

## By-Laws

**SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE)**

All Board meetings will be open to the public except those portions that are executive sessions. The Board will make reasonable efforts to ensure that all meetings are held in an appropriate facility that can adequately accommodate all members of the public who wish to attend. The Superintendent and members of his or her staff will attend Board meetings at the Superintendent's discretion. The Board may also request that additional people attend.

Regular Board meetings will take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified. Any Board meeting may be adjourned to a future date and time if approved by a majority of the Board present. Further, if a meeting date falls on a legal holiday, interferes with other area meetings, or Board member attendance will be less than a quorum, the Board will select a date for a postponed meeting at the prior regular meeting, and it will direct the Clerk to notify all members. The District Clerk will provide the Board members written notice of the time of and agenda for each regular meeting before the meeting.

When the Board schedules a meeting on at least one week's notice, it will give or electronically transmit public notice of the time and place to the news media and conspicuously post the notice in one or more designated public locations at least 72 hours before the meeting. Notice of other meetings will be given or electronically transmitted, to the extent practicable, to the news media and conspicuously posted at one or more designated public locations at a reasonable time before the meeting. When the District has the ability to do so, it will conspicuously post the meeting notices on its website.

The Superintendent will prepare the meeting agenda during the week before the meeting and review it with the Board President. The agenda will then be distributed to Board members no later than the Friday before the regular meeting. The President or other Board members will submit requests to place matters on the agenda to the Superintendent. Whenever individuals or groups wish to bring a matter to the attention of the Board, they will submit a written request to the Superintendent.

District records available to the public under the Freedom of Information Law, as well as any proposed rule, regulation, policy, or amendment scheduled to be discussed at a Board meeting will be made available upon request, to the extent practicable, before the meeting. Copies of these records may be made available for a reasonable fee. These records will be posted on the website to the extent practicable before the meeting.

If videoconferencing or online technology is used to conduct a meeting, the public notice for the meeting will inform the public, identify all the locations for the meeting, and state that the public has the right to attend at any of the locations. If a meeting is streamed live over the internet, the public notice will inform the public of the website's internet address. Voting may be done through videoconferencing, provided that members can be both seen and heard voting and participating from remote locations.

(Continued)

**SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE) (Cont'd.)**

**Recording Meetings**

The Board allows public meetings to be photographed, broadcast, webcast, or otherwise recorded; by means of audio or video, in a non-disruptive manner, and it supports the use of this technology to facilitate the open communication of public business.

**Public Expression**

The Board encourages public expression at Board meetings. The Board will designate a specific portion of its meeting agenda for this participation. The Board may invite visitors to participate in its discussion of matters on the agenda.

**Quorum**

The quorum for any Board meeting is four members. No formal action will be taken at any meeting where a quorum is not present. Unless otherwise required by law, official action will only be taken by approval of the majority of the full Board.

**Use of Parliamentary Procedure**

The Board will use pertinent portions of the latest edition of Robert's Rules of order to conduct its business.

Education Law §§ 1708 and 2504

General Construction Law § 41

Public Officers Law Article 7, §§ 103(d), 104, and 107

NOTE: Refer also to Policies #1520 -- Special Meetings of the Board of Education  
#1540 -- Executive Sessions  
#6211 -- Employment of Relatives of Board Members

Amended:

1<sup>st</sup> reading: 2/08/17

2<sup>nd</sup> reading: 3/22/17

Adopted: 4/5/17

Adopted: 6/25/09

**SUBJECT: AGENDA FORMAT**

A consensus format shall be used for Board of Education meetings. Any Board member may request that an item be placed on the agenda for Board consideration by contacting the Board President or Superintendent at least six (6) business days prior to the meeting. Items submitted for inclusion after the deadline or those requiring significant preparation time may, at the discretion of the Board President, be deferred to a later meeting to allow staff sufficient time to prepare supporting information. A draft agenda will be developed by the Superintendent and presented to the Board President for approval three (3) days prior to the meeting for which the agenda is being prepared. A consent agenda will be used to list items that will be presented together for a single vote without discussion. Placement of items on the consent agenda will be at the discretion of the Board President and Superintendent. Any individual Board member may ask questions or discuss an item on the consent agenda by asking the President to remove it from the consent agenda for individual consideration. Following action on the consent agenda, the President will allow discussion on any item requested for removal for the agenda by a Board member.

The consent agenda may include items such as (list is not all inclusive):

- a) Routine items
- b) Minutes from regular and special Board meetings
- c) Acceptance of financial reports
- d) Routine bid recommendations in alignment with District policy
- e) Second reading of District policies
- f) Approval of personnel contracts that comply with District policies
- g) Use of facilities

**Order of Business of Consensus Format for Regular Board Meetings**

- a) Call to order;
- b) Executive Session:  
Negotiations; Personnel; Litigation;
- c) Awards;
- d) Presentations;

(Continued)

**SUBJECT: AGENDA FORMAT (Cont'd.)**

- e) Recognition of Guests – District residents may address the Board of Education regarding agenda items only at this time;
- f) Consensus Agenda:
  - 1. Request to withdraw specific item(s) from consensus agenda;
  - 2. Request to add specific item(s) from consensus agenda;
  - 3. Motion to approve consensus agenda.

Consensus items deal with such matters as:

- 1. Financial matters such as:
  - (a) Treasurer's Report;
  - (b) Approval of schedule of claims;
  - (c) Contracts with school districts for BOCES services;
  - (d) Payrolls;
  - (e) Budget amendments;
  - (f) Other matters dealing with finance.
- 2. Approval of minutes.
- 3. Personnel matters such as:
  - (a) Appointments;
  - (b) Resignations;
  - (c) Leave requests.

Above items may also be considered on a scheduled format.

- 4. Motion to consider item(s) withdrawn under f)1. above.

(Continued)

**SUBJECT: AGENDA FORMAT (Cont'd.)**

- g) Reports:
  - 1. Superintendent's Report;
  - 2. Other Reports.
- h) New Business;
- i) Board Discussion
- j) News Worth Sharing
- k) Recognition of Guests – District residents may address the Board of Education regarding any topic at this time.
- l) Executive Session:
  - Negotiations; Personnel; Litigation
- i) Adjournment.

For special and emergency meetings, the regular meeting agenda format shown above may be shortened and/or adapted to fit the purpose of the meeting.

Amended

1<sup>st</sup> reading – December 8, 2010

2<sup>nd</sup> reading – January 12, 2011

Adopted – February 9, 2011

Adopted: 6/25/09

## By-Laws

**SUBJECT: BROADCASTING AND TAPE RECORDING OF BOARD MEETINGS**

The Board of Education recognizes its responsibility to conduct business publicly and to bring school issues to the attention of the community. Therefore, public meetings of the Board of Education may be tape recorded and/or otherwise broadcast or televised by news media personnel and others, subject to the following considerations:

- a) The Board retains the right to direct that a contemporaneous tape recording be made of the public meeting to ensure a reliable, accurate and complete account of the proceeding.
- b) If any person in attendance requests that tape recording and/or other broadcasting or televising devices be interrupted and/or discontinued for a portion of the meeting, it shall be the responsibility of the Board President to render a decision on such request while not conflicting with the provisions of the Open Meetings Law.
- c) Tape recording and/or broadcasting or other televising devices must be unobtrusive in manner and must not interfere with or distract from the deliberative process of the Board.
- d) Copies of tapes of Board meetings will be available for borrowing from the District Clerk. Individuals may borrow tapes for a period of forty-eight (48) hours.

Education Law Section 1709(1)  
Public Officers Law Article 7

Adopted: 6/25/09

## By-Laws

**SUBJECT: GUIDELINES FOR CITIZENS' INPUT/PUBLIC CONCERNS AND/OR COMPLAINTS****Guidelines for Citizens' Input**

Since Board members are the elected representatives of the community with respect to the schools, each member should welcome community input, observing the following guidelines so that such input is effectively handled:

- a) When a member receives input on matters such as disciplinary cases, complaints about staff members, etc., and in the cases where the Board member has no prior knowledge of the situations, the member should first ask whether the teacher or administrator involved has been contacted. If the appropriate school person has not been contacted by the subject party, the Board member should insist that such procedure prevail and refrain from making any remarks which would prejudice the orderly administration of due process related to the situation.
- b) In cases where the member is unsure of how to handle a query, the member should tell the party that he/she will research the situation. At this point, the Superintendent or the President of the Board should be consulted. This procedure should be used before the individual Board member commits himself/herself to an opinion on a matter which he/she is not conversant. It is better to give no information than misinformation.

The Due Process Theory in our society and schools is well conceived and should be used properly to ensure the rights of all individuals. If proper procedures are not used, it is possible that someone's rights will be violated.

If the by-passing of due process levels is allowed to occur, the highest local appeal level (the Board) will become bogged down. In addition, the authority and effectiveness of administrators to operate in their spheres of responsibility will be correspondingly reduced.

- c) Anonymous calls or letters will not be considered by the Board for an agenda item except upon recommendation of the Board President and/or Superintendent of Schools.

**Public Concerns**

Concerns by citizens regarding any facet of the school operation often can be handled more satisfactorily by the administrative officer in charge of the unit closest to the source of the concerns. In most instances, therefore, the reporting of such concerns will be made to the Building Principal and/or his/her assistant if the matter cannot be resolved by the teacher, coach, or other school employee.

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**SUBJECT: GUIDELINES FOR CITIZENS' INPUT/PUBLIC CONCERNS AND/OR COMPLAINTS (Cont'd.)**

If the concern is not resolved at this level to the satisfaction of the complainant, the problem or issue may be reported to the Superintendent and/or one (1) of his /her assistants. Unresolved issues or concerns at the building level must be reported to the Superintendent by the Building Principal. The Superintendent may require the statement of the complainant in writing.

If the concern is not resolved at the Superintendent level to the satisfaction of the complainant, the problem or issue may be carried to the Board of Education. Unresolved issues or concerns at the Superintendent level must be reported to the Board of Education by the Superintendent. The Board of Education reserves the right to require prior written reports from appropriate parties.



## By-Laws

**SUBJECT: PUBLIC PARTICIPATION AT BOARD MEETINGS**

Board of Education meetings are conducted for the purpose of carrying on the business of the schools. Board meetings are generally conducted in public, so that the public can observe its school government in action. The Board meets in private to discuss only a narrow range of legally defined issues. The subjects that can be discussed in an executive session include proposed, pending or current litigation; collective negotiations; medical, financial or employment matters concerning a particular person; the proposed acquisition, sale, or lease of real property; sale of securities; or other subjects allowed under the law. (Refer also to Policy #1540 -- Executive Sessions)

The Board of Education welcomes attendance at its meetings by residents, persons who have a business within the boundaries of the School District, and persons who do business with the Board of Education. The Board encourages the expression of their opinions on matters to be considered by the Board.

While the Iroquois Central Board of Education sees itself as a representative body, it also wishes to provide an avenue for all citizens to express their interest and concerns for the schools. Therefore, time is set aside at the beginning and end of each agenda to provide the "privilege of the floor" to citizens and staff members of the District.

Because the Board has a responsibility to conduct the business of a multi-million dollar educational enterprise in an orderly and efficient manner, it shall require that public participation be limited to a reasonable length. (If a matter is especially controversial, the Board may schedule a special meeting or hearing)

A period of "Recognition of Guests" shall be listed on each meeting agenda. Any person wishing to address the Board must make a written request prior to the meeting. A public participation form and meeting agendas are available at the District's Central Administrative Office through the Superintendent's Administrative Assistant. Agendas will be available the Monday morning before each regularly scheduled Wednesday meeting. Agendas are also posted on the Iroquois website. Speakers who read from prepared texts are requested to provide a copy of their statement that can be distributed to Board members prior to the meeting. Each person addressing the Board shall have three (3) minutes to make an oral presentation. Speakers may offer comments related to school operations and programs on the agenda but the Board will not hear personnel complaints against any person associated with the School System. Speakers are asked to keep their remarks pertinent to topics on the agenda. Comments should be kept as brief as possible. It is the role of the President of the Board to judge the appropriateness of the subject.

The "Recognition of Guests" period shall be limited to a total of fifteen (15) minutes unless the rules are suspended by a vote of the Board. No more than three (3) people will be permitted to speak on a single topic, unless waived by a majority of the Board.

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## By-Laws

**SUBJECT: PUBLIC PARTICIPATION AT BOARD MEETINGS (Cont'd.)**

The Board policy is to listen to the remarks of the speaker; however, no actions until such time as members of the staff have reported to the Board on any issues raised by the speaker. The Board will receive all matters for review and consideration and may, if the circumstances permit, direct the Superintendent or District Clerk to notify the speaker, in writing, when the matter may be reported or acted upon at some future Board meeting. The Board may defer action upon requests put before it from the floor, if those requests have not come through the administrative chain of command.

The full agenda of Board meetings shall be made available to the public and press on Monday mornings prior to the Boards Wednesday meeting.

The President is the spokesperson for the Board and is responsible for the orderly conduct of the meeting. There is no requirement that a Board conduct a public hearing on any subject. If necessary, the Board President is authorized to use any legal measures to enforce these regulations. The Board reserves the right to enter into Executive Session as specific in Policy #1540, Executive Sessions.

This practice is intended to provide for public participation and ensure that the Iroquois Board of Education conducts its business in an efficient matter.

## By-Laws

**SUBJECT: HOW TO PARTICIPATE AS A TRUSTEE IN "PUBLIC COMMENT"**

The Board will follow the provisions adopted in policy in conducting a public comments (recognition of guests) time during Board meetings. The Board will make copies of policy available to members of the public at Board meetings at which a public comment time is scheduled. Board members will listen to comments of speakers but will avoid asking questions of them or responding to them.

The Board designates the President as its spokesperson if a response to the speaker is required. The President will limit responses to those allowed by law:

- a) Statements of fact;
- b) References to Board policy;
- c) Placing the item on a future Board agenda for discussion.

Following a speaker's comments, a Board member may ask the President to place the subject on a future Board meeting agenda. With the approval of the Board, the President may direct the Superintendent to investigate matters brought forward during public comment and report findings to the Board at a later meeting.

If a subject raised by a speaker is listed on the agenda posted in advance of the meeting, Board members may discuss the subject at the time designated for that topic on the agenda.

If a speaker brings a complaint about an individual District staff person or Board member, the President will remind the speaker of the formal grievance process available to them as outlined in policy.

The Board respects the First Amendment rights of the public to address the Board during the time it has set aside for public comments and will not decline to hear any speaker who has followed the appropriate procedures for speaking without seeking legal advice.

## By-Laws

**SUBJECT: HOW BOARD MEMBERS PREPARE FOR MEETINGS**

The Superintendent will ensure that supporting information required for informed decision-making is prepared in advance, when possible, and included in the Board meeting and agenda packet. The Superintendent will ensure that agenda packets are distributed to Board members at least three (3) days before scheduled Board meetings.

Board members prepare to address agenda items by doing the following:

- a) Reading agenda packet materials before each Board meeting.
- b) Calling the Superintendent with questions about agenda items or background information at least twenty-four (24) hours before the scheduled Board meeting.

Receiving answers to questions in advance does not preclude Board members from asking relevant questions about agenda items during Board meetings.

## By-Laws

**SUBJECT: HOW TO VISIT CAMPUSES AS A BOARD MEMBER**

Board members are encouraged to attend as many school events as their time permits. Board members may visit any campus after informing the Superintendent and checking with the Principal about the best time to visit. Board members are required to check in with the Principal's Office and follow campus guidelines for visitors. Members may interact with any staff member or student during lunch or recess as long as they do not disrupt the learning process.

Following campus guidelines, Board members may go into teachers' classrooms or individual buildings to observe. They may not evaluate the teacher's performance. Board members may not give any direction to any staff or students.

When visiting with teachers of their own children, Board members will make it clear that they are acting as parents rather than as Board members.

Board members will not request or accept extraordinary consideration or favors from any District employee.

## By-Laws

**SUBJECT: HOW TO COMMUNICATE WITH BOARD MEMBERS BETWEEN MEETINGS**

The Superintendent will communicate with each Board member by weekly Board meeting information packets that may include information such as the following:

- a) District events
- b) Progress reports on Board goals and directives
- c) Follow-up reports in answer to Board member questions
- d) Updates on administrative matters or District operations

The Superintendent will meet with the Board President as needed, or communicate by telephone, fax, and/or e-mail to inform him/her of District issues that may need to come before the Board for information or action.

The Board President may direct the Superintendent to distribute copies of documents to each member of the Board for information. The weekly Board information packet will be used to distribute information unless circumstances dictate a more immediate delivery.

The Superintendent will communicate requested information to all Board members in as timely a manner as possible without interfering with the regular conduct of District business.

Board members may not communicate with other individual members for purposes of soliciting votes in support of or opposition to items of business that may come before the Board.

Board members who wish to share information relevant to District business or issues scheduled to come before the Board will relay the information to the Board President for placement on a future agenda or to the Superintendent for distribution to all members in the weekly Board information packets.

**SUBJECT: HOW TO REQUEST INFORMATION NOT RELATED TO AGENDA ITEMS**

Board members should request information not related to a meeting agenda item directly from the Superintendent. The Superintendent will determine if the information requested is available from existing sources or records or if it requires a special, one-time-only report. If the requested information can be provided from readily available data with no diversion of staff time, it will be provided as soon as is reasonable. In the event the request requires a special report that will divert staff time from established priorities, the Superintendent will notify the requester and the Board President.

Any information requested by a Board member will be done so with the understanding that any and all information will be provided to the other Board members. All Board members will receive a copy of any report generated by a Board member's request in accordance with this procedure.

The Commissioner's regulations provide that any board member may request that personnel records be examined by the board in executive session, but only for inspection and use in the deliberation of specific matters before the board. The request should be made to the Superintendent and Board President or, if requested by the Board President, to the Superintendent and Board Vice-President prior to the Board meeting. A Board member wishing to review an employee's record must provide the reason for the request, with sufficient specificity. The Board will determine, as a whole, if the request is compliant with the Commissioner's regulations. If the Board determines that the request is compliant, the Board must then vote to enter into executive session.

8 NYCRR Part 84

Amended:

1<sup>st</sup> reading: 9/18/19

2<sup>nd</sup> reading: 10/23/19

Adopted: 11/13/19

Adopted 6/25/09

## By-Laws

**SUBJECT: SPECIAL MEETINGS OF THE BOARD OF EDUCATION**

Special meetings of the Board shall be held on call by any member of the Board. A reasonable and good faith effort shall be made by the Superintendent or the Board President, as the case may be, to give every member of the Board twenty-four (24) hours notice of the time, place and purpose of the meeting. All special meetings shall be held at a regular meeting place of the Board and/or in accordance with provisions of the Open Meetings Law as may be applicable.

In an emergency, the twenty-four (24) hour notice may be waived by having each Board member sign a waiver-of-notice form.

Public notice of the time and place shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one (1) or more designated public locations at a reasonable time prior to the meeting.

**Work Sessions**

The following procedures will be followed by the Board for all work sessions:

- a) Whenever possible, work sessions will be scheduled sufficiently in advance so that they may be announced at a regular meeting of the Board;
- b) Whenever possible, any session will not be postponed without reasonable notice to the public of such postponement;
- c) The public is invited to attend such sessions as observers only unless invited to participate under such guidelines as may be established by the Board.

Education Law Section 1606(3)  
Public Officers Law Sections 103 and 104

NOTE: Refer also to Policy #1510 -- Regular Board Meetings

Adopted: 6/25/09



## By-Laws

**SUBJECT: HOW TO COMMUNICATE WITH THE COMMUNITY**

Board members are encouraged to participate in community activities as liaisons between the public and the School District. When doing so, Board members are expected to:

- a) Relay information about District goals
- b) Clarify a trustee's limitations, obligations, and responsibilities as a member of the Board
- c) Support Board decisions
- d) Interact in a positive manner
- e) Listen politely and respectfully to comments
- f) Make no commitment on behalf of the Board or District
- g) Avoid criticizing District personnel
- h) Refer questions about specific District activities to the appropriate staff person who can best answer the questions

The Board of Education encourages community input; however, it will not respond to or act on the basis of anonymous calls or letters. Signed letters addressed to the Board or a Board member will be forwarded to the President or the Superintendent for inclusion in the weekly Board information packet. The Board will communicate to the community collectively through District communication vehicles authorized by the Board.

## By-Laws

**SUBJECT: MINUTES**

The minutes are a legal record of the activities of the School Board as a public corporation having the specified legal purpose of maintaining public schools. The minutes of all meetings shall be kept by the Clerk or, in his/her absence, by the Superintendent or his/her designee. The minutes shall be complete and accurate and stored in a minutes file. However, minutes of executive sessions need not include any matter which is not required to be made public by the Freedom of Information Law.

The minutes of each meeting of the Board of Education shall state:

- a) The type of meeting;
- b) The date, time of convening, and adjournment;
- c) Board members present and absent;
- d) Board members' arrival and departure time, if different from opening or adjournment times;
- e) All action taken by the Board, with evidence of those voting in the affirmative and the negative, and those abstaining;
- f) The nature of events that transpire, in general terms of reference.

Communications and other documents that are too long and bulky to be included in the minutes shall be referred to in the minutes and shall be filed in the District Office.

All Board minutes shall be signed by the District Clerk when approved and stored in a locked room or locked file cabinet. Unless otherwise provided by law, minutes shall be available to the public within two (2) weeks following the date of a meeting; draft copies, so marked, are acceptable, subject to correction.

**Minutes of Executive Sessions**

Minutes shall be taken at executive sessions of any action that is taken by formal vote. The minutes shall consist of a record or summary of the final determination of such action, the date and the vote. However, such summary need not include any matter which is not required to be made public by the Freedom of Information Law (FOIL).

If action is taken by a formal vote in executive session (i.e., 3020-a action), minutes shall be available to the public within one (1) week of the date of the executive session.

Education Law Sections 2121 and 3020-a  
Public Officers Law Section 106

Adopted: 6/25/09

## By-Laws

**SUBJECT: EXECUTIVE SESSIONS**

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Board of Education may conduct an executive session for discussion of the below enumerated purposes only, provided, however, that no action by formal vote shall be taken except on an Education Law Section 3020-a probable cause finding. For all other purposes, the action by formal vote shall be taken in open meeting and properly recorded in the minutes of the meeting. Attendance at an executive session shall be permitted to any Board member and any persons authorized or requested to attend by the Board.

- a) Matters that will imperil the public safety if disclosed;
- b) Any matter that may disclose the identity of a law enforcement agent or informer;
- c) Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;
- d) Discussions regarding proposed, pending or current litigation;
- e) Collective negotiations pursuant to Civil Service Law Article 14;
- f) Medical, financial, credit or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation;
- g) Preparation, grading or administration of examinations;
- h) 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.

Motions for executive sessions should state the subject or subjects to be discussed in executive session. It is insufficient to merely recite statutory language.

Matters discussed in executive sessions must be treated as confidential; that is, never discussed outside of that executive session.

Education Law Section 3020-a  
Public Officers Law Article 7

Amended  
1<sup>st</sup> reading – March 13, 2013  
2<sup>nd</sup> reading – April 17, 2013  
Adopted – May 8, 2013

Adopted: 6/25/09