

By-Laws

SUBJECT: POLICY AND ADMINISTRATIVE REGULATIONS

The Board shall reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority. The Superintendent shall act as an advisor to the Board in the adoption and approval of written Board policies. The Board shall seek input from the staff and community where appropriate. These guides for discretionary action shall constitute the policies governing the operation of the School System.

The formulation and adoption of these written policies shall constitute the basic method by which the Board shall exercise its leadership in the operation of the School System. The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board shall exercise its control over the operation of the School System.

The adoption of a written policy shall occur only after the proposal has been moved, discussed and voted on affirmatively at two (2) separate meetings of the Board (i.e., the "first reading" and the "second reading"). The policy draft may be amended at the second meeting. By a majority vote, the Board may waive the "second reading" and complete the adoption of the proposed policy at its "first reading."

Board action is also necessary for revising policies that require amendment or rescinding policies that are no longer relevant or applicable to the District.

The formal adoption, amendment or deletion of written Board policy shall be recorded in the official minutes of the Board. Such written Board policy shall govern the conduct and affairs of the District and shall be binding upon the members of the educational community in the District.

It shall be the Board's responsibility to keep its written policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision.

The Superintendent is given the continuing commission of calling to the Board's attention all policies that are out-of-date or for other reasons appear to need revision.

Execution of Policy: Administrative Regulations

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. These rules and these detailed arrangements shall constitute the administrative regulations governing the schools. They must in every respect be consistent with the policies adopted by the Board. The Board shall be kept informed periodically of changes in administrative regulations.

Education Law Sections 1604(9), 1709(1), 1709(2) and 2503(2)

Adoption Date: ~~06/19/2018~~11/22/2021

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

All Board meetings must be open to the public except those portions of the meetings which qualify as executive sessions. Reasonable efforts shall be made to ensure that all meetings are held in an appropriate facility which can adequately accommodate any and all members of the public who wish to attend.

Regular meetings of the Board shall take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified at subsequent meetings. Any meeting of the Board may be adjourned to a given future date and hour if voted by a majority of the Board present. In the event that a meeting date falls on a legal holiday, interferes with other area meetings, or Board member attendance will be less than a quorum, the Board shall select a date for a postponed meeting at the previous regular meeting, and shall direct the Clerk to notify all members. The District Clerk shall notify the members of the Board of Education in advance of each regular meeting. Such notice, in writing, shall include an agenda and the time of the meeting.

When the Board schedules a meeting on at least one week's notice, there must be at least seventy-two (72) hours advance notice in accordance with the provisions of the Open Meetings Law. Notice of other meetings shall be given as soon as is practicable in accordance with law. When the District has the ability to do so, notice of the time and place of a meeting shall be conspicuously posted on the District's ~~internet~~ website.

It is the responsibility of the Superintendent to prepare the agenda and review it with the Board President for each meeting of the Board. The agenda for each meeting shall be prepared during the week prior to the meeting. The agenda shall be distributed to Board members no later than the Friday before such regular meeting. Whenever the President or other members of the Board wish to place a matter on the agenda, they will submit a request to the Superintendent. Whenever individuals or groups wish to bring a matter to the attention of the Board, they will submit a written request to the Superintendent.

District records subject to release under the Freedom of Information Law, as well as any proposed rule, regulation, policy or amendment, that are on the Board agenda and scheduled to be discussed at a Board meeting, shall 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.

If videoconferencing or online technology is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations. Voting may be done through videoconferencing, provided that members can be both seen and heard from the remote location.

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

NA-1 First Reads

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

Quorum and Attendance

The quorum for any meeting of the Board shall be four members. No formal action shall be taken at any meeting at which a quorum is not present. When only a quorum exists, the Board shall act by unanimous vote unless otherwise required by the laws of the State of New York.

The Superintendent and members of his/her staff at the Superintendent's discretion shall attend all meetings of the Board. The Superintendent shall attend all executive session meetings of the Board except those that concern his/her evaluation, employment status, and salary determination. The Board may request the attendance of such additional persons as it desires.

It shall be the duty of each member of the Board of Education to attend all meetings of the Board of Education. If any member refuses or neglects to attend three successive meetings of the Board, of which the member is duly notified, without rendering a good and valid excuse to the other Board members, the member vacates the office by a refusal to serve.

Recording of Meetings

The Board recognizes that advances in technology allow public meetings to be photographed, broadcast, webcast and/or otherwise recorded, by means of audio or video, in a non-disruptive manner and supports the use of such technology to facilitate the open communication of public business. To that end, the Board may adopt rules addressing the location of the equipment and/or personnel used to photograph, broadcast, webcast and/or record such meetings to assure that its proceedings are conducted in an orderly manner. Such rules shall be conspicuously posted during meetings and written copies provided, upon request, to meeting attendees.

Public Expression at Meetings

Public expression at such meetings shall be encouraged and a specific portion of the agenda shall provide for this privilege of the floor, as set forth by the Board President. At its discretion, the Board may invite visitors to its meetings to participate in the Board's discussion of matters on the agenda.

~~The Board reserves the right to enter into executive session as specified in Policy #1540, Executive Sessions.~~

Use of Parliamentary Procedure

The business of the Board shall be conducted in accordance with the authoritative principles of parliamentary procedure as found in the latest edition of Robert's Rules of Order.

Education Law Sections 1708, 2504, 2109 and 2502(8) General

Construction Law Section 41

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

NOTE: Refer also to Policies #1540 - Executive Sessions
#1520 - Special Meetings of the Board of Education
#5410 - Purchasing
#6211 - Employment of Relatives of Board of Education Members
#8340 - Instructional Materials

Adoption Date: ~~06/19/2018~~ 11/22/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

NA-1 First Reads

~~2018~~2021

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SUBJECT: SPECIAL MEETINGS OF THE BOARD OF EDUCATION

Special meetings of the Board shall be held on call by the President or when petitioned by a majority of the members of the Board. A reasonable and good faith effort shall be made by the Superintendent, the Board President, or the District Clerk, as the case may be, to give every member of the Board twenty-four hours notice of the time, place and purpose of the meeting. All special meetings shall be held at a regular meeting place of the Board or at such other place designated by the Board of Education.

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

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

Education Law Section 1606
Public Officers Law Sections 103 and 104

Adoption: ~~06/19/2018~~11/22/2021

LEWISTON-PORTER CENTRAL SCHOOL DISTRICT

NA-1 First Reads

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SUBJECT: MINUTES

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

The minutes of each meeting of the Board shall state:

- a) The type of meeting;
- b) The date, time of convening, and adjournment;
- c) Board members present and absent;
- d) Board members' arrival and departure time, if different than opening or adjournment times;
- e) All action taken by the Board, with evidence of those voting in the affirmative and the negative, and those abstaining;
- f) A summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

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

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

Minutes of Executive Session

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

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

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

Adoption Date: ~~06/19/2018~~ 11/22/2021

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SUBJECT: EXECUTIVE SESSIONS

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

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

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

Education Law Section 3020-a
Public Officers Law Article 7

Adoption Date: ~~06/19/2018~~ 11/22/2021