

**2020-2021 BOARD OF EDUCATION  
HANDBOOK ON GOVERNANCE PRACTICES AND PROTOCOLS <sup>1</sup>  
FOR NEW AND VETERAN BOARD MEMBERS**

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This handbook was written for members of the Brewster Central School District (“BCSD”) Board of Education (the “Board”) in Brewster, New York. It is meant to provide new and veteran Board members guidance on District practices and protocols. This handbook was compiled after extensive review of other successful Manuals, Handbooks and Procedures from other districts and NY State Law. It is meant to be reviewed and updated regularly as facts, laws and circumstances change and the District evolves.

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**<sup>1</sup> This document is a summary of key points and insights to inform Board procedures and processes and should not be deemed a substitute for School Board Law and/or Board or District policy but rather to work in tandem.**

## I. GETTING STARTED/OVERVIEW

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### 1. WHAT DO WE DO AS A BOARD? *Cross-ref: BOE policy 1110*

The Board generally oversees the District's affairs and is responsible for establishing and maintaining a basic organizational structure: for the District, for developing curriculum, for meeting Federal and State mandates, for adopting an annual budget, for creating a climate that promotes educational excellence and for appointing a superintendent and key administrators to assist with the foregoing. The Board is entrusted with the responsibility of developing policies under which the district is managed. It is also responsible for implementing State and Federal laws and regulations that affect public education. The Board provides leadership for the District, adopting a unifying vision and mission for the District, soliciting and balancing the participation and input of members of the community as well as the administrative team, and advocating on behalf of the educational needs of children. Additionally, complete and final authority on all district educational matters, except as restricted by law, will be vested in the Board. The Board may also enter into contracts and agreements in conformity with state law.

### 2. HOW CAN THE BOARD BE MOST EFFECTIVE?

The most effective school boards not only help to establish and implement the District's vision, goals and mission, they also stand behind it. Effective school boards work collaboratively with one another, with the administration, staff and the community, in a mutually respectful manner in order to advance student achievement and school improvement. The BCSD Board is made up of seven members. While the Board may have common goals, it is obviously not possible for seven people with varying backgrounds to always agree on how to best achieve those goals.

Notwithstanding those differences, effective Board members will express their differing opinions and may voice alternatives, and while they may respectfully disagree and will vote their conscience, once a motion has been passed or rejected by the Board, all Board members should publicly support the decision of the majority. Board unity should be a priority to ensure the most effective and productive board. Learning to recognize the specific contributions that each Board member brings to the table enables the Board to utilize and appreciate those contributions which in turn creates a healthier and more effective Board as a whole.

You should not be afraid to disagree on an issue. A discussion about an issue that reflects differing viewpoints often results in a better decision than if everyone agrees from the onset. Be certain to treat one another with respect and be sure to debate an issue, rather than a person.

**3. WHAT CHARACTERISTICS ARE IMPORTANT FOR A BOARD MEMBER TO HAVE?** *Cross-ref: BOE policies 1110-E; 6110*

Yearly, at our reorganizational meeting, every Board member will sign the Board Code of Ethics as outlined below:

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

1. Remember always that their first and greatest concern must be the educational welfare of all students of the school district;
2. Observe the regulations and policies of the school system and the laws, rules, and regulations governing education in New York State;
3. Attend regularly scheduled Board meetings and study the issues to be considered at those meetings. (And attend additional meetings as necessary. The regularly scheduled meetings of the BCSD Board are generally held on the second and fourth Tuesdays of each month, but the actual schedule will be delivered to all Board members in advance and will be posted on the BCSD website);
4. Focus Board action on policy-making, planning, and evaluation; and on ensuring the prudence and ethics of the district's operation and recognize that the Superintendent, not the Board, is responsible for the day-to-day administration of the district;
5. Recognize that the Board functions only as a Board through duly adopted policies and actions approved at public sessions; that individual Board members have no authority to act on behalf of the district or the Board;
6. Render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special interest groups;
7. Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff and all elements of the community;
8. Become informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by state and national school boards associations;
9. Support the employment of those persons best qualified to serve as school staff, and insist on a regular and impartial evaluation of all staff;
10. Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs.

#### 4. WHAT CAN I DO TO ‘GET UP TO SPEED’?

*a. Orientation Cross-ref: BOE policy 2110*

New Board members will be paired up with a Board member as their mentor to help in the transition in this new role. A mentor will be there to answer questions and provide guidance. New Board members will also participate in an informal orientation process, which may include a meeting with the Superintendent and Board president, fellow Board members, legal counsel and/or tours of District schools. Board members should become familiar with District policy, procedures, operations, facilities, financials and other information relevant to their fiduciary responsibility and the scope of student services provided.

This can be accomplished in a number of ways including but not limited to the review of this handbook; the BCSD Policies which are posted on the BCSD website; the Strategic Coherence Plan - which guides our goals and mission - also found on the BCSD website; minutes from prior meetings; the annual budget and other significant contracts and reports affecting the District; speaking with other Board members; asking questions; and reviewing your copy of New York School Law which will be provided to you. The New York State School Boards Association (NYSSBA) is a good resource to explore as well, particularly their guide, *Essentials of School Board Service: A Guide to Surviving Your First Year* from NYSSBA. The District Clerk can assist you with how to access these documents.

As a new Board member, it is useful to listen, ask questions, and learn how the public school system works. It is useful to learn about different areas of the system (e.g., academics, business office, food service, transportation, athletics, and operations and maintenance). In order to gain perspective on District culture and resident viewpoints, Board members are also encouraged to attend District events, community budget presentations, student/faculty events and school tours (scheduled in advance in coordination with administrators and the Board).

You will probably have a lot of ideas, but it is important to get the lay of the land first, think before you speak, and listen. Try to focus on the big picture, keep an open mind, and don't take a myopic or robotic approach. Keep foremost in your mind what is best for the district and the students for the long-term rather than looking at only the short-term.

At your first Board meeting as a Board member (the July “Reorganizational Meeting”, Cross-ref: BOE policy 1620 - also Addendum 1) you will take an oath to uphold the Constitution of the United States and the Constitution of the State of New York and to serve the children of New York State and the District.

*b. New and Current Board Member Education and Training  
Cross-ref: BOE policy 2110*

New York State law requires fiscal oversight and governance training for every trustee or voting member of a School Board or BOCES, to be completed within the first year of their term. Each

new Board member must take, at minimum, a six-hour fiscal training course and a six-hour governance training course along with any additional, legally required coursework. Programs are available both as in-person seminars and online webinars and more information will be provided to you regarding these programs. Registration for these programs is facilitated by the District Clerk. Compliance with this requirement will be fulfilled 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. You may not always feel that you have all of the answers or knowledge that you think you may need and should feel free to ask questions. NYSSBA is also a great resource for Board Members ([www.nyssba.org](http://www.nyssba.org)).

### **5. HOW DO I PREPARE FOR MEETINGS?**

On Thursdays prior to Tuesday's scheduled Board meeting, you will receive a "Board Packet" containing the Agenda and backup materials relating to the actions on which the Board is being asked to vote. This will be delivered "paperless" by providing the Agenda and Backup Materials on BoardDocs. You simply sign in to BoardDocs with an individual user name provided to you and password that you create to gain access to the Board Packet online.

Board members may also contact the Board President in advance of the weekly meeting with any questions and/or concerns. Board members may register for and use BCSD Bears Backpack and school alerts, as well as any social media groups maintained by the District and/or the PTA, as additional sources of information.

### **6. WHAT PROFESSIONAL DEVELOPMENT OPPORTUNITIES ARE RECOMMENDED FOR NEW OR VETERAN BOARD MEMBERS?**

#### *a. Conferences and Workshops*

Recognizing the need for ongoing training and development for its members, the Board encourages the participation of all members at outside programs, conferences, workshops, and conventions (Westchester Putnam Schools Boards Association, New York State School Boards Association, etc.), as well as area legislative meetings, particularly because school board members often do not have significant experience in school district governance. It may be decided by a Board consensus that for more costly events only 3 Trustees attend and report back to the rest of the Board. If this practice is followed then a rotation should be followed to allow for exposure to all Board members.

The Board as a whole will participate in Board professional development workshops, legal education workshops and/or retreats at least once annually. These workshops, designed to evaluate and improve Board practices, will be coordinated through the District Clerk and are not open to the public.

## II. ROLE AND AUTHORITY OF THE BOARD OF EDUCATION:

*Cross-ref: BOE policy 1310E*

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### 1. WHAT IS THE BOARD'S PRIMARY ROLE?

The Board primarily functions as a policy-setting body and delegates the administration of schools to the Superintendent, administration and staff. The Board is tasked with monitoring key outcomes and overall District performance without prescribing how to manage the components of the system unless it is prescribed as a result of thoughtful collaboration with the Superintendent, administration and staff.

### 2. WHAT OTHER ROLES AND DUTIES ARE INCLUDED IN BOARD SERVICE?

- **Vision**: The Board envisions where we want the District to be, rather than focusing on what or where we are, and then formulates its goals and sets the course for the schools within the District. The District's mission is closely related to its vision. Our mission is intended to capture and reflect the core values and beliefs that guide the District and its members in the pursuit of stated aims and goals.
- **Standards**: The Board also endeavors to establish standards for performance. In order to assess whether we are performing in accordance with expectations, we need to establish specific, clearly delineated and realistic standards that are tied to the expectations of the community.
- **Assessment**: The Board promotes outstanding student achievement and performance based on standards and goals set by the Board for the District and then determines how well students are doing in meeting those standards. The Board needs and utilizes information in order to make decisions, not only about how well we are doing, but also about what may be needed in order to ensure that District goals will be met. Comparing current outcomes with desired outcomes and analyzing gaps between them should then lead to the development and implementation of strategic plans for the accomplishment of key objectives. Each year, the Board establishes its own personal goals and responsibilities, typically at a year-end annual retreat, where it also conducts an annual self-evaluation.
- **Accountability**: Districts are increasingly held accountable for what happens to students and how well they perform on a variety of assessment measures. Federal and State legislation requires Districts to meet ongoing improvement mandates for student achievement, assessment and accountability. Fiscal and professional accountability are major concerns for the Board. While Boards are generally discouraged from becoming involved in the day to day operation and administration of schools, public accountability requires that the Board must, at a minimum, provide oversight, adopt standards, and assess progress toward the accomplishment of key district objectives.
- **Review of Policies**: It is the responsibility of the Board to review the Policies of the District. The Board has established a Policy Committee which is intended to include

two (2) Board members, the Superintendent, one (1) member from Central Administration, one (1) member from Building Administration, one (1) Teacher, one (1) support staff member, one (1) at large community member and two (2) parent community members. The Policy Committee reviews and makes recommendations to the Board for the approval, acceptance and/or modification of District Policy, and shall conform District Policies to State and Federal mandates. There is a formal application process for community member representatives which requires education, work experience and reason why such person wishes to serve.

- **Developing and Passing the Annual School Budget**: One of the biggest and most important responsibilities of the Board is to assist with the development and passing of the annual school budget. The Board works with the Superintendent and School Business Administrator, who in turn work closely with school administrators, to develop the school budget.
- **Other responsibilities**: Other responsibilities of the Board include the hiring of the Superintendent of Schools. Additionally, the hiring of qualified school personnel based upon recommendations by the Superintendent and Administrators, granting tenure to qualified personnel, ratification of contracts for instructional and non-instructional staff, and development and maintenance of good collaborative relationships with the Superintendent, Administrators, Instructional and Non-Instructional (support) Staff and the Community. It has been established that the Board will be directly involved in the last stage of interviewing building principals, directors and central office administrators. Additionally, Board members are encouraged to attend community and District events and participate in professional development activities.
- **Leadership**: The School Board strives to lead the District through a clear mission, an articulated vision, shared goals, clearly written policies and monitoring of progress and performance.
- **Advocacy**: The School Board advocates for the public schools and their students which may also include advocacy in legislative endeavors in Albany, with local government as well as on a national level.
- **Goal Setting**: The Board is committed to the education of our students and the advancement of District goals. The Board endeavors to set annual goals for itself as well as the District, typically during an August work session, to the extent feasible.

### **3. WHAT KIND OF AUTHORITY DOES THE BOARD HAVE TO MAKE DECISIONS THAT AFFECT THE DISTRICT? Cross-ref: BOE policy 1110**

Members of the Board of Education may legally act only as a body, pursuant to majority vote in a properly convened Board meeting. The actions of individual Board members have no legal authority and cannot be considered binding on the Board. The Board as a corporate body may act only through the collective action of its membership taken at a Board meeting. Without specific authorization as a result of a lawful vote, no individual Board member may exercise the authority of the Board nor may a member commit the Board to any course of action. Individually, a Board

member's rights are no greater or different than those of any qualified voter of the school district.

A quorum is a simple majority (more than half) of the total number of Board members. A quorum is required for the Board to conduct any business. As a general rule a majority of the entire Board, not simply those present at any given meeting, is required for the Board to take any official action, or at least 4 out of 7 members of the BCSD Board.

#### **4. WHAT IF I DON'T AGREE WITH A PARTICULAR DECISION REACHED BY THE BOARD?**

Individual opinions on matters being considered by the Board can and should be discussed and may be defended vigorously, in the discretion of each Board member. However, once a decision is reached by the Board, those decisions are binding on all Board members and should be accepted gracefully and implemented wholeheartedly.

The Board strives to reach decisions through consensus; however as a general rule, a decision to take action requires only a majority vote.

With your election as a Board member, you are entrusted by your community to act as their representative, a steward of the District's resources, a leader of the District and an advocate for public education.

#### **5. HOW DO WE KNOW IF WE ARE DOING A GOOD JOB? *Cross-ref: BOE policy 2350***

##### *a. Evaluating Performance and Effectiveness*

The Board will evaluate the performance of the Superintendent at least annually using criteria adopted and approved by the majority of the Board in collaboration with the Superintendent and must be in place by September 10<sup>th</sup> as defined by New York state law. The Board will hold the Superintendent responsible for the administration of the school system through regular constructive written and oral evaluations of the Superintendent's work. (Effective evaluation is an ongoing effort and should be linked to goals established by the Board with the assistance of the Superintendent)

The Board of Education shall review the effectiveness of its internal operations at least once annually. The Superintendent of Schools and others who work regularly with the Board shall be asked to participate in this review and to suggest ways by which the Board can improve its functioning as a deliberative and legislative body. The Board shall set forth the standards by which it will evaluate itself, taking into account the degree to which it executes its powers and duties in an effective manner pursuant to stipulations set forth in *BOE policy 1110*. All decisions of the Board are to be supported by as much objective evidence as possible. Implied in this approach is an assumption that any school Board is capable of improvement. The chances that improvement will result are enhanced if evaluation is carried out systematically in accordance



with good planning, conscientious follow-through, and careful assessment of results.

### **6. HOW MUCH TIME DO I NEED TO SPEND ON BOARD MATTERS?**

Board members are expected to attend all regularly scheduled meetings and executive meetings at a minimum, which occur generally twice a month. Education Law outlines that three meetings missed in a row can be grounds for removal without valid reasons for the absences. You are also expected to serve on at least one committee, but a general rule is to divide the number of committees evenly among the Board members. Some Board members also hold offices or other leadership roles within the District. During Budget season, the time commitment may be higher. As a Board member you should also keep yourself informed about issues and pursue development opportunities for yourself.

It is also expected that Board members will attend school events (sports, performing arts, music, etc.) and make pre-scheduled school visits to learn about what is going on in each school and how they work. Visibility within the District and around the community is helpful to build relationships and show interest. To limit disruption to instruction, the Superintendent will coordinate Fall and Spring learning visits to the buildings for the entire Board. Never visit the schools for official purposes in your capacity as a Board member (e.g. to meet with staff or inspect buildings) without advance notice and consensus from the Board, in order to remain consistent with New York State Law and so as to avoid disruption of regular school business.

### **7. WHAT DOES IT MEAN TO BE A FIDUCIARY?**

A Board member must act in good faith and exercise the degree of diligence, care, and skill that an ordinary prudent individual would use under similar circumstances in a like position. To conform with this standard Board members should regularly attend and participate in Board meetings; read, review, and inquire about materials that involve the District, especially Board minutes, reports, plans, policies; have a fiduciary responsibility for the assets, finances, and investments of the District; exercise due diligence, care, and caution as if handling one's own personal finances; and use one's own judgment in analyzing matters that have an impact on the District.

Board members must act in good faith with the best interest of the District in mind. The conduct of a Board member must further the District's goals and not the Board member's personal or business interests.

**8. BOARD PRESIDENT/VICE PRESIDENT** *Cross-ref: BOE policy 1320*

A School Board is required by law to elect a President and may elect a Vice President at its discretion. Elections occur at the annual reorganizational meeting. An effective Board President will (but not be limited to):

- Conduct Board meetings in accordance with the law and district policy.
- Participate in Board actions as a regular voting member.
- To execute all documents on behalf of the Board
- Act as the Board's primary spokesperson
- Act as liaison between the Board and Superintendent; providing updates and recaps regularly
- Ensure that Board members understand their roles and responsibilities, providing guidance where needed.
- Develop meeting agendas in cooperation with the superintendent, as set forth in policy.
- Coordinates and oversees the superintendent evaluation process.
- Is a leader among leaders of Board members.
- Keep abreast of current events such as educational trends, district performance, and pending litigation against the district.

The Vice President has the power to exercise the duties of the President in his or her absence. Therefore to maintain continuity, should the Board President not be able to carry out his or her responsibilities, the Board President will work with the Vice President to develop the agenda with the Superintendent and should be included in all communication the President has with the Board and the District.

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**III. ROLE AND AUTHORITY OF THE SUPERINTENDENT:**

*Cross-ref: BOE policy 4310*

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**1. WHAT DOES THE SUPERINTENDENT DO?**

The Superintendent serves as the Chief Executive Officer of the District and is responsible for its administration. The Superintendent is responsible for carrying out all policies adopted by the Board and ensures that the rules, regulations and directives of the Board are enforced.

Under the direction and control of the Board, the Superintendent generally supervises and directs the management and operations of all schools in the District, including educational, social and recreational activities, and all personnel in the District.

**2. WHAT IS THE RELATIONSHIP BETWEEN THE BOARD AND THE SUPERINTENDENT? *Cross-ref: BOE policy 4320***

The Board sets the vision, mission and goals of the District (i.e., the “what”). The Superintendent implements District policy in order to attain the goals, mission and vision that the Board sets (i.e., the “how”). In simple terms, the Board governs and the Superintendent administers the District. The Board will set priorities, establish policies and evaluate outcomes of the operation of the District. The Superintendent helps to identify needs within the District, provides leadership and manages day-to-day operations.

Collaboration and candid communication between the Superintendent and the Board is essential, not only in connection with initiatives that the Superintendent desires to implement, but also with regard to school operations. The Superintendent will often fill in gaps in information and act as go-between vis-à-vis the Board and the administration. The Superintendent will express the concerns of the Board to the administration and in turn, will express the concerns of the administration to the Board. An informed Board is an effective Board.

**3. WHAT ARE SOME EXAMPLES OF RESPONSIBILITIES OF THE SUPERINTENDENT AS OPPOSED TO RESPONSIBILITIES OF THE BOARD?**

The Board governs, guides and directs the District while the Superintendent manages, administers and operates the District. The Board determines the “what” and the Superintendent determines the “how”. The Board represents the community’s interests and the Superintendent acts in the community’s interest. The Board will consider issues brought before it and the Superintendent will provide recommendations on those issues. The Board creates and adopts policy and routinely reviews it, and the Superintendent recommends policy and carries out the policies adopted by the Board. The Board will review and approve plans and the Superintendent will implement them. The Superintendent formulates the budget and the Board reviews and approves it.

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**IV. DUTY OF CONFIDENTIALITY**

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**1. WHAT CONSTITUTES CONFIDENTIAL INFORMATION?**

Typically, personnel matters and student records are confidential, as is anything discussed in executive session. The duty to maintain confidentiality is codified in the New York State General Municipal Law which provides that no municipal officer may disclose confidential information acquired by him in the course of his official duties.

Confidential information includes collective bargaining negotiations, particular personnel items, matters relating to students, negotiations relating to real estate transactions and information relating to litigation. Board Members should not discuss or even allude to confidential information even if specifically asked. - See Addendum 3 for BOE Policy 1540

### **2. WHAT HAPPENS IF SOMEONE DISCLOSES CONFIDENTIAL INFORMATION?**

The Commissioner of Education has the power to remove a Board Member from office for a breach of confidentiality when presented with evidence thereof. The Board may also remove a Board Member for unauthorized disclosure of confidential information following a formal due process. Additionally, if a Board member willfully and knowingly breaches an official duty, the transgression can be prosecuted as a misdemeanor under the General Municipal Law.

In addition, it is grounds for removal for a School Board member to reveal confidential information learned in Executive Session (or otherwise). The disclosure of confidential executive session material constitutes a violation of a Board member's fiduciary duties and oath of office. Such disclosure also violates provisions of the General Municipal Law that prohibit Board members from disclosing confidential information obtained while discharging their official duties.

Note that Board members who violate the rules, regulations or policies of the Board, interfere with the orderly and efficient operation of the Board or act in ways that are contrary to their fiduciary obligations to the district and are not in the best interests of the District can be subject to a resolution criticizing or distancing itself from any such action by the Board. Board officers may also be removed for cause from their position as an officer by a majority vote of the Board.

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## **V. COMMUNICATION AND INFORMATION SHARING**

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### **1. CAN BOARD MEMBERS COMMUNICATE WITH EACH OTHER ABOUT AN ISSUE?**

Board members must always be mindful of and respect the Open Meetings Law –a law that governs the conduct of board of education meetings, to which the Board is subject because School Boards are public bodies, including that any meeting of at least a quorum (4 members) of the Board that is conducted to discuss School District business must be open to the public. For purposes of the Open Meetings Law, School District business includes not only binding votes by a School Board, but also informal discussions and any activity preliminary to a vote or involving consideration of a matter that could be the subject of Board action.

Board committees are also subject to the Open Meetings Law and notice of these meetings must be posted in advance of the meeting.

Intra-Board communication, by telephone, email or in person, is important, but should not violate the Open Meetings Law. The Board President will endeavor to share with all Board members and the Superintendent (when appropriate) all substantive communications between the President and any particular Board member. Obviously social interactions are perfectly acceptable and encouraged, but be mindful not to discuss any school board matters if you have a quorum (4 or more Board Members) which would violate New York State's Open Meeting Laws.

### **2. WHAT ABOUT EMAILING?**

Board members will be assigned a District email address. Members should strive to check their District email account daily. All Board email communications should originate from and be sent to the District email account. Board members should NOT use email for the discussion of confidential matters, to debate issues, seek consensus or conduct a de facto Board meeting.

Board members should copy their fellow trustees on email communications, including, but not limited to, all communication with the Superintendent, staff and members of the community. Board members should consistently and promptly share information and communications (emails, phone calls, letters, etc.) with the Board President and the Superintendent (as appropriate) and copy their fellow Board trustees, to maintain a practice of "no surprises," particularly in public meetings. All Board members shall have equal access to all information.

It is the Board President's responsibility, as the spokesperson for a School Board, to respond to emails and other correspondence addressed to the Board.

For more in depth information refer to the NYSSBA 'Email Usage Handbook'.

### **3. WHAT IF I HAVE A QUESTION OR CONCERN BETWEEN REGULARLY SCHEDULED MEETINGS?**

Board members should direct all questions regarding District business to the Superintendent or Board President using the email, [BOE@brewstercentralschools.org](mailto:BOE@brewstercentralschools.org), (do not direct questions to individual central office administrators, principals, directors etc.) and they will be answered or otherwise addressed as soon as reasonably possible.

The Superintendent and/or other central office administrators will endeavor to provide weekly email updates to the Board. "Board Packets" will be delivered via Board Docs, including: the agenda, supporting information, consent agenda items and presentations. They will be sent out to all Board members in advance of the Board meetings (on the Thursday prior, with updates sent on the Friday or Monday prior whenever possible) with backup materials and information for

review in order for each Board Member to make an informed decision on any matter coming before the Board at that meeting. Follow up questions can and should be asked during the Board meeting when necessary to ensure full understanding of all topics.

#### **4. WHAT CAN I DISCUSS WITH PARENTS, FRIENDS AND OTHER MEMBERS OF THE COMMUNITY?**

Matters discussed in executive session or relating to confidential matters like personnel or student discipline must not be discussed with any person (i.e., parents or community members for example) other than the Superintendent or another Board member. When in doubt, if a matter has not been discussed in a public school board meeting, it is best not to discuss it.

#### **5. WHAT DO I DO IF A PARENT OR COMMUNITY MEMBER COMPLAINS ABOUT SOMETHING TO ME? *Cross-Ref: BOE Policy 3230***

If a parent, community member or other party raises an issue with you, it is important that you be a good listener, and also to advise that person to go through the appropriate channels, which may include talking to the teacher, the principal, the Superintendent, etc. The Board member should inform the Superintendent and Board President of the conversation/communication/complaint in case they are also approached. Between meetings of the Board, individual members should inform the Superintendent and/or the President of matters occurring in the community which affect the interest of the public schools via the @BOE email. This also ensures all board members are equally updated.

Emails sent to the Board via the @BOE email link on the District website are automatically distributed to all Board members and to the Superintendent. The Board President, after consultation with the Superintendent and the Board, will determine how best to reply. The goal is a prompt, personal response from the Board or staff member. Board members who receive any communications directly from the community at large regarding District issues should share these communications with the full Board and the Superintendent.

The District Clerk and/or School Business Administrator will maintain a record and file of all community communications and as such, any communications and relevant materials should be forwarded accordingly. The District Clerk and/or School Business Administrator act as the official record keepers, and also organize Board and committee meetings, handle correspondence and oversee the budget and trustee annual vote.

#### **6. WHAT DO I DO IF A PARENT OR COMMUNITY MEMBER COMPLAINS ABOUT A SPECIFIC BOARD DECISION OR VOTE?**

It is not unusual for members of the community to disagree with certain actions that are taken by

the Board since it is common for individuals to agree as well as disagree on a variety of matters. You will find yourself dealing with complex and, at times, controversial issues, and final decisions can sometimes be unpopular. It is perfectly appropriate to discuss the thought process that resulted in a certain decision and why the Board voted one way or another, as long as the process does not involve a confidential or Executive Session matter. Remember that one of your roles as a Board member is to be an advocate for the District and that being asked about Board decisions provides you with an opportunity to discuss positive matters and activities that are happening around the District.

Your main responsibility and consideration when making decisions is the effect it will have on the students of the District. If you keep that in mind and make sure the community understands that is your primary concern when making a decision, it will enable you to not only make good decisions notwithstanding outside pressures that certain constituent groups will exert, but also to help the community understand that you are acting in the best interest of the students and the District, even if a particular decision is unpopular.

### **7. HOW DO I KNOW WHERE TO SEND A PERSON IF SOMEONE HAS A CONCERN?** *Cross-Ref: BOE Policy 3230*

It is best for a Board member to notify the Superintendent and Board President in the event a member of the community approaches you about a concern and that you refer them to the appropriate person in the District. You should also advise the person of the proper protocol and procedures as set forth below, based about the area of concern.

If there is a concern about a teacher, the first step is to contact the building principal. If there is a concern about a building principal or other administrator, he or she should contact the Superintendent. If there is a concern about the Superintendent, the person should contact the School Board. If there is a concern about transportation, buildings & grounds or food service, the person should contact the head of that department. Any questions for staff members regarding the business of the District should be directed to the Superintendent and the Board President should also be copied or otherwise informed.

While it is important for you to listen to any concerns that are raised with you, you should not try to solve the problem yourself.

### **8. WHAT IF I HAVE CHILDREN IN THE DISTRICT?**

For Board members with children attending school in the District, it is important and appropriate to continue to advocate for your child and to inform staff when you are acting in your capacity as a parent rather than in your capacity as a Board Member.

### **9. WHAT IF I AM CONTACTED BY THE MEDIA?**

All official Board statements, as well as responses to media inquiries, shall come from the Board President and/or the Superintendent (or their designees) and if possible should reflect input from

the full Board. All media inquiries received by Board members should be forwarded to the Board President and/or the Superintendent.

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**VI. AGENDA SETTING AND BOARD PACKETS** *Cross-ref: BOE policy 1520*

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**1. HOW IS THE AGENDA SET?**

The Superintendent and the Board President share the responsibility for agenda setting, keeping the Vice President in the conversation. Preparation of the agenda is the responsibility of the Superintendent

**2. HOW DO I GET AN ITEM ADDED TO THE AGENDA, WHETHER ON MY BEHALF OR ON BEHALF OF THE COMMUNITY?**

Board members may suggest agenda items emailing the Board President and the Superintendent including all Board members in the request. A majority interest will allow for inclusion on an upcoming agenda depending on urgency and timeliness.

**3. WHAT IF I HAVE QUESTIONS ABOUT AN AGENDA ITEM?**

Board members are expected to review the agenda and back-up materials in advance of the meeting. You may email the Superintendent, cc'ing the Board, to ask questions and/or provide comments prior to the meeting in order to avoid surprises and allow administration proper time to prepare. Also this will ensure that any changes that need to be made to any of the documents are made prior to the Board being asked to vote on such item, so that the item does not need to be tabled until the next Board meeting. Whenever possible, Board members should strive to inform the Superintendent and the Board President in advance about any questions which they intend to raise at the Board meeting, and the Superintendent will do the same, so that everyone can come prepared. There will be times when items will be tabled due to the need for more information and will be placed on the next meeting agenda.

**4. IS THERE A SPECIFIC MEETING FORMAT THAT THE AGENDA MUST FOLLOW?**

The agenda will generally follow the Order of Business set forth on Schedule A, which is attached hereto for informational purposes.



## VII. MEETING DYNAMICS

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### 1. HOW CAN I ACTIVELY PARTICIPATE IN BOARD MEETINGS EVEN AS A NEW MEMBER?

In both public meetings and Executive Sessions, each Board member has a right to be heard, but should also agree to listen respectfully to, and not interrupt, each other. The Board President shall focus and organize discussions and determine next steps.

### 2. CAN THE PUBLIC PARTICIPATE IN BOARD MEETINGS?

Public comment is welcome and encouraged during Board meetings at specified times as designated on the agenda, with an emphasis on civility and mutual respect. Interruption of Board discussion is not permitted. It is generally Board practice and protocol to not respond to questions asked during public comment, but when possible will be addressed after the close of public comment. The Board President shall acknowledge the speaker and direct next steps. The Board President shall request that any person wishing to address the Board on school-related items to state his/her name and topic of comment. Audience members should remain respectful while a fellow community member is addressing the Board. Public comment will be limited as specifically outlined in BOE Policy 1510 – See Addendum 2

### 3. BOARD MEETING VS WORK SESSION VS RETREAT: WHAT'S THE DIFFERENCE?

A *Board meeting* is where a quorum (4 Trustees) of school Board members is required. The Board will deliberate and vote on school business matters and the meeting follows an outlined protocol enforced by the Board President. These meetings also allow for presentations to be made on matters of interest as they relate to the district. It must be held in a venue that allows for public observation and times are designated in the agenda for public comment.

A *work session* is a meeting where no action can be taken but will allow for the Board to have in depth discussions on a particular topic. This meeting also allows for public observation but no comments or exchange with the public is allowed as defined by education law.

A *retreat* is a closed meeting that allows the Board to meet and perform team building exercises. No public business can occur during a retreat.

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## **VIII. EXECUTIVE SESSIONS**

*(Cross-Ref: BOE Policy 1540 – see Addendum 3)*

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### **1. WHAT TYPES OF MATTERS ARE DISCUSSED IN EXECUTIVE SESSION?**

Executive Session is a closed meeting for the Board and the only matters that are appropriately discussed in Executive Session are matters that would endanger the safety of the public; information that would disclose an informant or law enforcement agent's identity; information relating to an ongoing or future criminal investigation or prosecution; information relating to proposed, pending or current litigation; collective bargaining negotiations (pursuant to Article 14 of the Civil Service Law); personnel matters and employee records; student records; exam preparation, grading or administration; and matters relating to the acquisition, lease or sale of real property or securities; and any matter deemed confidential by state or federal law.

### **2. WHEN AND HOW ARE EXECUTIVE SESSIONS ADMINISTERED?**

Discussions in Executive Session must remain completely confidential. Typically, when an Executive Session is needed, a motion will be taken at a regular public Board meeting to move into Executive Session. A reason for the need for an executive session will be given at that time. As a general rule, no Board action or vote will be taken during an Executive Session (except as permitted by law). If a vote or action needs to be taken following discussion during an executive session, another motion will be taken to re-enter the public meeting. It is at this time the public meeting will either continue or be closed.

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## **IX. PARTICIPATION ON COMMITTEES**

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### **1. WHO CAN BE ON A COMMITTEE?**

Not all work can be accomplished at regularly scheduled Board meetings. Accordingly, the Board routinely establishes committees in order to dedicate sufficient time and focus to certain issues, as necessary. Currently, the BCSD has established the following committees: Audit Committee; Finance Committee; Policy Committee; School Counseling Advisory Committee; Strategic Coherence Planning Committee. The Board may add additional committees and/or eliminate committees as District needs change (*Cross-Ref: BOE Policy 4231*); provided, however that the Board shall not have the right to eliminate any Committee that is required by

State Law (e.g., Audit Committee – *Cross-Ref: BOE Policies 5572 and 5573*). All Board members are encouraged to hold positions on standing committees (e.g. Audit, Finance, Policy, etc.) and membership is determined at the annual Reorganizational Meeting. Committees meet as agreed to at the convenience of its members.

## **2. DO COMMITTEES VOTE?**

Committees do not make decisions on behalf of the Board. Committees only make recommendations to the Board for the Board to discuss and act upon as a whole. The Board may adopt, reject or change all or any part of a Committee recommendation.

## **3. ARE SUBCOMMITTEE MEETINGS PUBLIC?**

Committee meetings are subject to the Open Meetings Law and must be open to the public (unless items can be discussed in Executive Session) and posted in advance. Minutes of the meetings shall be subsequently posted as well.

**X. TIMELINE/GENERAL CALENDAR (THESE DATES ARE APPROXIMATE; CHECK DISTRICT WEBSITE FOR MOST UP TO DATE SPECIFIC INFORMATION)**

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- July: Reorganization meeting (1st Tuesday of July by state law unless the Board approves a different date in July no later than July 15).
- August: Board retreat with Superintendent; at least once annually. Goal alignment Work Session.
- September: Superintendent evaluation criteria must be adopted and filed with District Clerk by September 10<sup>th</sup>.
- January/February: Board retreat/mid-year review for Superintendent and BOE self-evaluation.
- August/November/February/May: Superintendent check-in/review quarterly. Electronic portfolio among other sources will be utilized to assist in the evaluation of the Superintendent.
- March: Board of Education presentation of Fixed Costs portion of tentative budget and follow-up meeting.
- April: Follow-up Budget Meeting.
- April: Submission of petitions for School Board candidacy (generally falls during the third week of April).
- April: Board of Education adopts Budget for voter consideration-generally third week of month.
- May: Informational Budget hearing typically falling during the second week of May and Budget Notices to be mailed out.
- May: Annual Budget Vote and Election (generally falls during third week of May).
- May/June: review year; discuss District goals, vision and mission for next year.
- May/June: Final Superintendent evaluation to be performed with opportunity for discussion between the Board and the Superintendent and opportunity to present additional information to the Board. BOE self-evaluation final.
- July/August: Review and determine Superintendent evaluation for next school year.

**SCHEDULE A: SCHOOL BOARD MEETINGS – ORDER OF BUSINESS**

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For the general transaction of business, the standard parliamentary rules shall be observed; and, in case any disputed questions shall arise, [Robert's Rules of Parliamentary Procedure] shall be taken as authority.

The meeting may include, but is not limited to, the following:

1. Call to Order - The meeting shall be called to order and attendance of the School Board members shall be taken. If a quorum is not established, no business may be conducted.
2. Pledge to the Flag
3. Administrators' Remarks – The District Administrators may address the Board at this time to provide updates to happenings within the District, including, but not limited to, the Superintendent of Schools, Assistant Superintendent for Curriculum and Instruction, Assistant Superintendent for Finance and Operations and Director of Human Resources.
4. Board President's Remarks – The Board President will address the Board and the Public regarding noteworthy items affecting the District and the Board which may include local and/or State legislative and advocacy matters.
5. Student Representative Remarks – The Student Representatives will address the Board with updates regarding noteworthy events affecting Brewster High School which may include events open to the Public and/or the other schools in the District.
6. Recognition/Presentations/Discussions – Presentations from district and/or school administrators, outside organizations such as our internal or external auditors, architects regarding capital projects or renovation projects, etc. will be made at this time.
7. Public Comment – open for public comments specifically as they relate to action items on the agenda. Answers may be addressed during Board discussion in related action item.
8. Action Items – The Action Items will include all items that the Board is required or requested to approve and will include Resolutions, Contracts, and the Board shall be given sufficient back-up information to review prior to the Board Meeting and Vote to enable each Board member to make an informed decision on such matter. Care will be taken to protect confidential student, personnel and other sensitive information as required by applicable law.
9. Consent Agenda - The Consent Agenda will include all regular monthly business which may include, but shall not be limited to, approval of previous meeting minutes, recommendations on Committee for Special Education, Personnel Items, including appointments, retirements and resignations, approval of payroll items, approval of claims, bid awards, the finance report, the business manager's report, authorizations and ratifications, and other similar items.
10. Board Remarks/Committee Updates/Community Communication Updates- Board members wishing to address the public and/or the Board on school- related items may speak at this time. Additional updates provided.
11. Public Comment - The Board President shall request that any person wishing to address

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the Board on school-related items to state his/her name and topic of comment. Public Comment will be limited as specifically outlined in Policy 1230 (Regular Board Meetings and Rules).

12. Board Response to Public Comments
13. Upcoming and Next meeting dates
14. Adjournment.

The Board will also endeavor to post a video recording of the meeting on the District's website.

**SCHEDULE B: COMMON ACRONYMS**

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AE – Academic Enrichment  
AIS – Academic Intervention Service  
BEDS – Basic Educational Data System  
BOCES – Boards of Cooperative Educational Services  
BTA – Brewster Teachers’ Association  
CSE – Committee on Special Education  
ELA – English Language Arts  
ELL – English Language Learners  
ESL – English as a Second Language  
FERPA – Family Educational Rights and Privacy Act  
FOIL – Freedom of Information Law  
FTE – Full Time Equivalent  
GASB – Governmental Accounting Standards Board  
GEA – Gap Elimination Adjustment  
IEP – Individual Education Plan  
LAC – Legislative Action Committee  
NYSCOSS – New York State Council of School Superintendents  
NYSSBA – New York State School Boards Association  
NYSUT – New York State United Teachers  
PTA – Parent Teacher Association  
PTSA – Parent Teacher Student Association  
RTI – Response to Intervention  
SED – State Education Department  
STAR – School Tax Relief  
STEM – Science Technology Engineering Math  
TRS – Teachers Retirement System  
WPSBA – Westchester Putnam School Boards Association

**SCHEDULE C: HELPFUL WEBSITES**

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Brewster Central School District: <http://www.brewsterschools.org/>  
Brewster Elementary PTA: <https://www.brewsterschools.org/domain/417>  
Brewster Intermediate/Middle School PTA: <https://www.brewsterschools.org/domain/417>  
Brewster High School PTA: <https://www.brewsterschools.org/domain/417>  
Putnam/Northern Westchester BOCES: <https://www.pnwboces.org/>  
Brewster Education Foundation: <http://www.bef.org/>  
Brewster Sports Foundation: <http://www.brewstersportsfoundation.org/>  
Every Student Success Act: <http://www.ed.gov/essa>  
New York State School Boards Association <http://www.nyssba.org/>  
New York State Education Department <http://www.nysed.gov/>  
New York State Homepage [www.ny.gov](http://www.ny.gov)  
Governor Andrew Cuomo: <http://www.governor.ny.gov/>  
Representative Sean Patrick Maloney: <https://seanmaloney.house.gov/>  
Senator Kirsten Gillibrand: <https://www.gillibrand.senate.gov/>  
Senator Charles Schumer: <https://www.schumer.senate.gov/>  
Senator Peter Harckham: <https://www.nysenate.gov/senators/pete-harckham/contact>  
Senator Susan Serino: <http://www.nysenate.gov/senator/susan-serino/bio>  
Assemblyman Kevin Byrne: <http://nyassembly.gov/mem/Kevin-M-Byrne/>  
Assemblywoman Sandra R. Galef: <http://assembly.state.ny.us/mem/Sandy-Galef>  
County Executive Mary Ellen Odell: <http://www.putnamcountyny.com/county-executive/>  
County Legislator Joseph F. Castellano:  
<http://www.putnamcountyny.com/legi/legislators/district7/>  
County Legislator Ginny Nacerino: <http://www.putnamcountyny.com/legi/legislators/district4/>  
County Legislator Paul Jonke: <http://www.putnamcountyny.com/legi/legislators/district-6/>



## Addendum 1

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### 1620

#### By-Laws

#### **BOARD REORGANIZATIONAL MEETING**

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

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

#### I. Administration of Oath

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

#### II. Election of Officers

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

#### III. Appointment of Officers

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

District Treasurer

District Clerk

Receiver of Taxes

Internal Claims Auditor

#### IV. Other Appointments

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

Independent Auditor

School Physicians

School Attorney

CSE Special Appointment

Records Management Officer

Records Access Officer

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Central Treasurer of Extra Classroom Activity Funds and Comptroller (one for each school)  
Liaison for Homeless Children and Youth  
Chemical Hygiene Officer  
Designated Educational Official (to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings)

Annual Registrars  
Purchasing Agent  
Asbestos (LEA) Designee  
Dignity Act Coordinators  
Reviewing Official, Hearing Official and Verification Official for participation in the federal Child Nutrition Program (the Hearing Official may not be the same person as the Reviewing and/or Verification Official)

### V. Bonding of Personnel

The Board may bond the following personnel handling district funds:

District Clerk	School Attorney
Receiver of Taxes	Internal Claims Auditor
District Treasurer	Deputy Treasurer
Central Treasurer of Student Activity Account	

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

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

### VI. Designations

The Board shall designate:

Official banks  
Official newspapers  
Official radio station

The Board shall fix the day and hour for the holding of regular meetings, which shall be at least once each month while school is in session, in the rooms provided for the Board, unless otherwise ordered by the Board.

### VII. Authorizations:

- a. to certify payrolls
- b. conferences, conventions, workshops attendance
- c. to establish petty cash funds
- d. representative for federal applications
- e. Board representative to Brewster Education Foundation
- f. designation of signatures on checks
  1. General Fund
  2. School Lunch Fund
  3. Trust and Agency Fund

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4. Payroll Account
5. Federal Funds
6. Capital Funds
7. Tax Collection Fund
8. Extra Classroom Activity Fund (for each school)
  - g. authorized alternate signature in absence of authorized personnel
  - h. budget transfers on Superintendent's approval
  - i. participation in cooperative bids with BOCES

### VIII. Other Items:

- a. establish rate for mileage reimbursement
- b. Superintendent to apply for Grants in Aid (State and Federal) as appropriate.
- c. other

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

Ref:

New York State Constitution, Article XIII, -1

Public Officers Law 10; 13

Education Law 1707; 1804(4); 2130

Adopted 8/14/2000

Revised & adopted: 4/20/2017

## Addendum 2

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### 1510

#### By-Laws

#### **PUBLIC PARTICIPATION AT BOARD MEETINGS**

The Board of Education, as a representative of the District, wishes to provide an avenue for citizens to express their interest in and concerns for the schools. Accordingly, the public is cordially invited to attend and, at the designated times, participate in any and all public Board meetings.

Meetings of the Board are conducted for the purpose of carrying on the business of the schools and, therefore, are not public meetings, but meetings held in public. The President shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public comment and the appropriateness of the subject being presented. The President shall have the right to discontinue any presentation which violates this policy.

The Board will not permit in public session discussion involving individual district personnel or students. Persons wishing to discuss matters involving individual district personnel or students should present their comments and/or concerns to the Superintendent during regular business hours.

The Board of Education recognizes the value of public comment on educational issues and matters of public interest. In order to permit the fair and orderly expression of public comment, the following rules will govern and will be administered by the presiding officer.

All speakers are to conduct themselves in a civil manner. Obscene language, libelous statements, threats of violence, statements advocating racial, religious, or other forms of prejudice will not be tolerated.

Personnel matters will not be discussed at any time during a public meeting. The second public comment period at the end of the business meeting is a time for community members to ask questions, present petitions, or make statements regarding either the evening's agenda or a particular issue or concern. The Board will take such issues under advisement. Neither public comment period is a time for public discussion.

► To facilitate follow-up if necessary, if you wish to speak, place your name, telephone number, email address, and mailing address on the sign-in list, indicating the topic of your comments.► Public comments are made at the podium. At the time of your comment, please begin by: ○ Stating your name for the record ○ Identifying any group or organization you represent

► Comments are limited to a maximum of three (3) minutes per speaker. A speaker may not yield his/her time to another speaker in order to extend the time for comment. Should multiple individuals seek to speak for the same organization on one topic, the Board may require the organization to select one speaker for the group. Board members and the Superintendent shall have the privilege of asking questions of any person who addresses the Board.

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► No speaker may comment on or identify any particular student or employee by name or situation in his/her comments.► All comments are to be directed to the Board president or designee.

► Handouts and/or petitions are to be given only to the district clerk for distribution to the Board. The Board will receive and consider all written comments.

Community members may also write to the Board via email at [BOE@brewsterschools.org](mailto:BOE@brewsterschools.org) or directly to the Superintendent of Schools. Board Policy 3230 Public Complaints includes the procedure for resolving parent and community complaints.

Questions and comments from the public concerning matters which are not on the agenda will be taken under consideration and referred to the Superintendent for appropriate action. Persons wishing to have matters included on the agenda shall contact the Superintendent in accordance with Policy 1520, Agenda Preparation and Dissemination.

District records available to the public under FOIL, 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, prior to the meeting. Copies of such records may be made available for a reasonable fee. These records will be posted on the website to the extent practicable, prior to the meeting.

### Cross-ref:

1520 Agenda Preparation and Dissemination

1540 Executive Sessions

3230 Public Complaints

Adopted: 8/14/2000

Revised and Approved: 10/18/2016

Revised and Adopted: 2/21/2017

Revised and Adopted: 10/15/2019

Revised and Adopted: 7/7/2020

### **Addendum 3**

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#### **1540**

#### **By-Laws**

#### **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.

A Board member must make a motion during an open meeting to convene in executive session. Upon a majority vote of its members, the Board may convene in executive session at a place which the Board President or said members may designate within the district to discuss the subjects enumerated below.

Matters which may be considered in executive session are:

1. matters which will imperil the public safety if disclosed;
2. any matter which may disclose the identity of a law enforcement agent or informer;
3. information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. discussions regarding proposed, pending or current litigation;
5. collective negotiations pursuant to Article 14 of the Civil Service Law (the Taylor Law);
6. the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
7. the preparation, grading or administration of examinations; and
8. the proposed acquisition, sale, or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Matters which may only be considered in executive session are:

9. discussions concerning probable cause to bring disciplinary charges against a tenured teacher; and
10. discussions concerning the evaluation and/or placement of students with disabilities.

Formal action or vote on matters enumerated in paragraphs 9 and 10 above may only be taken by the Board during an executive session. No formal action or vote may be taken on any other matter.

Matters discussed in executive sessions must be treated as confidential; that is, never discussed outside of that executive session. The Board shall reconvene in open session to take final action on other matters discussed, and to adjourn the meeting.

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.

The Board may permit staff and other persons whose presence is deemed necessary or appropriate to attend an executive session or any part thereof.

Ref:

Education Law 1708 (3)

Public Officers Law 100 et seq.

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

Adopted 8/14/2000

Revised and adopted: 4/4/2017

**Acknowledgements**

Thank you to the following Boards whose board handbooks helped shaped our own:

Bedford, NY

Berlin, CT

Brittonkill Central, NY

Cincinnatus, NY

NYSSBA

Dated as of date of adoption by Board on: June 23, 2015

*Updated August 2017*

*Updated June 2018*

*Updated July 2019*