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The Board will hold a public meeting on the first and third Wednesday of each month beginning at 7 p.m. in the high school library unless an alternative time and place is determined. Other special meetings of the Board may be called, as circumstances require. The District Clerk or Superintendent of Schools shall notify the members of the Board of Education in advance of each regular meeting. In the event that a meeting needs to be postponed, the Board President in collaboration with the Superintendent of Schools will select a new meeting date for a postponed meeting at the previous regular meeting and the District Clerk or Superintendent of Schools will notify all Board members.

All Board of Education meetings will 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.

Whenever such a meeting is to take place, there must be at least 72 hours advance notice in accordance with the provisions of the Open Meetings Law. Notice of other meetings shall be given as soon as practicable in accordance with law. The time and place of meetings shall be posted on the District's website.

District records available to the public under FOIL, as well as any proposed resolution, regulation, policy or amendment, scheduled to be discussed at a Board meeting, shall be made available upon request, to the extent practicable, at least 24 hours before the meeting. Copies of such records may be made available for a reasonable fee. These records will be posted on the District's website to the extent practicable at least 24 hours before the meeting.

**Use of Videoconferencing to Conduct Board Meetings**

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 all 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 voting and participating from remote locations.

**Extraordinary Circumstances**

In extraordinary circumstances, the Board may, in its discretion, permit Board members to participate in a Board meeting remotely by videoconference from locations that are not open to the public. For purposes of this policy, this is referred to as extraordinary circumstances videoconferencing.

However, in order for the Board to utilize extraordinary circumstances videoconferencing, the following conditions must be met:

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- a) The District must maintain an official website.
- b) The Board must have adopted a resolution, following a public hearing, authorizing the use of extraordinary circumstances videoconferencing:
  - 1. For itself and its committees or subcommittees; or
  - 2. Specifying that each committee or subcommittee may make its own determination.
- c) The Board must have established written procedures governing Board member and public attendance at meetings where extraordinary circumstances videoconferencing is being used that are consistent with law and those procedures must be conspicuously posted on the District's website.
- d) Board members must only participate in meetings remotely from locations that are not open to the public in an extraordinary circumstance. How the Board defines extraordinary circumstances must be set forth in the Board's resolution and written procedures related to extraordinary circumstances videoconferencing. Extraordinary circumstances may include disability, illness, caregiving responsibilities, or other significant or unexpected factor or event which precludes the Board member's physical attendance at a meeting. Except for an extraordinary circumstance, Board members must be physically present at meetings unless a state disaster emergency has been declared or a local state of emergency has been proclaimed and the Board has determined that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board to hold an in-person meeting.
- e) At the meeting where extraordinary circumstances videoconferencing is being used:
  - 1. The public must be able to attend, listen, and observe the meeting in at least one physical location at which a Board member is participating.
  - 2. A minimum number of Board members must be present to fulfill the quorum requirement in the same physical location or locations where the public can attend.
  - 3. Except in the case of executive sessions, Board members must be able to be heard, seen, and identified while the meeting is being conducted, including, but not limited to, any motions, proposals, resolutions, and any other matter formally discussed or voted upon.
  - 4. The minutes of the meeting must include which, if any, Board members participated remotely and must be made available in accordance with law.

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5. The public notice must inform the public that: videoconferencing will be used; where the public can view and/or participate in the meeting; where required documents and records will be posted or available; and identify the physical location(s) for the meeting where the public can attend.
6. The meeting must be recorded. The recordings must be posted or linked on the District's website within five business days following the meeting, and must remain available for a minimum of five years thereafter. Upon request, these recordings must be transcribed.
7. The Board must provide the opportunity for the public to view the meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and must ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony.
8. The Board must utilize technology to permit access by individuals with disabilities consistent with the 1990 Americans with Disabilities Act, as amended, and corresponding guidelines.

### **Development of Agenda and Agenda Items**

It is the responsibility of the Board President to prepare the agenda in consultation with the Superintendent for each meeting of the Board. Members of the Board may suggest topics for inclusion to either the President or the Superintendent. The agenda for each meeting shall be prepared during the week prior to the meeting. The agenda shall be distributed to Board members no less than 48 hours before such regular meeting. No item of business shall be placed on the agenda of a public meeting unless it, and all necessary supporting documentation, has been submitted to the Superintendent of Schools and to the entire board sufficiently in advance of the meeting to allow for proper consideration before the vote. Sufficient advance time shall be defined as 48 hours before the public meeting in question. Should any item, whether listed on the agenda or not, be proposed for a vote at a public meeting not meet the notice requirement, any member of the Board may require that item to be postponed until the next meeting of the Board. "Walk-on" resolutions will be permitted only by unanimous consent of those Board members present. Any walk-on resolution that does not receive unanimous consent is considered tabled until the next Board meeting.

Any Board member wishing to introduce for discussion a motion not on the agenda must submit a motion in writing to each member of the Board. All of these motions shall be subject to the "walk-on" provisions above. Motions may be entertained only as items of old or new business, and may not be introduced during other portions of the agenda. In the interest of clarity, the

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Presiding Officer may request that long or complex amendments to motions under consideration also be submitted to the Board in writing.

**Board Meeting Operations**

Ordinary discussion occurs only after a proper motion has been made and seconded. While the Board realizes the occasional need for open-ended discussion of a topic in the absence of a motion, it wishes to limit such discussion to ensure the completion of necessary business in a timely manner. If preliminary discussion of a topic continues beyond ten minutes, the chairperson of a regular business meeting is directed to ask for a motion from the floor and, in the absence of such motion, to rule further discussion of the topic out of order. A member wishing to limit discussion of a motion on the floor may proceed by traditional parliamentary methods (e.g., call the question).

During each meeting, at the discretion of the Presiding Officer, there shall be an opportunity for Board members and the Superintendent to read any correspondence each has received. However in no instance shall any correspondence be read that has not been signed by its author.

Time shall be reserved on the agenda of each meeting for the discussion of old business, and that time shall include an opportunity for the introduction of unspecified old business from the floor. Old business shall be limited to the items listed below, with all other items considered to be new business:

- a. items from past agendas left unconsidered at adjournment,
- b. motions to remove from the table,
- c. motions to reconsider or
- d. requests from Board members for information on the status of any item of business continuing under study or in committee.

A time shall be reserved on the agenda of each public meeting for the discussion of new business, and that time shall include an opportunity for the introduction of unspecified new business from the floor.

A time shall be reserved on the agenda of each public meeting for comments from student government, district labor unions, and Parent-Teacher Associations.

Any meeting of the Board may be adjourned to a given future date and hour if voted by a majority of the Board present.

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The Superintendent and members of his/her staff at the Superintendent's discretion will attend all meetings of the Board. The Superintendent will 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.

### **Recording of Meetings**

The Board recognizes that advances in technology allow public meetings to be photographed, broadcast, webcast and/or otherwise recorded and/or transmitted, 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.

### **Public Participation at Meetings**

At each public meeting of the Board, there shall be at least one opportunity for a public comment period. Anyone wishing to speak during the public comment period must sign in on the registry to speak prior to the public comment session. The privilege of the floor shall be offered to members of the public who have signed in indicating they have an interest in addressing the Board and shall be extended to interested parties by the Presiding Officer during the public comment period. District residents addressing agenda items shall be permitted to speak first, followed by District residents not addressing agenda items and finally to non-district residents if time permits. Any member of the public who addresses the Board under this section shall begin his/her comments by stating his/her name and address of residence for the record. Speakers must address the Board as a group and are not permitted to address Board members, staff or other audience members individually.

Each person wishing to speak shall be allowed a maximum of two minutes in which to address the Board. This may be extended not to exceed five minutes on the privilege motion of any member of the Board. Should the matter of interest require longer than two minutes, the President may request a summary statement to be prepared and distributed to the Board. The total time to be spent in public comment shall be limited to sixty (60) minutes. If there are a large number of individuals who want to address the Board, the Board President may limit the number of repetitive comments being made so that the time limit on public comment is not exceeded. The Board may vote to extend the public period.

The Board should not be expected to respond to, or take action on, any item of public comment at the same meeting where it is raised, but may postpone response until a future time. A Board member and/or the Superintendent may respond if he/she believes it is necessary to clarify presented information, correct a factual error, or provide specific information as a matter of public record. Board members will not answer questions during public participation but will instead refer speakers to the appropriate administrators. Speakers will make no statements during the meeting that involve personal, impertinent, or slanderous attacks on any group,

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organization or individual, a member of the Board, an employee of the District, a member of the audience or a member of the public regardless of whether the individual sought to be named is present. Speakers will not use profane, vulgar, threatening, or disparaging language or racial or ethnic slurs and will at all times maintain a professional decorum. Speakers will not disrupt the meeting with loud outbursts or other disruptive conduct or behavior either during the Speaker’s assigned time or at any other time during the meeting. All participants are required to comply with the District Code of Conduct. Speakers understand that a failure to comply with the foregoing rules may result in early termination of the Speaker’s allotted time, a denial of future requests to speak, and any other actions deemed necessary by the President of the Board.

The following statement will be provided in writing at all board meetings and may be read by the Presiding Officer prior to the public comment period to provide clarification to those individuals who choose to participate, and/or included on the printed agenda.

The Board of Education welcomes District residents, parents and other interested persons to its meeting. Community involvement at Board meetings is encouraged so that the Board can better understand and represent the views of its constituents. Please be aware, however, that information such as individual student information or particular personnel issues cannot be discussed at public sessions of the Board. Please note that speakers will be called upon individually, and when recognized by the Board President, please state your name and residence. Statements are restricted to a maximum of two minutes and speakers will be notified by the Board President when his/her time has expired. The Board and the District staff take public comment very seriously, however, the Board will not respond to comments or questions during the public comment period. The Board asks the public’s cooperation in maintaining a safe and respectful decorum and the Board President reserves the right to limit individual comments if it is deemed necessary.

Speakers will make no statements during the meeting that involve personal, impertinent, or slanderous attacks on any group, organization or individual, a member of the Board, an employee of the District, a member of the audience or a member of the public regardless of whether the individual sought to be named is present. Speakers are required to comply with the District Code of Conduct and will not use profane, vulgar, threatening or disparaging language or racial or ethnic slurs and will at all, times maintain a professional decorum. Speakers will not disrupt the meeting with loud outbursts or other disruptive conduct or behavior either during the Speaker’s assigned time or at any other time during the meeting. Speakers understand that a failure to comply with the foregoing rules may result in early termination of the Speaker’s allotted time, a denial of future requests to speak, and any other actions deemed necessary by the President of the Board.

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**Quorum**

The quorum for any meeting of the Board will be four members. No formal action will be taken at any meeting at which a quorum is not present. Unless otherwise required by law, official action will only be taken by approval of the majority of the full Board.

**Use of Parliamentary Procedure**

The business of the Board of Education will be conducted in accordance with the Standard Code of Parliamentary Procedure, and the Presiding Officer at any meeting will make procedural decisions. Any member wishing to challenge such a decision may appeal the ruling of the chair. When a member wishes to challenge a procedural decision made by the presiding officer, s/he may appeal the ruling. Such appeal shall be considered a privileged motion and take precedence over other discussion. An appeal of the rule of the chair requires a second and is debatable. A ruling of the chair that is made pursuant to these by-laws may not be appealed. Such motion would be out of order. A ruling of the chair that is made in contradiction of these by-laws is itself out of order. Such ruling need not be appealed and may be brought to the attention of the quorum by point of order.

The Board recognizes the need for a non-threatening atmosphere in which legitimate discussion of issues may be pursued in a collegial manner. Inappropriate or offensive behavior by Board members, staff members or anyone in attendance at a meeting of the Ballston Spa Board of Education is strictly prohibited. Such behavior includes, but is not limited to, obscenity, heckling, taunting/cheering, physical threats, verbal harassment etc. In the event of such behavior on the part of a staff member or member of the public, the Presiding Officer shall request that person's compliance with these regulations and, in the continued absence of such compliance, shall request that the offending person leave the meeting. This procedure shall not be interpreted as means of redress, nor shall it limit the right of aggrieved parties to seek satisfaction. Any member of the Board may request that the Presiding Officer take action under this article, and may appeal the ruling of the chair on that request.

Education Law Sections 1708 and 2504  
General Construction Law Section 41  
Public Officers Law Article 7, Sections 103(d), 104 and 107

Adoption Date: \_\_\_\_\_