public and the press.

Ref: Education Law §§ 1606; 2504; 2563  
Open Meetings Law, Public Officers Law §100 et seq.  
*Matter of Colasuonno*, 22 EDR 215 (1982)

Adoption Date: December, 1991

Revised: November 4, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2330

## EXECUTIVE SESSIONS

The Board of Education reserves the right, within the constraints of State Law, to meet in executive session. Such sessions can be requested by any member of the Board or the Superintendent of Schools.

In most cases, only the Board and the Superintendent will be present; however, the President may invite person(s) other than Board members to attend an executive session if in his/her judgment such person(s) may furnish special information on the topic to be discussed, unless objected to by the majority of the Board. The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof.

Upon a majority vote of its members, the Board may convene in executive session 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. medical, financial, credit or employment history 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; and,

Matters which may only be considered in executive session are:

9. discussions concerning probable cause to bring disciplinary charges against an employee.

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. Discussion in executive session shall be limited to the topic(s) identified in the motion.

Formal action or vote on matters enumerated in paragraph 9 above may only be taken by the Board during an executive session. No formal action or vote may be taken on any other matter. The Board shall reconvene in open session to take final action on other matters discussed, and to adjourn the meeting.

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2330

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 of executive sessions will reflect all actions and votes taken by the Board in executive session without personally identifying employees or students affected thereby. The name of the person who called for the executive session will also appear in the minutes of the public meeting.

Cross-ref:     2160, Code of Ethics

Ref:    Education Law §1708 (3)  
          Public Officers Law §§100 et seq.  
          Application of the Board of Education, 57 EDR Dec. No. 17,147 (2017)  
          Application of Nett and Raby, 45 EDR 259 (2005)  
          Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Adoption Date: December, 1991  
Revised:       November 4, 2009  
                  March 7, 2018

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2340

## NOTICE OF MEETINGS

For all regular and scheduled special meetings of the Board of Education, the District Clerk shall give adequate notice to all members and to the community, including posting notice of the time and place of meetings on the district website.

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

When a meeting is scheduled less than a week in advance the Board shall provide or electronically transmit 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.

If a meeting will be streamed live over the internet, notice will indicate the internet address of the website streaming the meeting.

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

Adoption Date: December, 1991

Revised: March 23, 2010  
April 9, 2013  
December 12, 2018

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2342**

## **AGENDA PREPARATION AND DISSEMINATION**

The agenda and preparation for meetings shall be the responsibility of the Superintendent of Schools with the approval of the Board President. Board members, District employees, and citizens may suggest agenda items by contacting the Superintendent or the Board President. The person suggesting the item should forward any background information at least six days prior to the meeting.

The Board/TVTA Contract Article III E Paragraph 2 provides that "The Association, as the exclusive negotiating representative of the teachers and upon written request, shall be given a position on the agenda of the next regularly scheduled public meeting of the Board of Education."

Not less than 24 hours prior to each meeting, the Superintendent shall supply each Board member a complete set of materials for the meeting.

Copies of the agenda will be available to the public on the District's Website and by request at the District office prior to the meeting. The District Clerk shall be responsible for ensuring that the agenda is available to the public, the media, and the District Website.

Adoption Date: December, 1991

Revised: November 4, 2009



**AGENDA PREPARATION AND DISSEMINATION EXHIBIT**

**THREE VILLAGE CENTRAL SCHOOL DISTRICT  
BOARD OF EDUCATION MEETING  
North Country Administration Center  
*Meeting Date*  
*Meeting Time***

- I. CALL TO ORDER (6:00 pm)**  
The Board anticipates it will move immediately into Executive Session in accordance with Open Meetings Law §105 (*provide reasons according to §105*)
- II. RECONVENE INTO OPEN SESSION**  
The Board will reconvene at approximately 7:30 pm.
- III. CHANGES IN THE MEETING AGENDA**
- IV. STUDENT/STAFF RECOGNITION**
- V. PUBLIC PARTICIPATION (up to 30 minutes in length)**
- VI. MINUTES AND BIDS**
- VII. REPORTS**
- VIII. ITEMS FOR BOARD DISCUSSION**
- IX. ITEMS FOR BOARD ACTION**
- XI. INFORMATIONAL ITEMS OF INTEREST**
- XII. PUBLIC PARTICIPATION (up to 30 minutes in length)**
- XIII. ADJOURNMENT**

Adoption date: December, 1991

Revised: October, 1999  
October, 2010  
July 13, 2016

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2350**

## **BOARD MEETING PROCEDURES**

Each Board of Education meeting shall be conducted in an orderly manner which provides time for and encourages community involvement. There shall be two specific agenda items at each regular meeting of the Board to provide an opportunity for the public to address the Board on school matters. It is the desire of the Board that meetings shall be formal enough for orderly procedure, but informal enough to encourage Board members to express their thoughts freely prior to taking official action. Verbal attacks on individual Board and/or staff members will not be tolerated.

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

Except in emergencies, the Board of Education 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 meeting minutes shall make notice of the adjournment, and the reconvened session shall be considered an addition to these minutes.

Adoption Date: December, 1991

Revised: November 4, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2351

## QUORUM

A majority of the members of the Board of Education shall constitute a quorum for the transaction of the business of a regular meeting. Should there be fewer than four members of the Board present at a regular meeting, a time for the new meeting shall be set by the members present and such meeting shall be deemed a regular meeting. Adequate notice of at least forty-eight (48) hours of the rescheduled meeting shall be given to the absent members.

Final action on any resolution shall be valid only upon vote of the majority (4 votes) of the total membership of the Board unless the following circumstances occur:

1. The employment or appointment to tenure a teacher related by blood or marriage to a school board member and / or; employment of a board member as a school district physician. A supermajority vote (5 votes, a 2/3 majority) is required.
2. The replacement / discontinuation of a textbook during the 5 years of its designation. A super plus majority vote (6 votes, a 3/4 majority) is required.

Adoption Date: December, 1991

Revised: April 13, 2010

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2352

## RULES OF ORDER

The Board President shall conduct each meeting in accordance with the specific meeting agenda. Normal parliamentary procedure as outlined in Robert's Rules of Order, Revised shall prevail, unless superseded by Board policy. The Superintendent of Schools shall advise the Board on parliamentary procedures.

Adoption Date: December, 1991

Reviewed by Policy Committee: September 17, 2009

**VOTING METHOD**

All voting of the Board of Education shall be by voice or roll call.

Any Board member may call for a roll call vote. When a roll call is taken, the minutes shall record the names of Board members voting in favor, opposed, and abstaining. On voice votes, the minutes shall record the names of those Board members voting with the minority and those abstaining.

A majority vote of the Board must consist of the affirmative votes of the majority of the Board membership, and not merely a majority of those present. Such majority vote is required to pass any motion, resolution, or to constitute any Board action, unless a greater number of affirmative votes is required by law or Board policy.

Adoption Date: December, 1991

Revised: April 13, 2010

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2360

## MINUTES

The Board of Education shall 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.

The minutes of each meeting shall be prepared and certified by the District Clerk.

Board member votes shall be recorded upon any question involving the expenditure of funds, and shall also be recorded upon any question if a member of the Board so requests.

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.

Minutes are public documents and thus shall be open to inspection by the public. They shall be kept in an official minutes book and filed at District administrative offices, on the District website, and a duplicate of such book shall be kept in the Emma S. Clark Library.

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: December, 1991

Revised: April 13, 2010

**BROADCASTING**  
**AND TAPING OF BOARD MEETINGS**

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

The use of any photography, broadcast, recording equipment or other such device to allow for the broadcasting or recording of public meetings of the Board of Education, or a committee appointed thereby, is permissible as long as the device is unobtrusive and will not distract from the true deliberative process of the Board. The Board President or chairperson of the committee shall be informed prior to the meeting that such recordings are being made. The Board President, in turn, will inform attendees at the opening of the meeting.

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

Ref: Open Meetings Law, Public Officers Law §§100 *et seq.*  
Committee on Open Government, Model Rules: Public Access to Meetings of Public Body,  
[http://dos.state.ny.us/coog/modelregs\\_photo\\_record\\_broadcast.html](http://dos.state.ny.us/coog/modelregs_photo_record_broadcast.html)  
*Mitchell v. Board of Education of Garden City UFSD*, 113 AD2d 924 (1985)  
*Feldman v. Town of Bethel*, 106 AD 2d 695 (1984)  
*People v. Ystueta*, 99 Misc 2d 1105(1979)

Adoption date: December, 1991

Revised: March 10, 2009  
January 24, 2012  
April 9, 2013

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2390**

## **BOARD HEARINGS**

The Board of Education 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. Non-residents 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 date: December, 1991

Reviewed by Policy Committee: October 15, 2009



## **BOARD POLICY DEVELOPMENT, ADOPTION, IMPLEMENTATION AND REVIEW**

The primary responsibility of the Board of Education is to develop and implement policies by which the District is governed. The Board recognizes that up-to-date, written policies are essential to District governance and is committed to developing written policies that:

- Clearly reflect the Board's vision and the District's goals and objectives
- Designate appropriate authority for performing day-to-day administrative operations
- Promote accountability by defining roles and responsibilities that identify who is responsible for specific actions
- Provide the Superintendent and District staff with clear guidance regarding expected District administrative tasks
- Help govern various situations and individuals effectively and efficiently over time
- Help to publicize the federal, State, and local rules that impact the District
- Evaluate progress by including measurable outcomes, where appropriate

### Development

Any member of the Board, District staff, student, parent, District taxpayer or other member of the public may identify issues that warrant consideration for policy development or update. Such issues shall typically be brought to the attention of the Superintendent of Schools, who shall advise the Chair of the Board's Policy Committee for future consideration by the Board.

Before acting upon any proposed new policy or policy revision, the Policy Committee shall request the Superintendent to assemble relevant facts, receive recommendations from individuals and groups that may be affected by the policy, and will subsequently discuss and decide on the substance of the policy at an open Policy Committee meeting.

The District Clerk, at the direction of the Policy Committee, shall be responsible for the preparation of written drafts of proposed policies or policy revisions. When reviewing the contents of a proposed policy or policy revision, the Policy Committee will consider whether the proposed policy or policy revision:

- Is within the scope of the Board's authority
- Requires legal review
- Is consistent with State and federal laws
- Is consistent with the District's goals and objectives
- Reflects good practice (e.g., educational, personnel, business, etc.)
- Is reasonable and is 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

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2410

## Adoption

Once a proposed policy has been drafted by the Policy Committee, it shall be submitted to the Board of Education for review and comment via the District Clerk's office at least 10 business days prior to a scheduled Board of Education meeting. Individual Board member comments shall be submitted to the District Clerk who will collate the comments and forward all comments to the Chair of the Policy Committee. The Chair will review these comments and will determine whether the policy should be sent back to the Policy Committee for further review or, with final edits, that the policy is ready for inclusion on the Board agenda for its first public reading. The first reading allows all interested parties an opportunity to express their views.

Based upon input at the first reading, the Board shall either accept the new/revised policy, with, perhaps, minor word changes; or shall authorize other dispositions (e.g. refer back to Committee for revision, table, attorney review, etc.). If a second draft is warranted, the Policy Committee shall have such draft prepared for resubmission to the Board as a first reading (second draft), following the prescribed steps for first readings.

Whenever a new/revised policy is accepted by the Board at its first reading, the draft policy will be placed on the next Board's meeting agenda for a second reading. At the second reading, the Board shall either officially adopt the new/revised policy or shall determine some other disposition.

## Implementation

The Superintendent is responsible for implementing all policies adopted by the Board. For most policies, implementation will require preparation and issuance of administrative regulations by the Superintendent. The Superintendent is also responsible to assure that the new or revised policy is included within all official issues of the Board policy manual. Additionally, the Superintendent is responsible for publicizing the policy, as necessary, to ensure that persons affected by the policy (appropriate stakeholders) are aware of it.

The Board's policy manual shall be kept in the District office and made available to the public upon request. The Superintendent shall also take steps to assure that conformed copies of the latest approved Board policy manual be available in each school building and at the Emma S. Clark Memorial Library. It is the intent of the Board to provide a copy of the approved policy manual on the District's website, as soon as practical.

## Review

As part of the continued effective operation of the District, the Superintendent shall inform the Board of any policies that are out-of-date or in need of revision. In addition, the Policy Committee will review the policy manual on a continuous basis and will make recommendations to the Board regarding necessary updates to ensure that the policies are consistent with current Board goals and preferred District practices.

Ref: Education Law §1604, 1709, 1804 (powers and duties of Board of Education)

Adoption Date: April 14, 2009

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2430**

## **SUSPENSION OF POLICIES**

The policies of the Board of Education shall be subject to suspension only upon a majority vote of the entire Board membership at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of the entire Board membership when no such written notice has been given.

Those Board policies which pertain to the internal operations of the Board (i.e., policy series 2000) shall be subject to suspension only upon a two-thirds vote of all members of the Board at a meeting in the call for which the proposed suspension has been described in writing, or upon a unanimous vote of the entire Board membership when no such written notice has been given.

Adoption date: December, 1991

Reviewed by Policy Committee: October 15, 2009

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2440**

## **ADMINISTRATION IN POLICY ABSENCE**

In cases in which action must be taken within the District where the Board of Education has provided no guidelines for administrative action, the Superintendent of Schools 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 date: December, 1991

Reviewed by Policy Committee: October 15, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2510

## 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 selective 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, (d) minutes of Board meetings of the previous year, (e) latest financial report of the District, and (f) copies of pertinent Board development materials;
2. be invited to attend all Board meetings and to participate in discussion;
3. be invited to meet with the Superintendent of Schools and other administrative personnel to discuss the services that they perform for the school board and the school district; and
4. be invited and encouraged to attend a workshop for New School Board Members.

Adopted: December, 1991

Reviewed by Policy Committee: October 15, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2520

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

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

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

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

Ref: Education Law §2102-a

Adoption Date: December 8, 2009

Revised: March 22, 2011

**SCHOOL BOARD CONFERENCES,  
CONVENTIONS, WORKSHOPS**

In recognition of the need for continuing in service training and development for its members, the Board of Education encourages the participation of all members in meetings and activities of area, state, and national school 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 of Schools will compile, maintain, and distribute to each Board member a calendar listing school board conferences, conventions, and workshops, to decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the 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).
3. When any Board member attends a conference, convention, or workshop, the member will be required to share information, recommendations, and materials acquired at the meeting.
4. The approval of all conferences, conventions, and workshops by conference attendees shall be approved by the Board of Education prior to attendance.

Adoption Date: December, 1991

Revised: December 8, 2009

# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2530**

## **MEMBERSHIP IN SCHOOL BOARDS ASSOCIATIONS**

The Board of Education shall maintain memberships in School Board associations and other educational organizations as deemed necessary by the current Board.

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

Adoption Date: December, 1991

Reviewed by Policy Committee: October 15, 2009



# **THREE VILLAGE CENTRAL SCHOOL DISTRICT**

**2600**

## **SCHOOL BOARD LEGISLATIVE PROGRAM**

The Board of Education, as an agent of the State, must operate within the bounds of state and federal law affecting public education. If the Board is to meet its responsibilities to the residents and students of the community, it must work vigorously for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause. To this end:

1. the Board shall initiate and support continuous study and action programs to improve state laws related to or affecting public education;
2. when appropriate, the Board will work for the achievement of common legislative objectives through state and national school boards associations and with other concerned groups; and
3. the Board will also seek both direct and indirect representation of its position on pending legislation with appropriate state and federal legislators and legislative committees.

Adoption date: December, 1991

Reviewed by Policy Committee: October 15, 2009

# THREE VILLAGE CENTRAL SCHOOL DISTRICT

2700

## **BOARD-STAFF COMMUNICATIONS**

The Board of Education desires to maintain open channels of communication between itself and the staff.

### Staff Communications to the Board

All official communications or reports to the Board or to any Board committee from Building Principals, supervisors, teachers, or other staff members shall be submitted through the Superintendent of Schools.

### Board Communications to Staff

All official communications, policies, and directives of staff interest and concern shall be communicated to staff members through the Superintendent, and the Superintendent will employ all appropriate media to keep the staff fully informed of the Board's problems, concerns, and actions.

### Board of Education Meetings

Staff members are reminded that Board of Education meetings are public meetings. As such, they provide an excellent opportunity to observe at first hand the Board's deliberations on problems of staff interest and concern.

Adoption Date: December, 1991

Reviewed by Policy Committee: October 15, 2009