

By-Laws

SUBJECT: SCHOOL DISTRICT AND BOARD OF EDUCATION LEGAL STATUS AND AUTHORITY

The Constitution of New York State, as amended in 1894, instructs the Legislature to provide for a system of free common schools wherein all children of the State may be educated.

The State Legislature has implemented this constitutional mandate through the creation of school districts of various types. The Iroquois Central School District is governed by the laws set forth for Central School Districts in Education Law Article 37, and by laws relating to, or affecting, Union Free School Districts as set forth in Education Law Article 35 and Common School Districts as set forth in Education Law Article 33.

The School District constitutes a corporate entity that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

The Constitution of the State of New York places the responsibility for public education on the State Legislature, and directs the establishment of a State Department of Education for general supervision over the schools and headed by a Commissioner of Education. The New York State Constitution further provides that local public schools under the general supervision of the State Education Department shall be maintained, developed and operated by locally elected boards. Legally, local boards are instruments of the New York State Constitution, the New York Statutes and the regulations of the State Education Department and its Commissioner.

Board of Education Authority

As a body created under the Education Law of New York State, the Board of Education of the Iroquois Central School District has full authority, within the limitations of federal and state laws and the Regulations of the Commissioner of Education and interpretations of them, to carry out the will of the people of its District in matters of education.

In all cases where laws or regulations of the State Commissioner of Education do not provide, permit, or prohibit, the Board shall consider itself the agent responsible for establishing and appraising educational matters and activities.

Board members have no authority over school affairs as individuals. They have authority only when acting as a body duly called in session.

Education Law Sections 1604, 1701, 1709, 1804, 1805, 2502, 2503 and Articles 33, 35, 37, 51 and 53
New York State Constitution

Adopted: 6/25/09

By-Laws

SUBJECT: BOARD OF EDUCATION: QUALIFICATIONS, NUMBERS AND TERMS OF OFFICE

A Board of Education member of the Iroquois Central School District must meet the following qualifications:

- a) A citizen of the United States;
- b) Eighteen (18) years of age or older;
- c) Able to read and write;
- d) A legal resident of the District for a continuous and uninterrupted period of at least one (1) year prior to the election;
- e) Cannot be an employee of the Iroquois Central School District;
- f) The only member of his/her family (that is, cannot be a member of the same household) on the Iroquois Central School District Board;
- g) May not simultaneously hold another incompatible public office, including, but not limited to Superintendent, clerk, tax collector, treasurer or librarian, or an employee of the Board;
 1. In central school districts, however, a Board member may be appointed clerk of the Board and of the District.
 2. A Board member of a BOCES may not be employed by any of that BOCES' component districts.
- h) Must not have been removed from a School District office within one (1) year preceding the date of appointment or election to the Board.

Number of Members

The Board of Education of the Iroquois Central School District shall consist of seven (7) members elected by the qualified voters of the School District at the annual election as prescribed by law.

Terms of Office

Members of the Board of Education shall serve for five (5) years beginning July 1 following their election and each term shall expire on the thirtieth day of June of the fifth year.

(Continued)

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SUBJECT: BOARD OF EDUCATION: QUALIFICATIONS, NUMBERS AND TERMS OF OFFICE (Cont'd.)

Education Law Sections 1602, 1702(1), 1804(1), 1950(9), 2101, 2102, 2103, 2103-a, 2130(1), 2105, and 2502
Public Officers Law Section 3
Town Law Section 23(1)

Adopted: 6/25/09