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110 Designation of District

The District shall be known as The Saratoga Springs Enlarged City School District.

120 General organization

As provided by New York State Law and the regulations adopted thereunder, this District is governed by a Board of Education.

121 Number of members

The Board of Education shall consist of nine (9) members, elected at large by the qualified voters of the School District. (2502-2)

121.1 Qualifications

Board members must be qualified voters of the Saratoga Springs Enlarged City School District, and must have been a resident of the School District for a period of at least one (1) year immediately preceding the date of election.

A person shall not be a member of the Board of Education and at the same time hold a city office. (2502-7)

122 Term of office

The members of the Board of Education shall be elected for a term of three (3) years.

122.1 Filling of vacancy

Whenever a vacancy shall occur or exist in the office of member of the Board of Education, except by reason of expiration of term or of an increase in the number of members of such Board, a majority of the remaining members of the Board must appoint a qualified person to fill the vacancy. The person so appointed shall hold office until the next regular school district election and the person elected to fill such vacancy shall take office immediately upon the filing of his official Oath of Office with the District Clerk. (2502-6)

122.2 Removal from office

A member of the Board of Education who publicly declares that he will not accept or serve in the office as member of the Board of Education, or refuses or neglects to attend three successive meetings of the Board of Education of which he is duly notified, without rendering a good and valid excuse therefore to the other members of the Board of Education, vacates his office by refusal to serve. (2502-8)

123 Election procedure (Operational procedures are included in: "A Manual for Conduct of School Voter Registration and School Board Elections" on file in the District Office.)

Members of the Board of Education shall be elected at large. (2502-2)

123.1 Nominating Petitions

Candidates for Board membership shall be nominated by petition directed to the Clerk of the Board and signed by at least one hundred (100) persons qualified to vote in school elections in the School District. The petition shall contain the name and address of the candidate for the vacancy on the Board and shall be filed with the Clerk of the Board on or before the twentieth day preceding the date of the annual election. (2608-1)

123.2 Date

The annual school election shall be held on the third Tuesday in May.

123.3 Registration

No person shall be permitted to vote in the school election unless registered as provided by New York State Education Law 2606. Permanent personal registration shall be in effect. Qualified voters not registered may do so at places and dates to be designated by the Board of Education. Registration shall take place between the hours of 9:00 a.m. and 5:00 p.m. (2606)

123.31 Notice of registration

The Board of Education shall publish a notice of registration pursuant to Education Law Section 2606-5. (2606-5)

#### 123.4 Election inspectors

The Board of Education shall appoint three (3) qualified voters residing in the election district, to act as inspectors at said election district, not less than ten (10) days prior to each election.

The Board of Education may appoint additional inspectors for one or more election district, when, in the opinion of the Board of Education, special circumstances exist requiring the services of such additional inspectors.

##### 123.41 Chairman and poll clerk

Before opening of the polls, inspectors shall organize by electing one of their number as chairman and one as poll clerk. The chairman may appoint one of the inspectors as an assistant poll clerk.

##### 123.42 Compensation

The compensation of all election inspectors shall be fixed by the Board of Education, not to exceed the basic compensation paid to inspectors of election at the preceding general elections as fixed by the governing body of the city in which the School District is located. The compensation shall be paid out of school funds, in the same manner as other claims against the School District.

##### 123.43 Notification of inspectors

The Clerk of the Board of Education shall give written notice of appointment to all inspectors.

#### 123.5 Polling places

The Board of Education shall divide the School District into school election districts, each district to contain a polling place in a public schoolhouse. The school election district shall be coterminous with one or more general election districts. (2604)

##### 123.51 Poll hours

The polling places shall be opened between the hours of 7:00 a.m. and 9:00 p.m. (2602-3)

## 123.6 Use of voting machines

The Board of Education authorizes the use of voting machines at school elections.

The use of the machines shall be governed by Education Law, Section 2035.

### 123.61 Placement of names on ballot

Names shall be placed on the ballot pursuant to a drawing, such drawing shall be conducted by the Clerk of the Board of Education and shall be held the day after the last possible date for candidates to file petitions. All candidates shall be notified of the time and place of drawing. In the event that any candidate is not present in person or by a person designated in a written proxy to accomplish the drawing, the District Clerk shall be authorized to act as proxy.

### 123.62 Write-in candidates

Space and materials (pencils) shall be provided so that voters may vote for candidates who have not been nominated for offices to be filled at such election. (2608-2)

### 123.63 Absentee ballots

Absentee ballots shall be supplied to qualified voters of the School District upon proper application and shall be tallied pursuant to Section 2018-A of the Education Law.

## 123.7 Notice of election

The Board of Education shall cause to be published, at least once each week for four (4) weeks preceding such election, a notice of the annual or a special school election; in a newspaper, having a general circulation in the School District.

The notice shall state the date of the election, the hours during which the polls are to be open, a description of the school election districts, the polling places, and the substance of any proposition which is to be submitted to the electorate. (2605)

### 123.8 Canvass of votes

The inspectors shall count or canvass the ballots in a manner provided for canvassing of ballots at a general election, immediately upon the close of the polls.

The statement of the canvass of the vote shall be delivered to the Clerk of the Board of Education either after the close of the polls on the date of the annual or special election as the Board shall determine by resolution adopted at the last meeting of such Board held before such election.

The Board shall declare the results of the canvass; and candidates receiving a plurality of votes cast respectively for the office shall be declared elected.

#### 123.81 Notice of election to Board of Education

The Clerk of the Board of Education shall, within twenty-four (24) hours after the result of the election has been declared, serve a written notice either personally or by mail, upon each person declared to be elected as a member of the Board of Education. (2610-5)

### 123.9 Special elections

The Board of Education may call special school elections whenever deemed necessary and proper. (2602-2)

## 130 Officers of the district, auxiliary personnel, and their duties

The Board of Education shall organize, elect its officers and elect the District clerk, at its annual meeting to be held the second Tuesday of July, at its regular time. (2504)

### 131 President

The president of the Board shall preside at all meetings, decide all questions of order, appoint such committees as deemed desirable by him or by the Board, appoint a chairman of each committee, execute all documents on behalf of the Board; and exercise all other powers and perform all duties ordinarily pertaining to the office of the president.

131.1 Office of the president

The office of president may not be held by the same person for more than two (2) consecutive terms.

The president shall have a vote upon all questions before the Board, and shall have the right, at his own discretion, to take part in the debate on any question under consideration. He shall be an ex-officio member of all committees, and upon his request he shall be notified of all committee meetings.

132 Vice President

To act in the capacity of the president in the president's absence.

133 District clerk

The District clerk shall be appointed annually at the organizational meeting, and shall perform all duties prescribed in the State Education Law as well as other duties prescribed by the Board, with the full assistance of the superintendent and his office staff. The clerk shall review the official minutes soon after each meeting, for approval by the Board at its next regular meeting. In the clerk's absence, the president will appoint a temporary clerk.

134 Recording secretary

The superintendent will make available to the Board of Education a recording secretary. The duties of the recording secretary shall include, but not limited to:

1. Taking notes at each regular and special meeting of the Board of Education.
2. Preparing the official minutes for each Board meeting for presentation to the Board.

135 Treasurer

The Board of Education shall appoint a treasurer, to serve at the pleasure of the Board; said treasurer shall not be a member of the Board of Education.

The treasurer shall perform all duties prescribed by the State Education Law, as well as other duties pertaining to his office which are prescribed by the Board of Education. Some specific duties of the treasurer shall be:

- a. Sign checks
- b. Maintain trust funds and be responsible for the investment program
- c. Submit monthly and quarterly financial reports to the Board of Education in accordance with the Regulations of the Commissioner of Education
- d. Advise the superintendent concerning the financial condition of the School District

136 School Attorney

The Board of Education shall employ an attorney. Said attorney shall give legal advice to the Board of Education and to the superintendent on all matters pertaining to the public schools in the District.

137 Independent Auditor

The Board of Education shall employ a certified public accountant as its independent auditor. Said auditor shall report to the superintendent and the Board of Education the results of his investigations. The independent auditor shall perform the audit in accordance with specifications prepared using guidelines from the State Education Department and the New York State Department of Audit and Control.

140 Powers, duties and main functions of the Board

The Board of Education is an agency of the State of New York, charged, by delegation from the state, for the purpose of convenient organization and administration, with governing this School District -- not with administering same. The Board, within the powers delegated to it by law, is the policy-making or legislative branch of the School District. The superintendent is the executive, or administering, branch of the School District.

141 Purpose and role of the Board

It is the purpose of the Board of Education to exercise general supervision over the schools of the District, and to ensure that the schools are maintained as provided by the laws of the State of New York, the written policies adopted by the Board of Education pursuant to New York State Law and not inconsistent with the instructions of the Commissioner of Education and Rules of the Regents.

The Board of Education shall endeavor to provide the School District with education of the highest degree consistent with the needs of the District and within the ability to finance the educational program.

The school system exists as a corporate entity separate and apart from other units of local government, but it is the policy of the Board to coordinate closely with all other local governments in matters of common concern.

#### 142 Powers granted to the Board by law

The Board of Education is responsible for the general supervision over the schools in the Saratoga Springs Enlarged School District, and for the actions of any of its agents or employees. Individual Board members should, therefore, work within the Board itself, at Board meetings, to legislate changes which they feel will benefit the District. If the majority of the Board agrees, it will be the responsibility of the superintendent to expedite the Board's wishes.

Certain powers and responsibilities are vested in the Board of Education by the laws of the State of New York. Please refer to the following sections of the Education Law for a description of the powers and duties of the Board of Education: Section 2503; Section 2503-a; Section 2501; Section 2512; and Section 2530.

#### 143 Determination and adoption of policies

The Board of Education shall determine and adopt policies in accordance with procedure which it will establish, in order to facilitate the broadest possible consultation with elements of the District, including District employees who may have special knowledge of, or a particular interest in, the policy under consideration.

##### 143.1 Policy and the law

No policy of the District may be in conflict with the law; nor may the Board adopt policies or perform any functions expressly prohibited to it by law.

##### 143.2 Formulation of policies

Policies may be proposed for adoption, amendment, or repeal at any Board meeting, by any member of the Board of Education, or by the superintendent. The Board desires that the members of the District staff, both certificated and classified, and other interested elements of the community shall have maximum possible opportunity to advise the Board of their reactions to and feelings about

proposed changes in policy.

#### 143.3 Procedure for adopting policies

Policies will be voted upon by using the following procedure:

- a. At the first meeting, a proposed policy is presented. It will be discussed, but no action taken. Formal action will be taken at a subsequent Board meeting.
- b. Upon recommendation of the superintendent of schools and with five affirmative votes, the Board may adopt, amend, or repeal Board policy at the first meeting the proposed policy is discussed.

Policies shall be adopted, amended, or repealed by a majority vote of the members of the Board.

#### 143.4 Review and revision

The Board of Education shall maintain a public written record of its policies; which is reviewed and revised as deemed necessary.

#### 145 Ensuring that procedures are developed and put into effect

The superintendent is responsible for the establishment of administrative regulations and procedures to effect the policies of the District as adopted by the Board of Education. A copy of the regulations or procedures shall be made available to Board members upon request.

#### 147 Administration of policies

The execution, administration, and enforcement of all policies of the District is the responsibility of the superintendent. He shall report to and be accountable to the entire Board of Education, and not to any officer, committee, or individual thereof in fulfilling this responsibility.

#### 150 Board members

#### 151 Limitation of responsibilities as individuals

The authority and responsibilities of individual Board members do not extend to execution of the policies which they adopt as a body.

The role of the Board, as with any legislative body, is to act collectively, not individually. Individual members have no status as, and shall not attempt to act as, administrators in the District. Rather, through the superintendent, all administrators, as well as all other personnel of the District, are responsible to the Board as an entity. Board members, however, as with all legislators, are entitled to full information and all data necessary, in their judgment, to the proper casting of their votes on any matter which can come before the Board for action. Administrative duties will be delegated to the superintendent and his staff; governing powers will be rigorously retained for action by the Board itself.

Individual Board members being recipient of citizens' comments, petitions, or complaints serious enough to warrant, or by their nature such as to warrant, action by the Board as a whole, should normally request the same to be reduced to writing and transmitted to the District office for revision and inclusion on the agenda, if deemed appropriate.

#### 151.1 Referral of grievances

Individual members shall not act on or consider grievances from employees or parents until the case has been presented to the superintendent through the proper channels.

### 152 Preparation for Board meetings

Each member of the Board of Education should read his agenda and necessary documents accompanying the same, prior to the Board meeting, and mark portions which need clarification; and otherwise be prepared for a maximum participation necessary in the shortest time possible on each question coming before the Board. Board members are encouraged to contact the superintendent prior to the meeting, to clarify any items on the agenda.

#### 152.1 Attendance at Board meetings

Each Board member is expected to attend all Board meetings.

### 153 Board members, if they are to retain effective control of the District without becoming involved in the administration thereof, should avail themselves of every opportunity to develop their knowledge and skills as members of the governing body of this District.

#### 153.1 Orientation

Orientation of new members of the Board of Education shall be accomplished as soon as possible after their election or appointment. The board and its staff shall assist each new member, to understand the Board's functions, policies, and

procedures before taking office, by the following method:

- a. New electees shall commence their term on the official date established at the time of election. The superintendent and related staff will provide an orientation program responsive to the needs of the newly elected member. (Adopted: 12/12/95)

#### 153.2 Membership in School Boards Associations

The District may maintain membership in the National and New York State School Boards Associations; and the superintendent shall include in the budget, each year, the cost of membership thereof.

#### 153.3 Attendance at association meetings

Board members are encouraged to participate in the activities of the national, state, and regional school boards associations. The superintendent, therefore, shall include in the budget expenses for attendance at the annual conferences of each of those organizations as applies to this District. Attendance at other meetings, which in the judgment of the Board, should be attended by members of the Board, may be authorized by Board motion from time to time.

#### 153.31 Attendance at national conferences

Attendance at national conferences should not exceed three (3) members of the Board of Education and shall be on a rotating basis. Board members are encouraged to share with the entire Board as soon thereafter as practical their experiences at the conference.

NOTE: Policy on the number of Board members to attend state conferences needs to be determined.

#### 155 Remuneration

Members of the Board of Education shall serve without compensation.

#### 156 Retirement

To those members leaving the Board, whether elected or appointed, the Board of Education shall present a plaque expressing the District's appreciation for service rendered.

#### 157 Code of Ethics

The Board of Education recognizes that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct is to be attained and if public confidence is to be maintained in our School District. It is the purpose of this policy to promulgate these rules of ethical conduct for the officers and employees of the City School District. These rules shall serve as a guide for official conduct of the officers and employees of the School District. The rules of ethical conduct of this policy as adopted shall not conflict with but shall be in addition to any prohibition of Article 18 of the *General Municipal Law* or any other general or special law relating to ethical conduct and interest in the contracts of municipal officers and employees. (Section 806 *General Municipal Law*)

#### 157.1 Definition

- a. The "municipal officer or employee" means an officer or employee of the School District whether paid or unpaid including members of the Board of Education or employee's spouse, minor children and dependents; a firm, partnership, or association of which such officer or employee is a member or employee; a corporation of which such officer or employee is an officer, director or employee; and a corporation, the stock of which is accrued or controlled directly or indirectly by any such officer or employee.
- b. "Interest" means a pecuniary or material benefit accruing to a municipal officer or employee.

#### 157.2 Standards of Conduct

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

- a. Gifts: No officer or employee shall directly or indirectly solicit any gifts; or accept or receive any gifts having a value of \$25 or more whether in the form of money, services, a loan, travel, entertainment, hospitality, thing or promise, or any other form, under circumstances in which it could reasonably be inferred that the gift was intended to influence him or could reasonably be expected to influence him in the performance of his official duties or was intended as a reward for any official action on his part.
- b. Confidential Information: No officer or employee shall disclose confidential information acquired by him in the course of his official duties or use such information to further his personal interests.

- c. Representation Before One's Own Agency: No officer or employee shall receive or enter into any agreement expressed or implied for compensation for services to be rendered in relation to any matter before any municipal agency of which he is an officer, member or employee or any other municipal agency of which he has jurisdiction or to which he has the power to appoint any member, officer or employee.
- d. Representation Before Any Agency for a Contingent Fee: No officer or employee shall receive or enter into any agreement expressed or implied for compensation for services to be rendered in relation to any matter before any agency or municipality whereby his compensation is to be dependent or contingent upon any action by such agency with respect to such matter provided that this paragraph shall not prohibit the fixing at any time of fees based upon their reasonable value of the services rendered.
- e. Disclosure of Interest in Legislation: To the extent that any officer or employee knows whereof, a member of the Board of Education and any officer or employee of the School District, whether paid or unpaid, who participates in the discussion or gives any official opinion to the Board of Education on any legislation before the Board of Education shall publicly disclose on the official record the nature and extent of any direct or indirect financial or other private interest he has in such legislation.
- f. Investments in Conflict with Official Duties: No officer or employee shall receive or hold any investment directly or indirectly in any financial business, commercial or other private transaction which creates a conflict with his official duties.
- g. Private Employment: No officer or employee shall engage in, solicit, negotiate for or promise to accept private employment or render services for private interest which such employment or service creates a conflict with or impairs the proper discharge of his official duties.
- h. Future Employment: No officer or employee shall, after termination of employment with the Board of Education, appear before the Board of the School District in relation to any case, proceeding, or application in which he personally participated during the period of his service or employment which was under consideration.

### 157.3 No Bar to Suit

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

#### 157.4 Distribution of Code of Ethics

The superintendent of schools shall cause a copy of this Code of Ethics to be distributed to each officer, Board member, and employee of the School District. Each officer and employee elected or appointed shall be furnished a copy before entering upon the duties of his office or employment.

#### 157.5 Penalties

In addition to any penalty contained in any other provision of law, any person who shall normally and intentionally violate any provisions of this Code may be fined, suspended, or removed from office or employment as the case may be in manner provided by law.

### 158 Code of Conduct for Trustees of the Board of Education

The following Code of Conduct is intended to set standards for Board of Education Trustee interaction with each other in making decisions and in working with staff.

#### 158.1 Standards of the Code of Conduct

Individual members of the Saratoga Springs Board of Education will conduct themselves in a manner that respects appropriate decorum. Specifically:

- a. Trustees will function as part of a team as stated in Board Policy, Paragraph 173.1. Board members will bring issues to the attention of the full Board, not to other individual Board members.
- b. Trustees will not attempt to exercise individual authority over the Saratoga Springs City School District's operations, staff or personnel decisions.
- c. Trustees will respect the dignity, values and opinions of each Board member.
- d. Trustees will encourage responsive and attentive listening.

- e. Trustees will be committed to positive and constructive forms of interaction.
- f. Trustees will focus on issues, not personalities, and encourage others to give their opinions.
- g. Trustees will recognize that differing viewpoints are healthy in the decision-making process.
- h. Trustees will have the right to disagree, but will do so without being disagreeable. Once the Board takes an action, Board members will not create barriers to implementing Board policy.
- i. Trustees will conduct themselves with courtesy toward each other and staff members during Board meetings.
- j. Trustees will develop a working relationship with the Superintendent of Schools so that issues and concerns can be discussed openly and comfortably.
- k. Trustees will not express individual judgments about the performance of the Superintendent or staff in public and will conduct appropriate evaluations in Executive Session.
- l. Trustees will distribute written information or Board documents through the Superintendent of Schools and Board President before meetings.
- m. Trustees will recognize the value of the chain of command. When approached by staff, constituents or the public, Trustees will channel all inquires to the appropriate administrator.

#### 158.2 Distribution of the Code of Conduct

The Superintendent of Schools will distribute a copy of the Code of Conduct to each sitting Trustee and to each newly elected Trustee before the newly elected Trustee enters into the duties of that office.

#### 158.3 Sanctions

The President of the Board of Education may convene the Board of Education to review the actions of any Trustee who knowingly violates provisions of the Code of Conduct. (Adopted: 11/10/98)

## 160 Meetings

### 161 Regular meetings

Regular meetings of the Board of Education generally shall be held on the second Tuesday and fourth Thursday of each month at a place which shall be determined by the Board of Education.

### 162 Regular and special meetings of the Board

#### 162.1 Regular meetings

Receipt of the agenda by a Board member shall serve as sufficient notice to him of a regular meeting.

#### 162.2 Special meetings

At least twenty-four (24) hours advance written notice of a special meeting, shall be delivered to each member of the Board of Education. Said notice shall specify the time, purpose of the meeting, or business to be transacted, the place of the meeting, and the names of the members requesting the special meeting.

### 164 Agenda

Items for the agenda are determined by the superintendent in consultation with the president of the Board. Board members, employees of the School District, and citizens of the Saratoga Springs City School District may suggest agenda items by contacting the superintendent. Individuals wishing to be heard at a Board meeting are encouraged to advise the superintendent in advance. The agenda, however, shall always allow for recognition and comments by individuals. Board members may present matters to the Board directly at a regular meeting. Such resolutions will not be acted upon at the same meeting except by a vote of the majority.

### 165 Types of meetings

#### 165.1 Annual organizational meeting

##### 165.11 Time

The annual organizational meeting of the Board of Education shall be held on the second Tuesday in July at a place to be determined by the Board.

##### 165.12 Temporary chairman

The superintendent of schools shall serve as temporary chairman, who shall open the meeting and conduct the election of the president. The president shall assume office immediately, and shall conduct the remainder of the Board's business.

#### 165.13 Order of business

After the election of the president, the Board shall elect the vice president.

The board shall also take action regarding the following:

- a. Appointment of District Clerk.
- b. Appointment of District Treasurer.
- c. Appointment of Internal Claims Auditor.
- d. Appointment of School Attorney.
- e. Appointment of School Physicians.
- f. Designation of official bank depositories.
- g. Establish regular Board meeting dates.
- h. Designation of the official newspaper.
- i. Authorization to certify payrolls.
- j. Designation of the purchasing agent.
- k. Approval of attendance at conferences.
- l. Authorization for the District Treasurer to sign checks.
- m. Authorization for the Superintendent to make budgetary transfers.
- n. Authorization for the District Treasurer to invest idle cash funds.
- o. Re-adoption of all policies and Code of Ethics.

- p. Establishment of tuition and/or fees for the following school year.
- q. Designation of the Superintendent to sign applications and certifications for federal funds.
- r. Appointments to Committee on the Handicapped.

## 165.2 Special Meetings

### 165.21 Procedure for calling

Special meetings shall be called whenever requested by the president or by any other members of the Board of Education.

### 165.22 Notice

Refer to Policy 162.2.

### 165.23 Business which can be transacted

The only business which can be transacted at a special meeting is that which is set forth in the notice of said special meeting.

## 165.4 Adjourned meeting

### 165.41 When and how

Any meeting may be adjourned to a specific future date, time, and place when so voted by the Board of Education.

### 165.42 Notice

All Board members shall be notified at least twenty-four hours (24) in advance of the call-to-order of an adjourned meeting, reconvened.

### 165.43 Business which can be transacted

The only business which can be transacted is the business which was on

the agenda of the meeting that was adjourned.

165.5 Executive session

165.51 The Board of Education may meet in executive session for a discussion of only those matters specified in Policy No. 165.53 which follows.  
(Revision approved February 28, 1984.)

165.52 No formal action

The Board of Education shall not take formal action in executive session. All actions of the Board of Education shall be taken in an open public meeting.

165.53 Specific purposes

Upon a majority vote of the whole Board taken at an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Board may conduct an executive session for the following purposes only.

- a. Matter which will imperil the public safety if disclosed.
- b. Any matter which 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 which would imperil effective law enforcement if disclosed.
- d. Discussions regarding proposed, pending, or current litigations.
- e. Collective negotiations pursuant to Article XIV of the Civil Service Law.
- f. The medical, financial credit, or employment history of a particular person or corporation.
- g. Matters leading to the appointment, promotion, demotion, discipline, suspension, dismissal, or removal of a particular person or corporation.
- h. The preparation, grading, or administration of examinations.

- i. The proposed acquisition of sale or lease of real property or the proposed acquisition of securities or sale or exchange of securities held by the District, but only when publicity would substantially affect the value thereof.

Whenever an executive session is held, the Board shall reconvene in the public meeting for the purpose of taking formal action on the matters discussed and shall confirm any formal action taken in executive session by a formal public vote.

## 165.6 Annual budget meeting

### 165.61 When

The annual public hearing on the tentative budget shall be on the first Tuesday in June, at 8:00 p.m. at a location designated by the Board of Education.

### 165.62 Notice

The Clerk of the District shall cause notice of the public hearing on the tentative budget, to be published at least once in two newspapers, not less than twenty (20) days before the date of said public hearing.

The notice shall state the time, place, and purpose of the public hearing; and shall specify that copies of the tentative budget are available at the Board of Education office during business hours daily except Saturdays, Sundays, and legal holidays. (2517)

### 165.63 Filing of tentative budget

The superintendent shall file, with the Clerk, the required number of copies of the tentative budget, on the form prescribed by the Commissioner of Education, at least thirty (30) days prior to June 30.

## 166 Minutes

The minutes of meetings of the Board of Education, with each annual auditor's report and each annual financial report appended thereto, shall be retained as a permanent record of the District. The Board of Education shall charge the Clerk with safekeeping of the minutes, and he shall see that they are available to the general public for examination.

### 166.1 Content and style

In content and style, the minutes shall be as brief and as simple as possible and still cover essentials. A record of all motions and amendments thereto which are offered the disposition thereof and the vote thereon, shall be kept in the minutes, and all other matters required by law, along with the ayes and nays on every motion and amendments thereto. A record of persons making presentations at the Board meetings shall be included in the minutes. In general, other items such as verbatim comments of speakers, listing of letters received and the like, should not be included in the minutes as making the same too bulky and not serving a useful purpose.

### 166.2 Procedure for approval

The minutes shall be taken and transcribed by the Board secretary. When transcribed, these shall become the unapproved minutes for the meeting concerned, and shall not be deemed to be official until approved by the Board at the next meeting. Unapproved minutes will be mailed to members of the Board as soon as possible and usually within one week of the meeting which they report.

Minutes will not be read at Board meetings, except as required for purposes of correction. The second procedural order of business, following only the roll call, shall be the adoption of minutes of previous meetings, which shall be by Board action.

### 166.3 Signing of approved minutes

The signing of approved minutes by the Clerk shall be effected on the original and permanent copy of the same, at the conclusion of the meeting of their adoption.

### 166.4 Minutes are in the custody of the Clerk of the Board, and he shall keep the same in a suitable place in the District Office, which the superintendent shall cause to be made available for the purpose.

## 170 Operating procedure

The Board of Education shall operate in accordance with its adopted procedures.

## 171 Rules of order

In the absence of any specific rule, "Robert's Rules of Order Revised" shall be

considered the authority on parliamentary law.

172 Order of business (Adopted: 9/13/83) (Revised and Adopted: 7/11/00)

Except as altered by a vote of a majority of the members of the Board, the following shall be in the order to be observed in the transactions of business:

Call to Order

Procedural items:

- a. Roll Call
- b. Pledge of Allegiance
- c. Approval of Minutes
- d. Communications
- e. Public Hearing
- f. Board Committee Reports
- g. Administrative Reports
- h. Old Business
- i. New Business
- j. Personnel
- k. Financial
- l. Public Hearing
- m. Others
- n. Executive Session (when needed)
- o. Adjournment

172.1 Flexible Public Hearing Time

The President may establish specific public hearing opportunities beyond the existing pre and post meeting agenda opportunities to allow for specific public comment germane to a pre-determined topic for which the board desires additional communication prior to decision making. (Adopted 6/8/99)

173 Committees

173.1 Committee of the whole

The powers and duties of the Board of Education must be exercised by the Board as a whole. The Board will function as a committee of the whole in discussions, in informal sessions, in considering recommendations, and in participating in other Board activities.

## 173.2 Standing

It is the preference of the Board of Education that there be no standing committees.

## 173.3 Sub-Committee

The president of the Board of Education shall appoint a sub-committee of not more than three (3) members to investigate a problem and/or area of concern and report its findings to the Board. The president of the Board of Education shall also appoint the chairperson of the sub-committee. Such committees shall be terminated automatically, following their final reports to the Board of Education, unless asked to continue activity by the president.

## 174 Voting

The vote on all motions shall be recorded by ayes and nays. A majority of members of the Board of Education must cast ayes in order for a motion or resolution to pass.

## 175 Guideline for appearances and participation of staff

### Members and citizens in Board meetings

The public and members of the District staff as individuals or as members of an employee organization, as differentiated from them in an official capacity appearing in line of duty, shall have an opportunity to make presentations to the Board; provided, however, that the Board does not thereby obligate itself to act on any request or proposal whether or not it is formal or informal, or in writing or verbal. The Board reserves the right to limit presentations and to refuse to hear those coming from the floor of a Board meeting without advance notice of the same to the president.

## 176 Presentations to the Board by individuals and groups

Valid and intelligent decisions on important and complete matters almost always are made through possession of complete information. For this reason, as well as to permit mature deliberation, it is not advisable that the Board of Education act on items which are not on the agenda or on which its members do not have full information; therefore, the following procedures will be adhered to by persons desiring to make a presentation to the Board:

### 176.1 Advance request procedure

Advance request procedure will be as follows:

A person who wishes to address the Board should make his request, preferably in writing, to the superintendent indicating the subject of his presentation. This should be done before the meeting, if at all possible.

#### 176.2 Recognition from the floor

Recognition from the floor in the case of no previous request having been made may, at the discretion of the president, under some circumstances, be granted. Such factors as time, agenda and the urgency of the proposed request will be weighted by the president in making this determination.

#### 176.3 How to address the Board

When recognized one should rise, state his name and address, the subject of the remarks to be made; and then, as briefly as possible but as fully as necessary make the same. On conclusion, the person who has made the remarks to the Board should remain in the room long enough to ascertain whether there are questions members of the Board or the superintendent desire to ask.

#### 176.4 Undue interruption

There shall be no undue interruption of anyone speaking to the Board, except by the president to advise of time limitations, or if the presentation is out of order or not factual and this known to someone present in the meeting room; in which case a note should be sent to the president who may interrupt to clear up a point. Presentations to the Board should be brief and to the point.

#### 176.5 Time limitations

Time limitations on length of presentations may be imposed by the president either before or during the presentation as, in his judgment, are required. The normal time allotted for individual speakers shall be five minutes. Those who have made advance requests will be recognized at the time designated on the agenda. However, if a visitor desires to speak on a subject being considered by the Board, he may seek recognition before the Board takes action.

### 177 Negotiating with employees

#### 177.1 Certificated bargaining unit

The Board of Education determines that the teachers' bargaining unit shall

consist of all certificated employees except for the superintendent, assistants to the superintendent, principals, assistants to the principals, and assistant principals.

#### 177.11 Negotiating agent

The Board of Education agrees not to negotiate with any teachers' organization other than the recognized certificated employees' organization. The recognized certificated employees' organization shall be determined according to the provisions of the Public Employees' Fair Employment Act.

#### 177.2 Non-teaching employees' bargaining unit

The Board of Education shall determine the composition of the various bargaining units of the non-teaching employees, and enter into agreements accordingly.

#### 177.21 Negotiating agent

The Board of Education agrees to not negotiate with any non-teaching employees' organization other than the recognized non-teaching employees' organization. The recognized non-teaching employees' organization shall be determined according to the provisions of the Public Employees' Fair Employment Act.

#### 177.3 Grievance procedure

The agreements between the recognized certificated employees' organization and the recognized non-teaching employees' organization shall govern the grievance procedure for their respective classes of employees.