

BOARD OPERATIONAL GOALS

The Board of Education, as a legally constituted body of elected representatives, bears the responsibility of setting policy for the school district. The Board acts in accordance with authority and responsibility vested in it by federal and state laws, rules, and regulations on behalf of the district's citizens.

In order to ensure that its educational programs provide all students with a high-quality education, the Board hereby establishes as its goals:

1. to work closely with the community to ensure that Board actions and performance take into consideration the concerns and aspirations of the community;
2. to identify the educational and technological needs of the community and industry, and to transform such needs into programs aimed at stimulating students and preparing them for future careers;
3. to employ a Superintendent of Schools capable of ensuring that the district maintains its position as an outstanding school system, and that school personnel carry out the policies of the Board with energy and dedication;
4. to provide leadership in order that goals and objectives of the district, as set forth by the Board, can be effectively carried out. Board action should be confined to policy-making, planning and appraisal with the Board delegating authority to the Superintendent for the implementation of policies; and
5. to evaluate the Board's performance in relation to these goals, and to establish and clarify policies based upon the results of such evaluation.

Adoption date: January 17, 2007

POLICY



No. 2010

Equity and Excellence in Education

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

Our students, staff and stakeholders bring their personal backgrounds into our schools and the District is richer for it. Each of them has a legitimate expectation to have a barrier-free learning environment.

It is the obligation of the District to embrace the diversity within our District while actively eliminating practices that perpetuate the disparities among our students so that all students have the opportunity to benefit. These disparities are unacceptable and are directly at odds with the Board's Vision that WESTBURY UNION FREE SCHOOL DISTRICT "is a community that ensures equitable access to a world class education unleashing the potential of every student."

In order to secure this vision, the District will focus on the individual and unique needs of each student. Therefore, the Board established the following course of action:

- Foster the universal values as expressed and adopted in the attached Board Resolution – Adopting Working Definitions for Diversity, Equity, Inclusion and Excellence in Education so that these values are shared across the District by a wide range of students, staff and stakeholders who are committed to act on these values without bias, prejudice, or discrimination.
- Commit to ensuring that fairness, equity and inclusion are essential principles of our school system fully integrating these principles into all of our policies, programs, operations and practices.
- Adopt a teaching and learning culture that includes high expectations of students and staff, varied teaching and learning styles, and individualized as well as systemic supports for teachers and students.
- Create multiple learning pathways that widen access to educational opportunities and lifelong success.
- Provide high quality, culturally relevant and responsive curricula for all students and teachers.
- Eliminate District policies, structures, and practices that perpetuate inequities and contribute to disproportionality of access and outcomes.
- Identify, develop and apply best instructional practices that have demonstrably made a positive difference for students and groups of students in order to reduce prevalent and persistent learning outcome gaps.

Excellence in Education

Requires a collaborative effort among all educational stakeholders-students, families, educators, community members-to seek out, create, and broaden opportunities and experiences that help our children excel as citizens of the world. It demands:

- ⇒ Committing to high expectations and academic success for all students, and supporting our students in achieving their aspirations and highest potential
- ⇒ Understanding that the talent, expertise, and awareness of our staff members is critical to our children's success
- ⇒ Believing in the power and value of transformative relationships and experiences both inside and outside the classroom
- ⇒ Appreciating and modeling lifelong learning

NOW, THEREFORE BE IT RESOLVED, That the Westbury UFSD Board of Education as part of the WESTBURY UNION FREE SCHOOL DISTRICT community commits to using these working definitions to develop engaged citizens who are prepared for life.

BE IT FINALLY RESOLVED, The appropriate Board Committee(s) and Administration will hereby work with the greater school community to examine, review, develop/refine, and implement policies to comport with this resolution, the Strategic Goals enumerated by the Board, and the applicable State and Federal laws.

Adoption date: January 23, 2019



RESOLUTION

A Resolution Adopting Working Definitions for **Diversity, Equity, Inclusion and Excellence** in Education (Policy #2010)

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

WHEREAS, the Westbury UFSD Board of Education is steadfast in its duty to develop educational programs that can transform lives and communities; and

WHEREAS, in order to ensure every child succeeds, we must understand how race/ethnicity, class, gender, sexual orientation, religion, and cognitive/physical ability impact the educational process; and

WHEREAS, the Westbury UFSD Board of Education will adopt the following working definitions for diversity, equity, inclusion, and excellence in education:

Diversity in Education

Requires that we see, value, and embrace the differences that make each of us unique. It demands:

- ⇒ Leveraging our differences to make us stronger
- ⇒ Recognizing that understanding our biases and working to embrace diversity is a lifelong journey
- ⇒ Believing a diverse educational community creates the most powerful and effective learning environment

Equity in Education

Requires that we, as a community, share responsibility for addressing the opportunity gaps that exist within our society and impact our students' ability to reach their full potential. We will strive towards:

- ⇒ Creating solutions that level the playing field while concurrently raising the bar across all schools
- ⇒ Providing each student appropriate resources he/she needs to achieve success
- ⇒ Providing safe school environments for all students in collaboration with surrounding communities

Inclusion in Education

Requires that our district choose to be a welcoming environment that reflects our whole community as we seek to positively support and advance the educational and developmental needs of our children. It demands:

- ⇒ Accepting, valuing, and learning from each other's strengths and differences
- ⇒ Listening to all the voices in our community, looking for the talents each individual possesses, and celebrating the diversity of backgrounds, beliefs, and experiences in our community
- ⇒ Considering and embracing different points of view, teaching us to empathize with and understand perspectives and experiences unlike our own

- Allocate annually the District's many financial, capital and human resources equitably.
- Facilitate equitable access to co-curricular and extra-curricular activities, social services, tutoring, and enrichment opportunities.
- Engage, include and collaborate with our families, students, residents, communities, and stakeholders as this Board recognizes that their active engagement is essential to the Board's own responsibility for effective and equitable governance.

To that end, the Board holds itself and all District and school site decision makers, faculty, support staff and participants accountable for building a District-wide culture of equity.

The Board directs the Superintendent to develop a plan with clear and measurable accountability standards and procedures that can be assessed and reported transparently to the public. The WESTBURY UNION FREE SCHOOL DISTRICT Equity Plan will be submitted annually to the Board for approval and will be reviewed by the Board at least semi-annually.

Adoption date: January 23, 2019

SCHOOL BOARD LEGAL STATUS

The Board of Education is a seven-member Board elected by district residents. Each member of the Board will be elected to a three year term. The terms of office of Board members shall not all expire in the same year. Board members are responsible for school district governance and policy-making.

The legal status of the Board is that of a corporate body established pursuant to the laws of New York State. Any liability of the district is a liability of the Board of Education as a corporation and not that of the members of the Board as individuals.

Members of the Board of Education have legal authority for the conduct of the district schools only when acting as a body in a properly convened session. Board members acting as individuals have no authority over personnel or school affairs.

The Board will not be bound in any way by any individual's statement or action unless the Board, through an adopted policy or by a majority vote of Board membership, has delegated this authority to the individual member.

The Board is entrusted with the responsibility of developing policies under which the district is governed. In addition, the Board has all the powers and duties stated in the Education Law and other applicable New York State law.

Complete and final authority on all district matters, except as restricted by law, will be vested in the Board.

Ref: Education Law §§1604; 1604-a; 1701; 1702; 1703; 1708; 1709; 1710
1804(1); 2101(2); 2105

Adoption date: January 17, 2007

SCHOOL BOARD POWERS AND DUTIES

The Board of Education is the governing body of the school district. The Board is entrusted with the responsibility of developing policies under which the district is governed.

The powers and duties of the Board are as stated in the Education Law and other applicable New York State law.

Complete and final authority on all district 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.

Board members are expected to appear at every Board meeting properly prepared to discuss the items appearing on the agenda. Each member is expected to have studied all supporting materials accompanying the agenda. Board members may contact the Superintendent of Schools for such additional information as necessary to individually make an intelligent evaluation of the questions to come before the Board.

Cross-ref: 2111, Board Member Authority
 2310, Regular Meetings
 2342, Agenda Preparation and Dissemination

Ref: Education Law §§1604; 1604-a; 1701; 1708; 1709; 1710

Adoption date: January 17, 2007

BOARD MEMBER AUTHORITY

Members of the Board of Education have legal authority for the conduct of the district schools only when acting as a body in a properly convened session. Board members acting as individuals have no authority over personnel or school affairs.

Members of the Board are free to speak to individuals on these issues outside of Board meetings but such public expression is not to be construed as Board policy. Information from executive sessions must remain confidential at all times, unless release is appropriately authorized. The Board will not be bound in any way by any individual's statement or action unless the Board, through an adopted policy or by a majority vote of Board membership, has delegated this authority to the individual member.

Cross-ref: 2160, School District Officer and Employee Code of Ethics
2330, Executive Sessions

Ref: Education Law §§1604; 1701; 1708; 1709; 1710
Matter of Bruno, 4 EDR 14 (1964)
Application of Nett and Raby, 45 EDR ____, Decision No. 15,315,
(October 24, 2005)

Adoption date: January 17, 2007

POLICY



No. 2120

SCHOOL BOARD ELECTIONS

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

The elections of members of the Board of Education shall be held on the third Tuesday in May, unless this date conflicts with religious observances on that day, in which case it shall be held on the second Tuesday in May. The polls shall be open for those hours designated by the district. The following items shall be voted upon:

1. the annual budget,
2. any vacancies on the Board of Education, and
3. any special propositions that have been properly presented.

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place. The 100-foot zone is measured from the building entrance of the polling place. Displays or handout items of any political nature, except those provided by law, shall be prohibited by any individual, group or organization in any school building on those days when the polls are open for voting on school district matters, including, but not limited to, the annual school budget, candidates for the Board of Education, special propositions, etc.

Cross-ref: 1050, Annual District Election and Budget Vote

Ref: Education Law §§2012; 2013; 2014; 2018; 2018-a; 2019-a; 2031; 2035

Adoption date: January 17, 2007

Revised date: May 16, 2019

POLICY



No. 2120.1

CANDIDATES AND CAMPAIGNING

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

Nominations

Candidates for the office of member of the Board of Education shall be nominated by petition. Such petition shall be directed to the District Clerk, shall contain the signatures and addresses of at least 25 qualified voters of the district or two percent of the voters who voted in the previous election, whichever is greater, and shall state the name and residence of the candidate. Each petition shall be filed with the District Clerk not later than 30 days preceding the Annual Meeting and Election at which the candidates so nominated are to be elected.

The District Clerk will supervise the procedure used to establish the order of names on the ballot. The Board may reject nominations if the candidate is ineligible or has declared an unwillingness to serve.

Reporting Expenditures

If a candidate's campaign expenditures exceed \$500, the candidate must file a sworn statement with both the district clerk and the commissioner of education itemizing their expenditures and contributions received. The statement must list the amounts of all money or other valuable things paid, given, expended or promised by the candidate, or incurred for or on the candidate's behalf with his or her approval.

A candidate who spends \$500 or less is only required to file a sworn statement with the district clerk indicated this to be the case. No other campaign expenditure statement is required.

An initial statement must be filed at least 30 days before the election, a second statement must be filed on or before the fifth (5th) day preceding the election and a final statement must be filed within 20 days after the election.

Cross-ref: 1050, Annual District Election and Budget. Vote 6120, Budget Hearing

Ref: Education Law §§2018; 2031-a

Adoption date: May 16, 2019

POLICY



No. 2120.2

VOTING PROCEDURES

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

The District has established personal registration of voters for all school district elections. Qualified voters can personally register to vote with the Office of the District Clerk throughout the school year on certain dates and times established by the Board of Education. The Board of Education will also establish date(s) and time(s) for the Board of Registration to register qualified voters at the election district locations listed below. The Board of Registration and District Clerk will prepare a register of all qualified voters for the District's annual meeting or election.

Voting shall be conducted at four (4) election districts as follows:

ELECTION DISTRICT NO. 1	WESTBURY MIDDLE SCHOOL 455 Rockland Street, Westbury, New York
ELECTION DISTRICT NO. 2	DREXEL AVENUE SCHOOL 161 Drexel Avenue, Westbury, New York
ELECTION DISTRICT NO. 3	PARK AVENUE SCHOOL 955 Park Avenue, Westbury, New York
ELECTION DISTRICT NO. 4	DRYDEN STREET SCHOOL 545 Dryden Street, Westbury, New York

Eligibility to Vote

A person shall be entitled to vote in any school district election and in all matters placed upon the official ballot, if such person is:

1. a citizen of the United States;
2. at least 18 years of age;
3. a resident within the school district for a period of 30 days next preceding the election at which such person desires to vote;
4. qualified to register or is registered to vote in accord with section 5-106 of the Election Law.

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law provisions. Each annual or special election or meeting shall have a presiding chairman appointed by the Board. Such chairman shall have the responsibility of properly handling any challenges to the qualification of any voter.

Voting

Voting machines shall be used for recording the votes on all elections, budget votes, and votes on special propositions. The only exception to the use of voting machines shall be a situation where the machines are unavailable due to mechanical/electrical failure. If this should arise, paper ballots will be used.

Each voting machine shall have at least two election inspectors appointed by the Board of Education in attendance during all voting hours. It shall be the duty of the District Clerk and assistant clerk or clerks to keep a poll list containing the name and legal residence of each person before such person is permitted to vote.

Election inspectors shall not advise or induce such voter to vote on any proposition or candidate, and if the election inspector were to learn how the individual voted, the election inspector shall never reveal the vote(s) recorded to any other person at any time.

Write-in ballot slots are required. Ballots containing the names of nominated candidates will be provided by the Board of Education. There will be as many write-in slots as there are vacancies at the time of election.

Election Day Operations

The District Clerk or his/her designee(s) are responsible for marking the entrances and exits appropriately to inform potential voters where they shall enter and exit the District's building on the day of the election. The markings shall be in English, Spanish, and Haitian-Creole. There shall also be signs within the school building aiding the voters to walk (or otherwise travel) from the building entrance to the voting room and from the voting room to the building exit. These signs shall be in English, Spanish, and Haitian-Creole.

Interpretation and Translation Services on Election Day

The policy of the Board of Education is to encourage all registered voters to vote on election day. The Board of Education will make reasonable efforts to prevent language barriers from impeding or impairing a voter's exercise of his/her right to vote.

Therefore, the District shall make reasonable efforts to print all ballots for school district elections in both English and Spanish.

In addition, the District shall make reasonable efforts to have Spanish-speaking election workers and Haitian Creole – speaking election workers available to assist voters on election day.

Sample Ballots

Sample ballots with instructions shall be available at each polling place. The District shall make reasonable efforts to have sample ballots translated into English, Spanish, and Haitian Creole.

Absentee Ballots

The District provides for the use of absentee ballots for voting. Such ballots shall be available for the election of members of the Board of Education, the adoption of the school district budget, and on questions and propositions submitted to the voters of the District. The application must be received by the District Clerk at least seven days prior to the election, if the ballot is to be mailed to the voter; or the application must be received by the day before the election, if the ballot is to be personally delivered to the voter. The application must be completed and returned, and the individual must verify therein that he/she meets all voting requirements, and explain the reason for his/her inability to appear in person to vote.

In particular, the individual must explain that he/she will be unable to appear to vote in person on the day of the school district election because:

1. he/she will be a patient in a hospital, or unable to appear personally at the polling place on such day because of illness or physical disability;
2. his/her duties, occupation, business, or studies will require him/her to be outside of the county or city of his/her residence on such day;
3. he/she will be on vacation outside the county or city of his/her residence on such day; or
4. he/she will be detained in jail awaiting action by a grand jury; awaiting trial; or is confined in prison after conviction for an offense other than a felony.

The District Clerk shall request registration lists from the Nassau County Board of Elections for those voters whose registration record has been marked “permanently disabled” and the Board of Registration shall automatically mail absentee ballots to such voters in advance of each district vote or election.

The application for an absentee ballot shall be in compliance with the New York State Education Law.

The District shall not permit any person, other than the applicant for absentee ballot, to pick up or be issued an absentee ballot. The District Clerk may only mail to, or issue directly to, an applicant an absentee ballot. The District does not authorize proxy voting.

When an application is received by the District Clerk, the Board of Registration shall review the application to determine whether the person is a qualified voter in the District and is entitled to vote by absentee ballot before sending an absentee ballot to the voter.

The Board of Registration shall make a list of all persons to whom absentee voter’s ballots have been issued and file such list in the District Clerk’s office where it shall be available for public inspection during regular office hours until the day of the election. Any qualified voter may, upon examination of such list, file a written challenge of the qualifications as a voter of any person whose name appears on such list, stating the reasons for such challenge. Such written challenge shall be transmitted by the District Clerk to the inspectors of election on election day.

Absentee ballots may be received by the District Clerk or the District Clerk’s designee until 5:00 p.m. on the day of the election.

BOARD MEMBER QUALIFICATIONS

The qualifications of a candidate for the office of member of the Board of Education are that the candidate be:

1. able to read and write;
2. a qualified voter of the district; and
3. a resident of the school district for at least one year prior to election.

No employee of the school district may be a member of the Board, except as permitted by law.

Ref: Education Law §§2102; 2103; 2502(7)
Rosentock v. Scaringe, 40 N.Y.2d 563 (1976)
Matter of Schoch, 21 EDR 300 (1981)

Adoption date: January 17, 2007

FILLING BOARD VACANCIES

The Board of Education has the power to fill any vacancy, by a majority vote, which may occur on the Board by reason of death, resignation, removal from office or from the school district, or refusal to serve, of any member or officer of the Board. The person so appointed in the place of any such member of the Board shall hold his/her office until the next annual election of Board members. The unexpired term of the office will then be filled by election.

The Board shall have the power to call a special school district election for the purpose of filling the unexpired term of office of a member of the Board.

Ref: Education Law §§1709(17); 2113

Adoption date: January 17, 2007

POLICY



No. 2160

SCHOOL DISTRICT OFFICER AND EMPLOYEE CODE OF ETHICS

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

The Board of Education is committed to avoiding any situation in which the existence of conflicting interests of any Board member, officer, agent or employee may call into question the integrity of the management or operation of the school district. The Board recognizes that sound, ethical standards of conduct serve to increase the effectiveness of district officers, agents and staff as educators and public employees in the community. Adherence to a code of ethics promotes public confidence in the schools and furthers the attainment of district goals.

The Board also recognizes its obligation to adopt a code of ethics setting forth the standards of conduct required of all Board members, district officers, agents and employees under the provisions of the General Municipal Law. Therefore, every Board member, officer, agent and employee of the district, whether paid or unpaid, shall adhere to the following code of ethics.

Statutory Conflicts of Interest

It is a conflict of interest for a Board member, officer, agent or employee to benefit personally from contracts made in their official capacity.

- ***“Contract”*** is defined broadly to include any claim or demand against the district or account or agreement with the district, whether expressed or implied which exceeds the sum of \$750.00 in any fiscal year.
- An ***“interest”*** is defined as a direct or indirect benefit that runs to the employee as a result of a contract with the district.

No Board member, officer, agent or employee shall have an ***“interest”*** (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

1. a firm, partnership or association in which he/she is a member or employee;
2. a corporation in which he/she is an officer, director or employee;
3. a corporation in which he/she, directly or indirectly, owns or controls 5% or more of the stock;
4. a contract between the district and his/her spouse, minor child or dependents, except for an employment contract between the school district, a spouse, minor child or dependent of a Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

1. **Gifts:** A Board member, officer, agent or employee shall not directly or indirectly solicit any gift or accept or receive any gift having a value of **\$75** or more, whether in the form of money, services, 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 her in the performance of his or her official duties or was intended as a reward for any official action on his or her part.

However, the Board welcomes and encourages the writing of letters or notes expressing gratitude or appreciation to staff members. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.
2. **Confidential information:** A Board member, officer, agent or employee shall not disclose confidential information acquired by him or her in the course of his or her official duties or use such information to further his or her personal interest. This includes matters discussed in executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law.
3. **Representation before the Board or District:** A Board member, officer, agent or employee shall not receive or enter into any agreement, expressed or implied, for compensation for services to be rendered in relation to any matter before the school district.
4. **Disclosure of interest in matters before the Board:** A Board member, officer, agent or employee of the district, whether paid or unpaid, must publicly disclose the nature and extent of any interest they or their spouse have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), to the governing body and his/her immediate supervisor (where applicable) even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is exempted under Section 803(2) of the General Municipal Law. The term “interest” means a pecuniary or material benefit accruing to an officer or employee.
5. **Investments in conflict with official duties:** A Board member, officer, agent or employee shall not invest or hold any investment directly in any financial, business, commercial or other private transaction that creates a conflict with his or her official duties. Exceptions to the conflict of interest law can be found in Section 802 of the General Municipal Law (see 2160-E.1).
6. **Private employment:** A Board member, officer, agent or employee shall not engage in, solicit, negotiate for or promise to accept private employment when that employment or service creates a conflict with or impairs the proper discharge of his or her official duties.
7. **Future employment:** A Board member, officer, agent or employee shall not, after the termination of service or employment with the district, appear before the Board in relation to any action, proceeding, or application in which he or she personally participated during the period of his or her service or employment or that was under his or her active consideration.

8. **Involvement with Charitable Organizations:** A Board member, officer, agent or employee may be involved as a volunteer, officer or employee in a charitable organization which has a relationship with the district. If a Board member is a board member, officer, agent or employee of the charitable organization the Board member must disclose such relationship in writing to the district, and the Board member must recuse himself or herself from any discussions or votes relating to the charitable organization which may come before the Board. When participating in the activities of the charitable organization, the Board member, officer, agent or employee shall not disclose any confidential information learned in the course of his or her official duties or use such information to further personal interests. Additionally, the Board member, officer, agent or employee shall not make representations on behalf of the district unless specifically authorized to do so by the Board.

Distribution of Code of Ethics

The Superintendent of Schools shall cause a copy of this Code of Ethics to be distributed to every member of the Board, every officer, every agent and employee of the school district. Each officer, agent and employee elected or appointed thereafter shall be furnished a copy before entering upon the duties of his or her office or employment. In addition, the Superintendent shall ensure that a copy of Article 18 of the General Municipal Law shall be kept posted in each public building under the district's jurisdiction in a place conspicuous to the district's officers, agents and employees.

Penalties

In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of the Board's code of ethics and its accompanying regulation may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

Ref: General Municipal Law §§806-808

Opn. St. Comp. 2008-01

Application of the Board of Education, 57 EDR Dec. No. 17,147 (2017)

Application of Nett and Raby, 45 EDR 259 (2005)

Adoption date: September 17th, 2020

POLICY



No. 2160-E.1

EXCEPTIONS TO CONFLICT OF INTEREST

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

Board members, officers, agents, and employees will not be deemed to have a conflict of interest in any of the exceptions listed in §802 of the General Municipal Law, including:

1. Contracts with membership corporations or other voluntary not-for-profit corporations or associations (e.g., Taylor Law collectively negotiated agreements, contract with a not-for-profit health services organization). [§802(1)(f) GML] **[Note:** No Board member is prohibited from voting on collectively negotiated agreements which are applicable to his/her spouse or child];
2. Appointment of a teacher who is a relative or spouse of a Board member, is permitted upon a two-thirds supermajority vote, without limiting any Board member's right to vote. [§3016 Education Law]
3. The employment of a Board member as school physician is permitted upon a two-thirds vote of the Board. [§802(1)(i) GML]
4. Contracts entered into by the district with a person who is subsequently elected or appointed to the Board, a school district office, agent or employment remain valid, except the contract may not thereafter be renewed. [§802(1)(h) GML]
5. A contract with a corporation of which the interest of the Board member officer or employee is, by reason of stockholding, less than 5% of the outstanding shares. [§802(2)(a) GML]
6. Contracts between the district and a Board member, officer, agent, or employee in which the total amount does not exceed \$750 in any fiscal year. [§802(2)(e) GML]
7. Where application of the conflict of interest rules would necessitate the engagement of a bank or trust company outside of the municipality or school district, the Board may designate a bank or trust company in which the Board president, treasurer or deputy treasurer has an interest in such entity. The designation shall be as a depository, paying agent or registration agent for the investment of funds. [§802(1)(a) GML]
8. A contract with a person, firm, corporation or association in which a municipal officer or employee has an interest prohibited solely by reason of employment as an officer or employee of such other entity, if their compensation will not be directly affected as a result of the contract with the municipality or school district and duties do not directly involve the procurement, preparation or performance of any part of the contract. [*Appeal of Vivlemoe*, 33 EDR 174 (1993)]
9. The designation of a newspaper, including an official newspaper, for the publication of notices, resolutions or other proceeding where publication is otherwise required or authorized by law. [§802(1)(c) GML]
10. The purchase of real property or any interest therein when approved upon a petition to the State Supreme Court by the board of education. [§802(1)(d) GML]

11. Acquisition of real property or an interest in real property through eminent domain proceedings. [§802(1)(f) GML]
12. Sale of bonds and notes pursuant to section 60.10 of the Local Finance Law. [§802(1)(g) GML]

Adoption date: September 17th, 2020

POLICY



No.2160-E.2

CODE OF ETHICS ACKNOWLEDGEMENT

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

I, _____, an officer/agent/employee of the _____ School District, do hereby acknowledge receipt of a copy of the Code of Ethics of the _____ School District, this ____ day of _____ in the year 20__.

(Signature of officer/agent/employee)

(Print name of officer/agent/employee)

Adoption date: September 17th, 2020

POLICY



No. 2160-E.3

ANNUAL CONFLICT OF INTEREST DECLARATION

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

I, the undersigned Trustee of _____ School District, hereby state that to the best of my knowledge, except as disclosed below:

- Neither I nor my spouse, minor child, or dependent holds any office, directorship or employment, or has any personal financial interest, directly or indirectly, in any corporation, partnership or other entity that transacts business with _____ School District, its trustees or affiliates; except a contract of employment as the law specifically allows a school district officer's or employee's spouse, minor child, or dependent to enter into an employment contract with the district.
- I, as an individual, do not transact any business, directly or indirectly, with _____ School District, its trustees or affiliates.
- No member of my family (meaning my spouse, minor child, or dependent) is employed by or transacts business, directly or indirectly, with _____ School District, its trustees or affiliates; except a contract of employment as the law specifically allows a school district officer's or employee's spouse, minor child, or dependent to enter into an employment contract with the district.
- Neither I nor my spouse, minor child, or dependent has, directly or indirectly, (i) any investment in any non-publicly traded corporation, partnership or other entity in which the _____ School District, its trustees or affiliates has an investment, or in any corporation, partnership or other entity in which the _____ School District, its trustees or affiliates has a controlling interest, or (ii) an ownership interest of 5% or more in any entity in which the _____ School District, its trustees or affiliates has an investment.

Exceptions:

I am an employee, trustee, director, officer, agent for or proprietor of, or hold a controlling interest in, the following for-profit and not-for-profit organizations:

I agree that if there should arise any situation of which I am aware that is in any way contradictory of the above statements, I will immediately notify the _____ School District Board of Education of any conflict, actual or potential, and will make a full public, written disclosure. I agree further that if it is determined that a potential conflict of interest exists in relation to any transaction or other business relationship, I shall comply with the _____ School District Conflict of Interest Policy and Code of Ethics for Board Members in connection therewith.

Date

Signature

Printed Name

Adoption date: September 17th, 2020

POLICY



No. 2160-R

CONFLICT OF INTEREST

WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION

EMPLOYEE CONFLICT OF INTEREST

Code of Ethics and Conflict of Interest (2160)

Substantial state and federal requirements exist pertaining to standards of conduct and conflict of interest. In accordance with the District's Policy, **2160** maintains written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts. In addition to any penalty contained in any other provision of law, any person who shall knowingly and intentionally violate any of the provisions of these policies may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

ORGANIZATIONAL CONFLICT OF INTEREST

Code of Ethics and Conflict of Interest 2160

The **Westbury Union Free School District** has adopted Code of Ethics and Conflict of Interest policies **2160**, setting forth the standards of conduct required of all Board members, district officers, agents and employees under the provisions of the General Municipal Law. In accordance with policy, no Board member, officer, agent or employee shall have an *"interest"* (i.e., receive a direct or indirect benefit as the result of a contract with the district) in:

- a firm, partnership or association in which he/she is a member or employee;
- a corporation in which he/she is an officer, director or employee;
- a corporation in which he/she, directly or indirectly, owns or controls 5% or more of the stock;
- a contract between the district and his/her spouse, minor child or dependents, except for employment contract between the school district, a spouse, minor child or dependent of a

Board member authorized by §800(3) of the General Municipal Law or §3016 of the Education Law.

In addition to the above, a Board member, officer, agent or employee may be involved as a volunteer, officer or employee in a charitable organization which has a relationship with the district. If a Board member is a board member, officer or employee of the charitable organization the Board member must disclose such relationship in writing to the district, and the Board member must recuse himself or herself from any discussions or votes relating to the charitable organization which may come before the Board. When participating in the activities of the charitable organization, the Board member, officer, agent or employee shall not disclose any confidential information learned in the course of his or her official duties or use such information to further personal interests. Additionally, the Board member, officer, agent or employee shall not make representations on behalf of the district unless specifically authorized to do so by the Board.

DISCLOSING CONFLICT OF INTEREST

Code of Ethics and Conflict of Interest, Policy 2160

In accordance with the policies, any Board member, officer, agent or employee of the Westbury Union Free School District, whether paid or unpaid, must publicly disclose the nature and extent of any interest they or their spouse have, will have or later acquire in any actual or proposed contract, purchase agreement, lease agreement or other agreement involving the school district (including oral agreements), to the governing body and his/her immediate supervisor (where applicable) even if it is not a prohibited interest under applicable law. Such disclosure must be in writing and made part of the official record of the school district. Disclosure is not required in the case of an interest that is exempted under Section 803(2) of the General Municipal Law. The term “interest” means a pecuniary or material benefit accruing to an officer or employee.

The Board of Education for the Westbury Union Free School District affirms its commitment to adhere scrupulously to all applicable provisions of law regarding material conflicts of interest. Knowing or willful violation of the District’s policies 2160 by any employee may result in disciplinary action up to and including dismissal. Any officer, employee or member of the public noting or suspecting a violation of these policies is encouraged to bring the matter, either in confidence or in public, to the Board of Education or the Superintendent of Schools.

CONFLICT OF INTEREST PROCEDURE

Annually, the District Assistant Superintendent for Finance & Operations will provide all employees with the Code of Ethics and Conflict of Interest Policies, which they will be required to confirm that they have read and understand the District’s policies, as well as requiring all Board of Education Members, agents and employees involved with the purchasing process, complete and file the attached “Code of Ethics Acknowledgment—See Policy 2160-E.2 and “Annual Conflict of Interest Declaration—See Policy 2160-E.3” with the office of Human Resources. Any discrepancies will be shared with the Board President, who will then communicate to the entire Board by October 31.

Adopted date: September 17th, 2020

On the day of the election, the District Clerk shall transmit all absentee voters' ballot envelopes to the election inspectors at the designated poll sites to be deposited into a locked box, which shall be secured until the polls close on election day, after which, the locked box shall be opened by the election inspectors in the presence of the public whereupon the absentee ballots shall be canvassed, verified, and counted at the end of the election night.

Security of Affidavit Ballots

The District Clerk or his/her designee at every polling location shall secure all Affidavit Ballots submitted by voters who the District cannot verify on the day of the election is a registered voter, but who shall not be turned away from voting so long as the voter certifies and swears under penalty of perjury that he/she is a registered voter in the District.

The District Clerk or his/her designee at every polling location shall keep every Affidavit Ballot in a locked box and shall record the number of Affidavit Ballots to ensure that there is an accurate count of how many Affidavit Ballots were submitted by voters during the election.

The District Clerk and employees designated by the Board of Education shall add to the vote tally at each polling location the number of Affidavit Ballots submitted. The District Clerk and employees designated by the Board of Education shall work with the Nassau County Board of Elections within three (3) days of the election to determine whether the Affidavit Ballots were valid and shall call a public meeting to open up, in public, the Affidavit Ballots determined to be valid.

Ref: Education Law §§2012; 2014; 2018; 2018-a; 2018-b; 2018-c; 2019;
2019-a; 2020; 2025; 2032(2)(e); 2035; 2037; 2603; 2607; 2610; 2613
Election Law §§3-224; 5-106; 5-612; 5-400
Matter of Rodriguez, 31 EDR 471 (1992)
Matter of Gresty, 31 EDR 90 (1991)
Matter of Ferro, 25 EDR 175 (1985)
Matter of Manno and Maloney, 23 EDR 172 (1983)
Matter of Yost, 21 EDR 140 (1981)
Matter of Alpert and Helmer, 20 EDR 281 (1980)
Matter of Reigler and Barton, 16 EDR 256 (1977)

Adoption date: January 17, 2007
Revised date: May 16, 2019

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 will hold its annual reorganizational meeting on the first Tuesday in July. If that day is a legal holiday, the Board will hold the meeting on the first Wednesday in July. The Board may alternately hold the meeting on a date during the first 15 days in July that is not a legal holiday. The Board will choose this date by resolution at a Board meeting before July.

The District Clerk shall call the meeting to order, and shall preside until the election of a new president. The order of business to be conducted at the reorganizational meeting shall include items required or implied by state law and/or regulation. The Board may also conduct general district business at the end of the meeting before adjourning.

I. Oath of Office

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

II. Election of Board 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.

III. Appointment of District Officers

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

District Treasurer
District Clerk

Deputy Treasurer
Internal Claims Auditor

IV. Appointment of Other Positions

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

School Physician	School Attorney
Census Enumerator	Insurance Consultant
School Dentist	Records Access Officer
Independent Auditor	Records Management Officer
Title IX/Section 504 Hearing Officer(s)	Asbestos Designee
Treasurer of Student Activity Account	

V. Bonding of Personnel

The Board may bond the following personnel handling district funds:

Superintendent of Schools	District Clerk
Assistant Superintendent for Business	School Attorney
Tax Collector	Internal Claims Auditor
District Treasurer	Deputy Treasurer
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 depositories for district funds
 Official district newspapers
 The day and time of regular meetings
 Rate for mileage reimbursement

VII. Authorizations:

- a. of person to certify payrolls
- b. of school purchasing agent
- c. of attendance at conferences, conventions, workshops, etc., with designated expenses
- d. to establish petty cash funds (and to set amount of such funds)
- e. to designate authorized signatures on checks
- f. of Superintendent of Schools to approve budget transfers

Cross-ref: 2310, Regular Meetings
5252, Student Activities Funds Management

Ref: New York State Constitution, Article XIII, §1
General Municipal Law §103(2) (official newspapers)
Public Officers Law §§10; 13; 30
Education Law §§ 701 (meeting to elect president, may elect vice president); 1707 (date of meeting); 1904 (central high school districts in Nassau county); 2130 (appoint clerk, bonded treasurer and bonded tax collector); 2504 (small city meeting during the first week of July, day and time of regular meetings)

Adoption date: January 17, 2007

BOARD OFFICERS

The President and Vice-President of the Board of Education shall be elected by members of the Board at the annual reorganization meeting in July.

Duties of the President of the Board

The duties of the President of the Board shall be as follows:

1. to preside at all meetings;
2. to call special meetings he/she considers necessary or on request of a member of the Board;
3. to appoint committees with the advice of fellow Board members;
4. to act as an ex-officio member of all committees;
5. to execute all documents on behalf of the Board;
6. to act as spokesperson for the Board when the Board is not meeting; and
7. to perform the usual and ordinary duties of the office.

Duties of the Vice-President

The Vice-President shall assume all the duties of the President in his/her absence.

Ref: New York State Constitution, Article 13 §2
Local Finance Law §2.00(5)(e)
Education Law §§1709; 2105(6); 2502; 2504; 2553; 2563; 2590-b

Adoption date: January 17, 2007

APPOINTED BOARD OFFICIALS

District Clerk

The Board of Education shall annually appoint a District Clerk. The District Clerk shall:

1. keep an accurate record of the proceedings of the Board of Education and shall submit a copy of the proceedings to each Board member and the Superintendent of Schools;
2. file all correspondence and records relating to matters of the school district, involving the Board;
3. prepare and arrange publication of legal notices;
4. attend all public meetings of the Board (Regular and Special) as well as public hearings of the Board and, when requested;
5. perform duties pertaining to the preparation for, and conduct of district elections, budget votes, and special district referendum elections;
6. in the absence of both the President and Vice-President of the Board at a duly constituted meeting, determine the member with the longest tenure on the Board, in alphabetical order, and that member shall then assume all the usual duties of the President until either the President or Vice-President is in attendance;
7. administer the Oath of Office for all Board members and school district officers; and
8. perform any other work requested of him/her by the Board or the Superintendent.

District Treasurer

The Board of Education shall also annually appoint a District Treasurer. The District Treasurer shall:

1. act as custodian of all monies belonging to the district;
2. receive all monies belonging to the district and issue receipt for same;
3. deposit monies received in banks designated by the Board;
4. be bonded in such sum as shall be required before entering into the duties of the office;
5. pay out district monies on written order of officials of the Board; and
6. give detailed accounts of monies received and disbursed.

Ref: Education Law §§2121; 2122; 2130

Adoption date: January 17, 2007

BOARD-SUPERINTENDENT RELATIONSHIP

The Board of Education believes that the development and adoption of policies is the most important function of a School Board, and the execution of the policies is the function of the Superintendent of Schools.

Delegation by the Board of its executive powers to the Superintendent provides freedom for him/her to manage the school within the Board's policies and frees the Board to devote its time to policymaking and appraisal functions.

The Board holds the Superintendent responsible for the administration of its policies, the execution of Board decisions, the operation of the internal machinery designed to serve the educational programs and for keeping the Board informed about district operations and problems. The Superintendent shall make reports and recommendations to the Board relating to the progress and operations of the schools and their programs.

Adoption date: January 17, 2007

BOARD COMMITTEES

The Board of Education may, from time to time, establish committees whose membership will consist of members of the Board. The President of the Board shall serve as an ex-officio member of all committees to which he/she is not appointed. Board committees shall undertake studies and make reports as charged by the Board, but shall not act on behalf of the Board.

The Board may establish standing or ad hoc committees and reserves the right to terminate any committees at any time.

Any official policy-level action shall be in the sole discretion of the Board. The Board is in no way obligated to follow committee recommendations. The Board has the right to accept, reject, or modify all or any part of a committee recommendation.

Alternately, the Board can operate as a committee of the whole.

Cross-ref: 2260, Citizens' Advisory Committees

Adoption date: January 17, 2007

CITIZENS' ADVISORY COMMITTEES

The Board of Education recognizes that it can beneficially utilize the talents, resources, and interests available among district residents to assist in developing the programs needed for the maintenance of a quality educational program in the schools of the district. To that end, the Board shall, at its discretion and in accordance with state law and regulation, appoint Citizens Advisory Committees of representative residents of the district to meet with the Board to provide advice and reaction about important matters before the Board which may have special significance for the community. The Superintendent of Schools may recommend members of Advisory Committees for the Board's consideration.

Each citizens committee organized by the Board shall be appointed and discharged by official Board resolutions. Resolutions appointing such committees shall state specifically the scope of the work of the committee.

Appointments to Citizens Advisory Committees shall be on the basis of interest, experience, expertise, and concern. No one shall be appointed as a representative of a specific group or area, unless it is the express purpose of the Board to have all areas of the community represented, in which case the Board will, in its discretion, appoint representative members of every such group or area. The Board shall make every effort to form a committee that is representative of the entire community.

Committees shall report all suggestions and recommendations to the Board and Superintendent prior to public release. Final reports shall be delivered to the Board at a meeting scheduled by the Board to receive the report.

The Board may accept, reject, or return committee recommendations for further study. Any action stemming from committee reports is the responsibility of the Board. Publicity, or the release of information, concerning committee findings shall be the responsibility and the prerogative of the Board. Advisory committees shall be discontinued upon completion of their assignment(s) or at the discretion of the Board.

Cross-ref: 2410, Policy Development, Adoption, Implementation and Review

Ref: Education Law §§4402; 4601
8 NYCRR §135.3(2)

Adoption date: January 17, 2007

SHARED DECISION-MAKING AND SCHOOL-BASED PLANNING

The Board of Education encourages the participation of the community in improving education in our schools. In accordance with the regulations of the Commissioner, a district-wide Shared Decision Making Committee will be established to work collaboratively with the Board to develop a district plan for the participation of parents, teachers, and administrators in shared decision-making and school-based planning. After consultation with the district-wide committee, the Board will adopt a plan it believes is consistent with the regulations and serves the best interests of the district.

Pursuant to the Commissioner's regulations, the district-wide planning committee shall be comprised of the following mandated participants:

1. the Superintendent of Schools;
2. an administrator selected by the district's administrative bargaining organization;
3. a teacher selected by the teachers' collective bargaining organization; and
4. parents (not employed by the district or a collective bargaining organization representing district teachers or administrators) selected by school-related parent organizations.

The committee is charged with developing a plan for the participation of parents, teachers, administrators and the Board in shared decision-making at the building level. This plan must specify:

1. the educational issues which will be subject to decision sharing and cooperative planning at the school level;
2. the manner and extent of the expected involvement of all parties;
3. the means and standards by which all parties will evaluate improvement in student achievement;
4. the means by which all parties will be held accountable for the decisions made;
5. the process whereby disputes will be resolved at the local level; and
6. the manner in which all state and federal requirements for the involvement of parents in planning and decision-making will be coordinated with and met by the overall plan.

The plan shall not be in contradiction of state or federal law, provisions of collective bargaining contracts or current board policy.

A copy of the Plan for Participation by Teachers and Parents in School-Based Planning and Shared Decision-Making shall be available at each school and at the central district office; individual copies of the plan will be provided upon request.

Every two years, the Board shall review the plan to determine its effectiveness and to recertify or amend the plan, as needed. Any amendment or recertification of the plan will be developed and adopted in accordance with section 100.11 of the Regulations of the Commissioner.

The amended or recertified plan together with a statement of the plan's success in achieving its objectives, shall be submitted to the Commissioner of Education for approval no later than February 1st of each year in which biennial review takes place. The first such review shall have been submitted to the Commissioner no later than February 1, 1996.

Ref: 8 NYCRR §100.11

Adoption date: January 17, 2007

SHARED DECISION-MAKING AND SCHOOL-BASED PLANNING REGULATION

District Shared Decision Council

The District Shared Decision Council (to be referred to in this article as the District Council) shall serve as the district review body assuring that the District Mission and Beliefs are maintained. All progress made by site-based committees will periodically be reported to the District Council.

The District Council is specifically charged to:

1. Review building level decisions that potentially impact and/or modify the District Mission and Beliefs (for example: the selection and change of textbooks, supplementary teaching publications and other educational teaching materials; or the addition, deletion, shifting and utilization of auxiliary professional services).
2. Provide a District level "sounding board" for items that may span multiple buildings and levels (for example: articulation of curriculum between the various educational levels). If an item is deemed by the Council to have District or multiple building impact, the item and Council recommendation shall be transmitted to the Superintendent of Schools for review and action.
3. Assist individual building site-based teams in the resolution of conflicts.
4. Assure the articulation of program and inter-building communication concerning the direction of each building.
5. Monitor and make public reports concerning the progress of each building toward the accomplishment of the buildings and District Goals.
6. Charge the co-chairpersons of the District Council to inform the Superintendent, Council President of the Parent-Teacher Association, President of the Westbury Teachers Association and President of the Westbury Association of Administrators and Supervisors concerning significant matters of discussion and concern.

In all cases, the District Council shall inform the Superintendent of Schools, Council President of the Parent Teacher Association, President of the Westbury Teachers Association, and President of the Westbury Association of Administrators and Supervisors concerning significant matters of discussion and concern.

Membership and Method of Selection

The Westbury Board of Education hereby establishes the District Council.

Assistant Superintendent for Curriculum and Instruction	(1)	Appointed by the Board
Representative from PTA Council	(1)	
One Teacher from each school	(6)	
One WTA Board Member	(1)	Selected by the Westbury Teachers Association
Administrators from:		
High School	(1)	Selected by the School Administration Association
Middle School	(1)	Selected by the School Administration Association
Elementary	(1)	Selected by the School Administration Association
One Student from Westbury High School	(1)	Elected by Student Council

The District Council will be co-chaired by the Assistant Superintendent member and the WTA member of the Council. Council meetings shall be alternated between the Assistant Superintendent member and the WTA member.

Committee Authority

The District Council is advisory in nature.

Continuance of Committee

The Committee shall be viewed as a standing body with an election every two years per member excepting the Assistant Superintendent for Curriculum and Instruction and the WTA Board member.

Meetings

The Council will commence its meeting schedule in September, and thereafter will meet for five additional meetings. Meetings will be held at 12:00

p.m. on the second Thursday in September, December, February, April, May and June. Additional meetings of the Council shall be held by consensus of the Council after school hours.

Adjustments to District Council Membership

Annually the Council will meet with the Superintendent and WTA leadership to review the success or lack thereof in terms of its size. Member additions to or subtractions from the Council will be considered.

The Board of Education will provide \$5,000.00 per annum for teacher mini grants approved by the District Council.

Adoption date: January 17, 2007

SCHOOL ATTORNEY

The Board of Education shall retain legal counsel who shall be appointed at the Annual Reorganizational Meeting of the Board of Education. The President of the Board, or the Superintendent of Schools or his/her designee, may contact the counsel on legal matters affecting the operation of the school district.

Selection of a School Attorney

The district, when seeking to retain a School Attorney, will first locate prospective qualified lawyers/law firms by:

1. advertising in trade journals;
2. checking listings of lawyers/law firms; or
3. making inquiries of other districts or other appropriate sources.

The district will then prepare a well-planned, written request for a proposal which will contain critical details of the services sought and submit this request to prospective applicants.

In selecting a School Attorney, the district will consider the cost of a retainer (or hourly fee), as well as such other factors as:

1. the special knowledge or expertise of the lawyer/law firm;
2. the quality of the service provided by the lawyer/law firm;
3. the staffing of the lawyer/law firm; and
4. the lawyer's/law firm's suitability for the district's needs.

The district will maintain documentation of the written proposals submitted by lawyer/law firm applicants for the position of School Attorney.

Adoption date: January 17, 2007

REGULAR MEETINGS

In order to perform its duties in an open and public manner, and in accordance with state law, the Board of Education shall hold regular business meetings once a month.

The time, dates and place of regular Board of Education meetings shall be established at the annual reorganizational meeting. In the event that the day appointed for a regular meeting falls on a legal holiday, the meeting shall be rescheduled. All regular Board meetings are open to the public, and meeting facilities shall provide access to persons with disabilities.

In addition to the members of the Board, the following individuals will regularly attend the business meetings of the Board: the Superintendent of Schools, the Assistant Superintendent, and other specified personnel as deemed necessary.

Cross-ref: 2210, Board Reorganizational Meeting
 2340, Notice of Meetings
 2350, Board Meeting Procedures

Adoption date: January 17, 2007

SPECIAL MEETINGS

Special meetings of the Board of Education must be called as requested by a member of the Board, making such a request to the Board President.

Such meeting requires a notice of 24 hours to all Board members.

If, in an emergency, a special meeting is held before the 24-hour notice can be given, each member may be asked to sign a waiver of notice. A statement regarding the time of notice and signature of such forms shall be entered in the minutes.

The agenda for special meetings shall be delivered to the homes of Board members and officers not later than four days prior to the meeting, or as quickly as it can be prepared in case the meeting is an emergency meeting called on short notice.

The regular rules of procedure of Board meetings shall apply to special meetings as well. Although special meetings ordinarily consider a single item of business, other items of business may be included on the agenda by consent of the Board members present.

Cross-ref: 2340, Notice of Meetings
 2350, Board Meeting Procedures

Ref: Education Law §§1606; 2504; 2563
 Open Meetings Law, Public Officers Law §§100 et seq.

Adoption date: January 17, 2007

EXECUTIVE SESSIONS

The Board of Education may hold executive sessions at which only the members of the Board or persons invited by the Board shall be present. However, the executive session is only available for the purpose of discussion, and except as the law allows, formal action must be taken in an open session.

Executive 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.

A Board may not take action in executive session except to vote on disciplinary charges against a tenured teacher.

Minutes shall be taken at executive sessions of any action that is taken by a formal vote and should consist of a record or summary of the final determination of such action and the date and vote thereon, provided, however, that such summary shall not include any matter which is not required to be made public by the Freedom of Information Law. Minutes taken shall be available to the public within one week from the date of the executive session.

Ref: Education Law §1708 (3)
Public Officers Law §§100 et seq.
Gordon v. Monticello, 620 N.Y.2d 573, 575; 207 A.D.2d 55 (1994)
Weatherwax v. Stony Point, 97 A.D.2d 840 (1983)
Daily Gazette v. Cobleskill, 11 Misc.2d 303, 304-5 (1981)
Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)
Application of Nett and Raby, 45 EDR ____, Decision No. 15,315,
(October 24, 2005)

Adoption date: January 17, 2007

NOTICE OF MEETINGS

For all regular and scheduled special meetings of the Board of Education, the District Clerk shall give adequate notice to all members and to the community.

If a meeting is scheduled at least a week in advance, notice will be given to the public and news media at least 72 hours prior to the meeting. A special meeting may be called upon 24-hour notice to Board members.

When a meeting is scheduled less than a week in advance the Board shall provide public notice to the extent practicable. Said notice shall be conspicuously posted in one or more designated public locations.

Ref: Open Meetings Law, Public Officers Law §§100 et seq.
Education Law §§1606; 1708; 2504; 2563

Adoption date: January 17, 2007

AGENDA PREPARATION AND DISSEMINATION

The Superintendent of Schools shall prepare the agenda, in consultation with the Board President, for each board meeting according to the order of business, to facilitate orderly and efficient meetings, and to allow board members sufficient preparation time.

Items of business may be suggested by any Board member, district employee, parent, student, or other member of the public, and must relate directly to district business. The inclusion of items suggested by district employees, parents, students, or other members of the public shall be at the discretion of the Superintendent, subject to the approval of the Board President.

Persons suggesting items of business must submit the item to the Superintendent at least 10 (ten) calendar days prior to a regular meeting and 5 (five) calendar days prior to a special meeting. Items will not be added to the agenda later than these time periods, unless the item is of an emergency nature and authorized by the Superintendent in consultation with the Board President.

The agenda and any supporting materials will be distributed to board members 5 (five) days in advance of the board meeting, if possible, to permit careful consideration of items of business. The agenda will also be available in the Superintendent's office to anyone who requests a copy.

The District Clerk or Secretary to the Superintendent shall be responsible for ensuring that the agenda is available to the public and the media.

Cross-ref: 2350, Board Meeting Procedures

Adoption date: January 17, 2007

BOARD MEETING PROCEDURES

Each Board of Education meeting shall be conducted in an orderly manner which provides time for and encourages community involvement. The order of business at each regular meeting shall be as follows:

1. Call to order
2. Attendance
3. Pledge of Allegiance and Silent Meditation
4. Approval of Minutes
5. Information (Communications)
6. Approval of Monthly Reports
7. Public Comments on Agenda Items
8. Old business
9. New business
10. Public Comments on other than Agenda Items
11. Executive Session (if necessary)
12. Adjournment

The regular order of business may be changed at any meeting (and for that meeting only) by an affirmative vote of a majority and voting for the proposed change in the regular order of business.

Except in emergencies, the Board shall not attempt to decide upon any question under consideration before examining and evaluating relevant information. The Superintendent shall be given an opportunity to examine and to evaluate all such information, and to recommend action before the Board attempts to make a decision.

The Board may adjourn a regular or special meeting at any place in the agenda providing that arrangements are made to complete the items of business on the agenda at a future meeting. The minutes shall make notice of the adjournment, and the reconvened session shall be considered an addition to these minutes.

Cross-ref: 1230, Public Participation at Board Meetings

Adoption date: January 17, 2007

QUORUM

A majority of the members of the Board of Education shall constitute a quorum for the transaction of the business of a regular meeting. Should there be fewer than 4 (four) members of the Board present at a regular meeting, a time for the new meeting shall be set by the members present and such meeting shall be deemed a regular meeting. Notice of rescheduled meetings shall be given to absent members pursuant to Policy 2340, Notice of Meetings.

Final action on any resolution shall be valid only upon vote of the majority of the total membership of the Board.

Cross-ref: 2340, Notice of Meetings

Adoption date: January 17, 2007

RULES OF ORDER

Unless otherwise provided in the Board's Bylaws, the Board shall conduct all meetings in accordance with Robert's Rules of Order, Revised. In case of disagreement as to Rules of Order, the Board counsel shall be the parliamentarian and his/her decision shall be based on Robert's Rules of Order, Revised.

Adoption date: January 17, 2007

VOTING METHOD

The Board President shall call for the vote on each motion, and shall rule on its passage. Any Board member may request a vote by individual members (roll call) and the President shall have the power to call for a vote by individual members. Any Board member may abstain from voting.

Adoption date: January 17, 2007

MINUTES

The Board of Education believes that open and accurate communication regarding its internal operations enhances the district's public relations program and provides a record of the district's progress towards its annual goals. Therefore, the Board will maintain a complete and accurate set of minutes of each meeting, in accordance with law.

The minutes shall constitute the official record of proceedings of the Board and shall be open to public inspection within one week of executive sessions and within two weeks of all other meetings. Minutes which have not been approved by the Board within this time frame shall be marked, "DRAFT." A draft of the minutes of each meeting shall be forwarded to each member of the Board not later than the time the agenda for the next meeting is disseminated.

The District Clerk shall be responsible for taking the minutes, and shall present the draft minutes to the Board President within one day of the meeting. The minutes shall conform to an established format.

All motions, proposals, resolutions, and any other matters formally voted upon by the Board shall be recorded in Board minutes. In recording such votes, the names of the Board members shall be called in alphabetical order, and the record shall indicate the final vote of each Board member.

If a Board member is not present at the opening of a meeting, the subsequent arrival time of such member shall be indicated in the minutes.

Ref: Open Meetings Law, Public Officers Law §§100 et seq.
Freedom of Information Law, Public Officers Law §§84 et seq.
Education Law §2121

Adoption date: January 17, 2007

POLICY



No. 2410

Policy Development, Adoption, Implementation and Review

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

POLICY DEVELOPMENT, ADOPTION, IMPLEMENTATION AND REVIEW

The Board of Education is responsible for adopting and assessing the effectiveness of the written policies by which the district is governed. The Board recognizes that written policies are essential to district governance in that they:

- Govern effectively and efficiently across time, situations, and individuals.
- Provide the foundation and guidance for administrative action.
- Publicize the federal, state, and local rules that govern the district.
- Help to evaluate progress by including measurable outcomes.

Development

The Board is committed to developing written policies which:

- Clearly define the district's goals and objectives and reflect the Board's vision.
- Define roles and responsibilities and identify who is responsible for what.
- Are harmonious with and carry out the intent of applicable laws.
- Provide the Superintendent and district staff with clear guidance regarding expected district administration.
- Allow for flexibility that is needed for day-to-day operations.
- Include measurable outcomes.

Any member of the Board, district staff, students, parents, district taxpayers or other member of the public may identify policy issues. Such issues shall be identified to the Superintendent of Schools. The Superintendent shall be responsible for submitting policy issues to the Board for consideration and for keeping a record of all policy initiatives submitted to the Board.

Before acting on any proposed policy, the Board will assemble the relevant facts, receive recommendations from individuals and groups who will be affected by the policy, and discuss, debate and decide on the substance of the policy in open meeting. The Superintendent shall be responsible for identifying the individuals and groups who will be affected by the policy. The Superintendent may seek input on policy initiatives from the district's Ad Hoc Policy Advisory Committee (the Superintendent will recommend members for Board designation on an as needed basis.)

Policy 2410

The Superintendent shall be responsible for preparing a written draft of all proposed policies. When reviewing the contents of a proposed policy, the Board will consider whether the proposed policy:

- Is within the scope of the Board's authority.
- Is consistent with state and federal law and the state and federal Constitutions.
- Supports the district's goals and objectives.
- Reflects good practice (e.g., educational, personnel, business, etc.).
- Is reasonable and not arbitrary or discriminatory.
- Adequately covers the subject.
- Is consistent with the Board's existing policies.
- Can be administered in a practical, cost effective manner.

Adoption

Once a proposed policy has been drafted, it shall be placed on the Board's agenda for a first reading, giving all persons interested in it an opportunity to express their views. The Board will not take any official action on any policy on first reading, unless a majority of the Board decides that it is necessary to do so.

The school attorney shall review every new policy or revision to an existing policy prior to its being adopted by the Board.

If the draft policy is acceptable or if it is not acted upon out of necessity after the first reading, the draft policy will be placed on the Board's agenda for a second reading, at which time the Board will officially act.

Implementation

The Superintendent shall be responsible for implementing all policies adopted by the Board. This responsibility shall include: promulgating any necessary administrative regulations, ensuring that the policy is included in the board policy manual, and publicizing the policy as necessary to ensure that persons affected by the policy are aware of it.

The board policy manual shall be kept in the district office and made available to the public upon request. A copy of the board policy manual shall also be kept in each school building and the public library in the district.

Review

The Superintendent shall be responsible for informing the Board of any policies that are out-of-date or in need of revision. In addition, the Board will review the policy manual once every three years and update it as necessary to ensure that the policies are consistent with board goals and district practices.

Cross-ref: 2260, Citizens' Advisory Committees

Ref: Education Law §§1604; 1709; 1804 (powers and duties of board of education)

Adoption date: January 17, 2007

ADMINISTRATION IN POLICY ABSENCE

In cases in which action must be taken where the Board of Education has provided no guidelines for administrative action, the Superintendent of Schools shall have the power to act, but his/her decisions shall be subject to review by the Board at its regular meeting. It shall be the duty of the Superintendent to inform the Board promptly of such action and of the need for policy.

Adoption date: January 17, 2007

POLICY



No. 2468

Practices and Procedures for the Purpose of Ensuring that Parents have Received and Understand the Request for the Evaluation of Preschool and School Age Students

**WESTBURY UNION FREE SCHOOL DISTRICT
BOARD OF EDUCATION**

PRACTICES AND PROCEDURES FOR THE PURPOSE OF ENSURING THAT PARENTS HAVE RECEIVED AND UNDERSTAND THE REQUEST FOR THE EVALUATION OF PRESCHOOL AND SCHOOL AGE STUDENTS

In accordance with IDEA and Part 200 of the Commissioner's Regulations, the District will ensure that parents/guardians of school age students who reside in the school district have received and understand the consent for evaluation and reevaluation. The District will provide this information in the parent's native language or other mode of communication.

Upon receipt of a referral for an initial evaluation or prior to conducting a reevaluation, the parents/guardians will receive prior written notice that includes the following:

- an explanation of why the district proposes to conduct the evaluation;
- a description of other options considered and the reasons why those options were rejected;
- a description of the proposed evaluation or reevaluation and the uses to be made of the information obtained through the evaluation;
- a description of each evaluation procedure, test, and/or report the district used as a basis of the proposed action;
- a description of other factors that are relevant to the proposed evaluation;
- a statement that the parent may submit evaluation information which, if submitted, must be considered by the CSE as part of its evaluation or review;
- a request for the parent's written consent for the initial evaluation, and for any additional tests or assessments that will be conducted as part of the reevaluation;
- if the CSE determined that that no additional tests or assessments are needed for the initial evaluation or reevaluation, a statement to that effect and a statement that the parent has the right to request a test or assessment as part of the evaluation to determine whether his or her child is or continues to be a student with a disability for purposes of receiving special education services; and
- a statement that the parent has protections under the procedural safeguards of Part 200 and is provided a copy of the procedural safeguards notice with prior notice upon initial referral for evaluation.

Parents/guardians must provide a written consent for the initial evaluation and for any additional tests or assessments that will be conducted as part of a reevaluation except when the District makes documented efforts to obtain parental consent for a reevaluation, and the parent fails to respond; when the district reviews existing information as part of an initial evaluation or reevaluation; when a test is administered to all students unless consent is required of parents of all students; and when a functional behavioral, assessment is conducted to meet the requirements of Part 201 of the Regulations of the Commissioner.

In the event the parent/guardian of a student to be evaluated does not grant consent for an initial evaluation, such parent shall be informed from the committee chairperson that, upon request, the parent and/or any other person that the parent/guardian chooses to include will be given an opportunity to attend an informal conference with the committee or designated professional most familiar with the proposed evaluation and the person who referred the student for an evaluation. If at this meeting the parent and the person initiating the referral agree in writing that the referral is not warranted, the referral shall be withdrawn. In the case of a school age (5-21 years) student, if the parent/guardian does not request or attend such a conference, or continues to withhold the consent for evaluation otherwise required for a period of 30 days after the date of receipt of a referral, the Board of Education may initiate an impartial hearing to be conducted for the purpose of determining whether such an evaluation shall be conducted without parental consent.

CR200. 2(b)2

Ref: New York State Education Procedural Safeguards Notice

Adoption date: February 13, 2012

NEW BOARD MEMBER ORIENTATION

The Board of Education and the administrative staff shall assist each new Board member-elect to become familiar with and to understand the Board's functions, policies and procedures, and the school district's operation before taking office. Each Board member-elect shall, as soon as possible,

1. be given selected materials covering the function of the Board and the school district, including (a) the Board policy manual, (b) copies of key reports prepared during the previous year by school Board committees and/or the administration, (c) the *School Law* handbook prepared by the New York State School Boards Association, (d) access to minutes of Board meetings of the previous year, (e) latest financial report of the district, (f) copies of pertinent materials developed by the New York State School Boards Association, and (g) any other materials which may be deemed helpful and informative;
2. be invited to attend all Board meetings and functions except for executive sessions;
3. be invited to meet with the Superintendent of Schools and other administrative personnel to discuss the services that they perform for the school Board and the school district; and
4. be invited and encouraged to attend the New York State School Boards Association's workshop for New School Board Members, and similar workshops by area school boards associations.

Adoption date: January 17, 2007

BOARD MEMBER TRAINING

Members of the Board of Education elected or appointed for a term beginning on or after July 1, 2005, shall, within the first year of their term, complete a minimum of six hours of training on the fiscal oversight, accountability and fiduciary responsibilities of a school board member. Such training may be offered as part of a general course of training for the purpose of educating Board members on their powers, functions and duties.

Each member shall demonstrate compliance with this requirement 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.

Cross-ref: 2510, New Board Member Orientation
 2521, School Board Conferences, Conventions, and Workshops

Ref: Education Law §2102-a

Adoption date: January 17, 2007

POLICY



No. 2521

School Board Conferences, Conventions, Workshops and Functions

WESTBURY UNION FREE SCHOOL DISTRICT BOARD OF EDUCATION

SCHOOL BOARD CONFERENCES, CONVENTIONS, WORKSHOPS AND FUNCTIONS

A. *CONFERENCES, CONVENTIONS AND WORKSHOPS*

In recognition of the need for continuing in-service training and development for its members, the Board of Education encourages the participation of all members in meetings and activities of area, state, and national school board associations, as well as in the activities of other educational groups. Board members are encouraged to study and examine materials received from these organizations as well as publications and tapes available in the Board's own library.

In order to control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

1. The Superintendent of Schools will maintain, and distribute to each Board member, information regarding conventions, and workshops, to help the Board decide which meetings appear to be most promising in terms of producing direct benefits to the school district.
2. The Board shall determine which meetings and conferences are appropriate and which, in their best judgment, will benefit the school district. Among those conferences at which attendance may be considered are those of the New York State School Boards Association, the National School Boards Association and other national, state and regional conferences of school board members and superintendents.
3. The Board shall, by majority vote, authorize attendance at conferences by Board members and the Superintendent prior to the conference.
4. The Board will reimburse conference attendees for reasonable and necessary expenses not paid for directly by the district (travel, hotel, meals and registration) in accordance with Board policy 6830.
5. Board members and the Superintendent may receive pre-payment for conference attendance in accordance with district regulations and procedures.
6. When any Board member attends a conference, convention, or workshop, the member will be requested to share information, recommendations, and materials acquired at the meeting.

B. *AWARDS, DINNERS AND FUNCTIONS*

Similarly, the Board of Education recognizes that there are benefits that the District may gain from the attendance by Board members at awards, dinners and other professional functions. Board members are encouraged to attend such functions. However, attendance must be in conformance with the following requirements, in order to ensure that the expenditure of District resources in connection with such attendance is appropriate.

Board members shall be permitted to attend an award, dinner or similar activity as District representatives and at District expense where:

- 1. The Board member has completed a Function Request Form which is available in the Office of the Assistant Superintendent for Business and Management Services and, where feasible, has submitted the completed form to the District Clerk at least ten (10) days in advance of the Board meeting preceding the event;***
- 2. Attendance at the event is for the purpose of professional improvement, enhancement of educational services, the benefit of the District, and/or to serve a proper public purpose, and where such benefit or public purpose is detailed on the Function Request Form;***
- 3. The cost of attendance is reasonable and within the budgetary limitations allocated by the Board of Education. The Board shall approve or disapprove of a Board member's proposed attendance at a function covered by this policy by formal resolution. Such approval is a condition precedent of a Board member's attendance at District expense.***

Cross-ref: 6830, Expense Reimbursement

Ref: General Municipal Law § 77-b

Education Law §2118

Matter of Mazzeo, 20 EDR 155 (1980)

Adoption date: November 28, 2007