

**BYLAWS**  
**OF THE**  
**BOARD OF EDUCATION**  
**OF THE**  
**MANHASSET PUBLIC SCHOOLS**  
**MANHASSET, NEW YORK**

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## **INTRODUCTION**

The primary function of a Board of Education (the “Board”) is to develop the policies which govern the school district. In order to do so, the Board, a locally elected governing body, must have rules and procedures by which to conduct its business. These rules, or bylaws, contain the fundamental principles that outline the purpose, structure and limits of the Board, and define the duties and responsibilities of its officers and members.

Bylaws are the rules and regulations adopted by the Board for its own internal governance. They are the parameters for promulgating school board policy and provide the legal guidelines and basic framework for its operation and management. It should be noted that all policies and bylaws adopted by the Board must conform to and are subordinate to statutory law.

As a convenience to the reader, statutory references to the laws of the State of New York are provided, where applicable, so that the reader may refer to the cited sections (indicated by the symbol §) for their full content and meaning.

**RULES ARE NECESSARY  
BECAUSE IT IS DANGEROUS  
TO RELY ON THE INSPIRATION OF THE MOMENT  
FOR STANDARDS OF ACTION OR CONDUCT.**

*- George Demeter*

**IT IS NECESSARY  
THAT EVERY DELIBERATIVE BODY  
BE GOVERNED BY RULES OF PROCEDURE  
IN ORDER THAT THE WILL OF A MAJORITY OF ITS MEMBERS  
BE DETERMINED AND REVEALED  
IN AN ORDERLY MANNER.**

*- Paul Mason*

## ARTICLE I

### NAME AND CLASSIFICATION

#### SECTION 1. NAME

This school district is known officially as the Manhasset Union Free School District of the Town of North Hempstead, County of Nassau, State of New York, hereinafter referred to in these Bylaws as the District.

#### SECTION 2. CLASSIFICATION

This District is classified as a union free school district.<sup>1</sup> Generally, a union free school district is a school district that has been formed from one or more common school districts to operate a high school program.

## ARTICLE II

### AUTHORITY AND POWERS

#### SECTION 1. AUTHORITY AND RESPONSIBILITY

The Manhasset Board of Education (the "Board") is the governing body of the District and has the sole authority and responsibility to establish policies for the operation of the District. The Board will conduct oversight of the District's affairs, delegating the day to day operations of the District to the Superintendent of Schools (the "Superintendent") in conformity with Board policy.

The Board has the authority to adopt policies and bylaws in order to fulfill the general powers and duties of a union free school district in accordance with applicable law.<sup>2</sup> Such District Policies and Bylaws bind the Board and staff of the District. In the event of a conflict between District policies and Bylaws, District policies will control.

#### SECTION 2. POWERS

The Board will act as a legislative body in the determination of appropriate policies for the control, operation and maintenance of the District. The Board will act as a corporate body in overseeing the District's affairs, personnel and properties. Complete and final authority on all District educational matters, except as prohibited by law, will be vested in the Board. The Board may enter into contracts and agreements in accordance with state law. Carrying out such policies and managing District affairs will be the responsibilities of the District administration.

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<sup>1</sup> See Education Law §§1701 *et. seq.*

<sup>2</sup> See Education Law §1709.

**SECTION 3.     ROLE OF INDIVIDUAL BOARD MEMBERS**

Individual Board members will have authority over District affairs only when they are acting as part of the Board in a properly convened Board meeting. No member of the Board, as an individual, has the right to exercise the authority of the Board, unless they are explicitly delegated with the authority to act on the Board’s behalf. The Board will not be bound by an individual Board member’s statement or action unless the Board, through an adopted policy or by a vote of a majority of the full membership of the Board, has delegated this authority to an individual Board member consistent with applicable law.

**SECTION 4.     EVALUATION OF BOARD OPERATIONS**

The Board will review the effectiveness of its internal operations during the month of June each year, to assist in establishing specific goals, priorities for action, and objectives to strengthen the operation of the Board, Board governance and policy.

**ARTICLE III**

**ORGANIZATION OF THE BOARD  
AND APPOINTMENT OF DISTRICT OFFICERS**

**SECTION 1.     COMPOSITION**

The Board consists of five members.<sup>3</sup>

**SECTION 2.     QUALIFICATIONS**

New York State Law requires that Board members be, among other things, citizens of the United States; at least 18 years of age; and able to read and write. A Board member must be and also have been a resident of the District for a continuous and uninterrupted period of at least one year prior to the day of the election and may not reside with, or be a member of the same family of, a current school board member.<sup>4</sup> Legal residency in the District must be continuously maintained throughout a Board member’s term of office.

**SECTION 3.     NOMINATION**

A candidate for a position on the Board must be nominated by petition directed to the District Clerk. Copies of a nominating petition may be obtained from the District Clerk. The petition must be signed by at least two percent (2%) of the number of people who voted in the previous annual election of Board members or twenty-five (25) qualified voters of the District, whichever number is greater. The petition will state, among other things, the name of the candidate and the length of term of the position for which the candidate is being nominated.

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<sup>3</sup> See Education Law §2101(2).

<sup>4</sup> See Education Law §2102.

The petition must be filed with the District Clerk no later than thirty (30) days prior to the annual or special District meeting at which the election is scheduled to occur.<sup>5</sup>

#### **SECTION 4. ELECTION**

The election of Board members will take place on a date scheduled by New York State.<sup>6</sup> Voting will be by voting machines, or as otherwise determined by law<sup>7</sup>, except that absentee ballots and affidavit ballots will be provided as needed in accordance with the Education Law.<sup>8</sup> Proxy voting is not permitted.

#### **SECTION 5. TERM OF OFFICE**

The term of office of each Board member is three (3) years.<sup>9</sup> The terms of the Board members will be overlapping with no more than two (2) full terms expiring in a given year.

#### **SECTION 6. VACANCIES**

A Board member may *resign* their office by filing a letter of resignation with the District Clerk. Such resignation will be effective on the date specified or, if no date is specified, thirty (30) days after the date of filing. However, a resignation may not be effective on a date more than thirty (30) days after its proper filing.

A Board member may be *removed from office* for official misconduct, willful violation or neglect of duty, or for willfully disobeying any decision, order or regulation of the Commissioner of Education. Notice of the charge will be provided to the Board member at least 10 days before the hearing to determine such charges and the Board member will have a full and fair opportunity to refute such charges before removal. Any decision to remove a Board member from office may be reviewed by the Commissioner of Education on appeal. A Board member who has been removed from office may not be appointed or elected to any District office for a period of one (1) year from the date of their removal.

In the event of a vacancy for any reason, the Board, by a vote of a majority of the full membership of the Board, may appoint a qualified person to fill the vacancy only until the next regular District election, or the Board may conduct a special election to fill the vacancy within ninety (90) days after the vacancy occurs.<sup>10</sup> In the event of a special election, the newly elected Board member will take office immediately upon filing an oath of office and will serve for the remainder of the unexpired term.<sup>11</sup>

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<sup>5</sup> See Education Law §2018.

<sup>6</sup> See Education Law §2002.

<sup>7</sup> See Education Law §2035.

<sup>8</sup> See Education Law §2018-a.

<sup>9</sup> See Education Law §2105.

<sup>10</sup> See Education Law §1709(17).

<sup>11</sup> See Education Law §2113(3).

## **SECTION 7. NEW MEMBERS**

All Board members must comply with the legal requirements for training as established by New York State, including (a) participation in at least six (6) hours of training on the financial oversight, accountability and fiduciary responsibilities of school board members,<sup>12</sup> (b) training on the powers, functions and duties of school boards, and (c) training on the powers and duties of other governing and administrative authorities affecting public education.<sup>13</sup> Moreover, the Board will provide a program of orientation for new Board members that may include, but is not limited to:

1. Attendance at transitional meetings with the Board and the Superintendent;
2. Individual or group orientation meetings with Board members, the Superintendent and other administrators;
3. Encouragement to attend meetings and training workshops offered by school board associations; and
4. Provision of appropriate orientation materials including District School Board Policies, these Bylaws, the current edition of the New York State School Boards Association's "School Law", copies of negotiated contracts, and other relevant information.

## **SECTION 8. ELECTION OF OFFICERS OF THE BOARD**

The President and Vice President of the Board will be elected from the members of the Board at the Board's annual organizational meeting.<sup>14</sup> The vote of a majority of the full membership of the Board will be necessary for the election. General Construction Law §41. Each Board officer will hold office for one (1) year or until a successor is elected. Board officers are eligible for reelection.

## **SECTION 9. APPOINTMENT OF DISTRICT OFFICERS**

The District Treasurer, Assistant Treasurer (if any), Claims Auditor and District Clerk will be appointed by the Board at its annual organizational meeting. The vote of a majority of the full membership of the Board will be necessary for appointment. The District Treasurer, Assistant Treasurer (if any), Claims Auditor and District Clerk will hold office for one year and will be eligible for reappointment.<sup>15</sup> For a vacancy in the office of District Treasurer, Assistant Treasurer (if any), Claims Auditor or District Clerk the Board will appoint a qualified person to fill the vacancy until the next annual organizational meeting of the Board. Board members may not hold the office of District Treasurer, Assistant Treasurer (if any), Claims Auditor, or District Clerk. Education Law §2103(1). Separate individuals must hold each of these offices. Education Law §2130; 8 N.Y.C.R.R. §170.2(a). Additional legal requirements may apply to each office.

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<sup>12</sup> See Education Law §§2101 *et seq.*

<sup>13</sup> See Education Law §2102-a.

<sup>14</sup> See Education Law §1701; General Construction Law §41.

<sup>15</sup> See Appeal of Foshee, 38 Ed. Dept. Rep. 346 (1998).



**SECTION 10. OATH OF OFFICE**

Newly elected, reelected or appointed Board members, Board officers and District officers will take the Constitutional oath of office prior to exercising the duties of such office. The oath will be administered by the District Clerk at the annual organizational meeting of the Board, except in cases where a term of office may commence at another time. This oath must be filed with the District Clerk within thirty (30) days after the term of office begins. Public Officers Law §10.

**SECTION 11. VACANCIES IN BOARD OFFICER POSITIONS**

In the event of a vacancy in the office of Board President or Vice President, the Board will elect a successor to said President or Vice President. During a vacancy in the office of Board President, the Vice President will act as Board President until the successor Board President is elected. Education Law §1701.

**SECTION 12. REMUNERATION**

Board members will not receive compensation for their services as Board members. They may, however, be reimbursed for reasonable expenses incurred in connection with the performance of their duties inside or outside the District and authorized by the Board, including attendance at meetings and conferences. Education Law §2118.

**SECTION 13. APPOINTMENT OF SUPERINTENDENT OF SCHOOLS**

The Board has the authority and the duty to appoint a Superintendent of Schools ("Superintendent") by a vote of a majority of the full membership of the Board. The Superintendent will serve at the pleasure of the Board, unless otherwise set forth in a contract for employment for a term which may not be less than three (3) years or more than five (5) years. Education Law §1711(3). The Superintendent will have the right to speak on all matters before the Board but will have no vote. Education Law §1711.

**ARTICLE IV**

**DUTIES OF THE OFFICERS OF THE BOARD AND THE DISTRICT**

**SECTION 1. DUTIES OF THE PRESIDENT**

Except as otherwise provided by law or by order of the Board, the President will preside at all meetings, serve as an *ex officio* member to any committee to which they are not appointed, execute all documents on behalf of the Board, and exercise all other powers and perform all other duties ordinarily pertaining to the office of Board President. The Board President will have a vote upon all questions before the Board and will have the right to make motions and to take part in the debate on any question under consideration.

**SECTION 2. DUTIES OF THE VICE PRESIDENT**

The Board Vice President will exercise the powers and perform the duties of the Board President in the latter's absence or disability.

**SECTION 3. DUTIES OF THE DISTRICT CLERK**

The duties of the District Clerk will include, but are not limited to, preparing the agenda and recording minutes of all Board meetings, maintaining District records, the publication of all legal notices and such other duties as may be assigned by the Board and/or as required by law.

**SECTION 4. DUTIES OF THE DISTRICT TREASURER**

The District Treasurer will be the chief accounting officer and the custodian of all District funds and will present a financial report to the Board on a monthly basis. The duties of the District Treasurer will conform to all relevant provisions of the Education Law (e.g., Education Law §1720 and §2130), as well as the Rules and Regulations of the State Commissioner of Education. The Board may appoint an Assistant Treasurer to authorize payments in lieu of the District Treasurer in case of the absence or inability of the District Treasurer to act.

**SECTION 5. DUTIES OF THE CLAIMS AUDITOR**

The Claims Auditor will have the exclusive authority to audit all claims, and to allow or reject all accounts, charges, claims, or demands against the District. Education Law §1709(20-a).

**ARTICLE V**

**MEETINGS OF THE BOARD**

**SECTION 1. ANNUAL ORGANIZATIONAL MEETING OF THE BOARD OF EDUCATION and ORDER OF BUSINESS**

The Board will determine, by resolution, that the annual organizational meeting of the Board (the "Annual Organizational Meeting") will be held during the first fifteen (15) days of the month of July. Education Law §1707(2).

The previous Board President or District Clerk will call the meeting to order and will preside until the election of a new Board President. The Board may also conduct general District business, including properly entering into executive session at the start or at the end of the meeting, if necessary. The order of business to be conducted at the Annual Organizational Meeting will include the following items as required or implied by State Law or Regulations:

1. Reorganization of the Board, including but not limited to: election of temporary Chairperson; appointment of temporary District Clerk; swearing in of newly elected and/or reelected Board members; election and swearing in of Board President and Vice President; swearing in of Superintendent of Schools; appointment and swearing in of District Officers, including but not limited to: District Clerk, District Treasurer, Claims Auditor
2. Appointment of committee members including, but not limited to, the: Committee on Preschool Special Education (CPSE), Committee on Special Education (CSE), Chairpersons of Section 504 Committee, Audit Committee
3. Appointments to other District positions and establishment of any related stipends including, but not limited to: Central Treasurer for Extraclassroom Activity Accounts, Certifier(s) of Payrolls, Data Privacy/Protection Officer, Dignity Act Coordinators, McKinney-Vento Liaison, Medicaid Compliance Officer, Purchasing Agent, Records Access Officer, Records Management Officer, School Physician, Title IX Coordinators
4. Appointment of professional service providers including, but not limited to: Bond Counsel, District Architect, External Auditor, Financial Advisor, Internal Auditor, School Attorney
5. Designation of authority for: check signing, certifying payrolls, approval of budget transfers, petty cash funds, official bank depositories, financial institutions to hold securities for safekeeping and collateralization
6. Authorizations to open bids; approve attendance at workshops, conferences, and conventions; maintain membership in the Nassau County Schools Cooperative Self Insurance Plan for Worker's Compensation; approve Rotational list of Impartial Hearing Officers for the District as provided by the State Education Department; maintain membership in School board associations (NSSBA and NYSSBA)
7. Other organizational matters, if any.

## **SECTION 2. REGULAR MEETINGS and ORDER OF BUSINESS**

Regular meetings of the Board will be held at such time and place and on such dates as the Board may determine, but not less than once per month while schools are in session, and in no event less often than once in each quarter of the year. Education Law §1708(1). Dates of regular Board meetings will be established by the Board at the Annual Organizational Meeting and will be published on the official District website at [www.manhassettschools.org](http://www.manhassettschools.org) and in the District's calendar.

Unless otherwise determined by general consent or a vote of a majority of the full membership of the Board, the order of business at regular Board meetings generally will be as follows:

1. Call to Order, confirmation of quorum
2. Executive Session, if necessary

3. Pledge of Allegiance; Preview of Agenda
4. Student / Staff Recognition
5. Approval of Minutes
6. Student Matters and Curriculum
  - Superintendent's Report
  - Student Delegate's Report
7. Presentations
8. Regular Agenda
  - Items for Discussion, if any
  - Policy Reviews
  - Personnel
9. Board Committee reports
10. Consent Agenda – Items for Board action
11. Upcoming Items of Interest (Information Items Only)
12. Open Time (generally three (3) minutes will be allowed for each speaker and limited overall to no more than thirty (30) minutes). Guidelines for public comment at Board meetings are outlined in Article VI, Section 5 of these Bylaws and Board Policy 1230.

Routine matters to be approved may be done through the consent agenda, which lists matters that are not expected to be controversial and/or for which there is no need for discussion.

1. Prior to voting on the consent agenda, the Board President will allow time for the Board to determine whether the consent agenda includes any matters that any Board member may wish to discuss, question, or oppose.
2. Any member has the right to request the removal of any item from the consent agenda. Upon agreement by a vote of a majority of the members of the Board in attendance at the meeting, the item will be transferred to the regular agenda so that it may be considered and voted on separately.
3. The remaining items on the consent agenda will then unanimously be approved *en bloc* (as a whole) without discussion, saving the time that would otherwise be required for individual votes.

Except in emergency situations, the Board will not take action on any items that are not listed on the public agenda.

### **SECTION 3. SPECIAL MEETINGS**

Special meetings of the Board may be requested by any member of the Board as long as prior written notice of the meeting is given to all other Board members at least twenty-four (24) hours in advance. Education Law §1606(3). Special meetings will be held at the time specified in such prior written notice of the special meeting. In the event of an emergency such that notice cannot be given twenty-four (24) hours in advance, a special meeting may be held as long as each Board member waives the prior notice requirement. A record of such waivers will be entered in the meeting minutes. To the extent practicable, public notice of a special meeting will be given to the news media and conspicuously posted on the official District website and conspicuously posted in one or more designated public District locations at a reasonable time prior to the meeting. Public Officers Law §104.

### **SECTION 4. EXECUTIVE SESSIONS**

Although the Open Meetings Law calls for Board meetings to be open to the public, it does provide, under certain circumstances, for executive sessions at which only Board members and others invited by the Board may be present. The vote to go into executive session requires a vote of a majority of the full membership of the Board and must be taken at an open Board meeting. The motion to go into executive session must specify the subject(s) to be discussed in executive session. The subjects that may be discussed in executive session include the following (Public Officers Law §105):

1. Matters which will imperil the public safety if disclosed;
2. Any matter which may disclose the identity of a law enforcement agency 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;
8. The proposed acquisition, sale or lease of real property or the proposed acquisition, sale or exchange of securities, but only when publicity would substantially affect the value thereof.
9. The records or details involving a particular student or students.
10. Matters otherwise confidential by state or federal statute, such as attorney-client conference or a discussion regarding discipline of a particular student, and actions taken by the Board in a judicial or quasi-judicial proceeding in private, such as hearing an appeal from a disciplinary decision. Public Officers Law §108(1).

In addition, subjects that must be discussed in private include any matter made confidential by Federal or State law, such as the New York Civil Practice Law and Rules. Public Officers Law §108(3).

An executive session must remain confidential at all times unless a release of such information is authorized by the Board in accordance with or as provided by law. Individual Board members, acting on their own, cannot disclose matters discussed in a properly convened executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law. Additionally, disclosure of such information is not prohibited where it is warranted to appropriate law enforcement entities for investigation and possible action, or where a Board member is compelled to reveal the information in a court case.

An executive session may be terminated only by returning to public session. With certain limited exceptions, no official action can be taken by the Board on issues discussed in executive session without first returning to public session for a formal vote.

## **SECTION 5. WORKING SESSIONS**

The Board may schedule working sessions. Board members will not take action on any issues in a working session, but rather will discuss issues among themselves and the Superintendent. All working sessions will be open to the public, but members of the public will only act as observers. At its discretion, the Board may permit public comments at working sessions.

## **SECTION 6. ANNUAL DISTRICT MEETING**

The Board will hold the Annual District Meeting (also known as the Annual Budget Vote and School Board Election) so that qualified residents may vote on the proposed school budget, Board candidates, and such other propositions as may be duly submitted to the voters in accordance with Article 41 of the Education Law.

## **SECTION 7. SPECIAL DISTRICT MEETINGS**

Special District Meetings may be called when the Board deems it necessary and proper (Education Law §2007[1]), or as otherwise required by law (Education Law §§2005, 2008 and 2113[2]). Notice of each Special District Meeting will state the purposes(s) for which it is called, and no other business will be transacted at such meeting. Education Law §§2004 and 2007. Generally, rules pertaining to Special District Meetings are similar to those pertaining to the Annual District Meeting.

## **SECTION 8. PUBLIC HEARINGS ON BUDGET AND OTHER MATTERS**

The Board will adopt a budget calendar and hold public hearings on the proposed budget as indicated on such calendar. Prior to the adoption of a proposed budget, the Board will endeavor to conduct at least one (1) working session to discuss the proposed budget, as needed. After the Board has adopted a proposed budget, the Board will schedule at least one (1) public hearing on such proposed school budget, not more than fourteen (14) nor less than seven (7) days prior to the day of the budget vote. Education Law §1716. Additional public hearings on other matters may be scheduled by the Board.

## **SECTION 9. PREPARATION OF MEETING AGENDAS**

Preparation of the agendas for Board meetings shall be the responsibility of the Superintendent, together with the Board President and Vice President or their designee(s). Individual Board members may contribute agenda items.

The agenda of all regular meetings of the Board will provide time for remarks by members of the general public who wish to be heard by the Board, in accordance with Article VI, Section 5 of these Bylaws, Guidelines for Public Comment at Board Meetings and Board Policy 1230, Public Comment at Board Meetings.

## **SECTION 10. DISSEMINATION OF AGENDA AND SUPPORTING MATERIALS**

Dissemination of the agenda is the responsibility of the District Clerk, under the supervision of the Superintendent.

To the extent practicable, the agenda and any supporting material will be available to the members of the Board at least five (5) days in advance of the Board meeting, to permit careful consideration of items of business. Public Officers Law §103.

In order that the public may be advised as to action(s) contemplated by the Board, the Board will not, except in appropriate exigent circumstances, take action on any items of business which do not appear on the regular meeting agenda. A copy of the Board meeting agenda and supporting material that is scheduled to be the topic of discussion at any Board meeting will be released to the public, in accordance with the Open Meetings Law. Generally, such items will be posted to the District website, [www.manhassettschools.org](http://www.manhassettschools.org), forty-eight (48) hours prior to the scheduled meeting date and time, and will be made available, to the extent practicable, upon request to the District Clerk at least twenty-four (24) hours prior to the meeting during which the records will be discussed.

## **SECTION 11. NOTIFICATION OF BOARD MEETINGS**

For all regular and scheduled meetings of the Board, the District Clerk will provide adequate notice to all Board members and to the community, including posting public notice of the date, time and place of Board meetings on the District website.

If a meeting is *scheduled at least a week in advance*, notice of the time and place of the meeting will be given or electronically transmitted to the public and to the news media and will be conspicuously posted in one or more designated District locations and conspicuously posted on the District's website at least 72 hours prior to the meeting.

If a meeting is *scheduled less than a week in advance*, public notice of the time and place of the meeting will be given or electronically transmitted to the public and to the news media and will be conspicuously posted in one or more designated District locations and conspicuously posted on the District's website, to the extent practicable, at a reasonable time before the meeting. Public Officers Law §§103-a; 10. Education Law §1708.

A special meeting may be called upon 24-hour notice to Board members.

## **SECTION 12. APPLICATION OF THE OPEN MEETINGS LAW**

The provisions of the Open Meetings Law apply to all Board meetings (Public Officers Law, Art. 7).

## **ARTICLE VI**

### **PROCEDURES AT BOARD MEETINGS**

#### **SECTION 1. QUORUM**

A majority of the full membership of the Board will constitute its quorum. General Construction Law §41.

#### **SECTION 2. VOTING**

The affirmative public vote of a majority of the full membership of the Board will be required to exercise the authority of the Board in the transaction of its business. The method of voting will be at the discretion of the presiding officer and in accordance with the law, as long as such method clearly reveals how each Board member votes. Public Officers Law §87(3)(a).

#### **SECTION 3. BASIC PROCEDURAL RULES FOR BOARD MEETINGS**

Consistent with commonly accepted rules for the conduct of business by small boards (*e.g.*, boards with twelve (12) or fewer members), the basic rules of procedure for Board meetings will be as follows:

1. Board members are not required to be recognized prior to making motions and speaking
2. Motions do not require a second
3. There is no limit to the number of times a Board member may speak on a question



4. Informal discussion of a subject on the agenda is permitted while no motion is pending
5. The presiding officer may make motions and vote on all questions, and
6. There is no limitation as to when or how many times the motion to reconsider may be moved. Reconsideration may only be moved by a Board member who voted on the prevailing side, by a Board member who abstained, or by a Board member who was absent. A vote of a majority of the members of the Board in attendance at the meeting is required to reconsider.

#### **SECTION 4. MINUTES OF BOARD MEETINGS**

Minutes should contain a record of action taken by the Board rather than a summary of the discussion leading to the action. Minutes will constitute the official record of the meeting and will be open to public inspection in accordance with the law.

The District Clerk will be responsible for the minutes, which should contain the following:

1. Name of the Board
2. The type of meeting (*e.g.*, Board meeting, special meeting)
3. Date, place and time of meeting
4. Notation of presence or absence of Board members and subsequent time of arrival or departure of member(s) if different from the time of the call to order and adjournment
5. Names and titles of the Superintendent, District Clerk and other key personnel who were present
6. Approximate number of members of the public in attendance
7. Whether the minutes of the previous meeting were approved as distributed or as corrected
8. A record of each motion placed before the Board, except those that were withdrawn, and the wording in which each motion was adopted or otherwise disposed of
9. Record of how each Board member voted
10. Record of reports made by Board members or staff
11. Time of adjournment, and
12. Signature of the District Clerk.

After minutes are approved by the Board, the District Clerk will keep a record of such minutes and will ensure that the approved minutes are posted on the official District website at [www.manhassettschools.org](http://www.manhassettschools.org). Whenever minutes are accepted as corrected based on suggestions made by Board members, Board members will receive, as soon as practicable, the corrected section of the minutes for their files.

## **SECTION 5. GUIDELINES FOR PUBLIC COMMENT AT BOARD MEETINGS**

The Open Meetings Law requires that Board meetings conducted to discuss District business be open to the public, however, there is not a law that requires school boards to hold a public comment period during their meetings. To allow members of the public to address the Board, a period of time for public comment may be set aside during each District Board meeting. Priority will be given to items on the meeting's agenda.

The Board President will be responsible for the orderly conduct of the meeting and will rule on such matters as the total time to be allowed for public comment and the appropriateness of the subject being presented, in accordance with Board policy, applicable provisions of law and regulation, and subject to the Board's parliamentary procedure.

An individual who wishes to address the Board may do so by:

- 1. Writing to / Emailing the Board in advance of the meeting,** sent either by email to [boe@manhassetchools.org](mailto:boe@manhassetchools.org) or by mail to: Manhasset Board of Education, 200 Memorial Place, Manhasset, NY 11030.
- 2. Speaking during a "Public Comment" period on an item that is on the agenda.** This may be following a presentation where the Board will not be taking a specific vote, or prior to the Board taking a vote on that agenda item.
- 3. Speaking during "Open Time" on any matter generally related to District business that is, or is not, on the agenda.**

**Additional information regarding public comment, including Procedures which govern in addressing the Board and expectations of conduct during the meeting, are delineated in Board Policy 1230, Public Comment at Board Meetings.**

## **SECTION 6. STUDENT DELEGATE TO THE BOARD**

The Student Delegate to the Board (the "Delegate") will be elected or chosen from Manhasset High School. The Delegate must be a senior at Manhasset High School and must have attended Manhasset High School for at least two (2) years prior to their selection. Education Law §1702(3). The selection process will take place at the end of the school year preceding the next term and they will serve for a term of one (1) year, commencing on July 1 and ending on the succeeding June 30. They are expected to abide by all applicable Board policies including the student Code of Conduct, Board Policy 5300 and all constituent sections. The Delegate is not entitled to receive compensation of any form for participating in Board meetings.

The Delegate, who is a non-voting Board member, will not be considered for the purpose of establishing a quorum. They will attend all public Board meetings, except for executive sessions of the Board. Attendance at Board meetings will not be expected during July and August. The Delegate will be provided with the public agenda and appropriate materials prior to the public meeting, but will not be allowed to see, have access to, or discuss documents or information regarding individual District personnel, collective bargaining negotiations, individual student records, or any other confidential matters.

The Delegate will act as a liaison between the Board and the Manhasset High School Student Senate during the school year, for the purpose of providing regular and direct communication between the Board and the student body. The Delegate will present to the Board at each meeting and is expected to share information gathered at each such meeting with the Student Senate. The Delegate may speak on items of business under consideration by the Board prior to discussion by the general public and prior to the Board vote.

## **ARTICLE VII**

### **COMMITTEES**

#### **SECTION 1.     AUDIT COMMITTEE**

New York State law requires the Board to establish an Audit Committee. The Audit Committee will be an advisory committee that reviews and advises the Board on matters related to the District's independent annual audit and the internal audit function. The Audit Committee will consist of either five (5) or seven (7) members (ensuring there is an odd number of members) who are appointed annually at the Annual Organizational Meeting of the Board, to serve staggered three (3) year terms, who are charged with fulfilling the duties of an audit committee as set forth in the Education Law and Commissioner's Regulations. See Education Law §2116-c; 8 N.Y.C.R.R. §170.12(d). The duties of the Audit Committee are described in the specific Charter for such Committee as approved by the Board. Board Policy 6690-E.

#### **SECTION 2.     STANDING COMMITTEES**

The Board will establish Standing Committees of the Board, as needed, and reserves the right to terminate any Standing Committee at any time, in its sole discretion.

#### **SECTION 3.     SPECIAL COMMITTEES**

The Board President will appoint such special committees as may, from time to time, be deemed necessary or advisable by the Board. The duties of each special committee will be advisory in nature and will be described at the time of its appointment. The special committee will be deemed dissolved when the committee has made its report to the Board.

#### **SECTION 4.     VISITING COMMITTEE**

The Board will visit each District school at least once annually for the purpose of observing the general condition thereof.

## **SECTION 5. COMMITTEE POWERS**

Unless otherwise empowered by the Board, Board committees will not have legislative or administrative authority. Their function will be to observe, investigate, advise or make recommendations as charged by the Board. The Board has the right to accept, reject or modify all or any part of a committee's recommendation and is in no way obligated to follow committee recommendations. Any official policy level action is in the sole discretion of the Board.

## **SECTION 6. COMPOSITION**

Each Standing Committee, Special Committee, or Visiting Committee will consist of one or more members of the Board. The President will be an *ex officio* member of all Standing Committees, Special Committees, and Visiting Committees. The Board may invite members of the staff or the community to participate in the work of a committee under conditions approved by the Board.

## **SECTION 7. CITIZENS ADVISORY COMMITTEES**

- A. Appointment.** The appointment or dissolution of Citizens Advisory Committees ("CAC" or "Committee") are at the discretion of the Board. Such committees will be formed by the Board for such times and for such specific purposes as the Board deems necessary. Each CAC that is organized or dissolved by the Board, as well as the individuals who are appointed to serve on a CAC, will be done so through official Board resolutions.
- B. Composition.** Where possible, each CAC will be composed of a cross-section of District residents who have varying interests and experience with the District and who are broadly representative of community interests, attitudes and backgrounds. Depending upon the purpose of the CAC, the Committee may be comprised of individuals who have expertise in a given field. One or more Board members will serve as liaisons between the CAC and the Board. The Board may invite District staff members to participate in the work of the Committee under conditions approved by the Board.
- C. Powers and Duties.** The duties of each CAC will be as described in specific bylaws for such committees that are approved by the Board. The function of Citizens Advisory Committees will be to observe, investigate, advise, and/or make recommendations, as charged by the Board.

Unless otherwise empowered by the Board, CACs will have no legislative or administrative authority. No announcement may be made by any committee or its members to the public or press until such release has been cleared with the Board. Publicity and the release of information concerning Committee findings will be the sole responsibility of and the prerogative of the Board.

**D. Recommendations & Decisions.** The Board is not obligated to accept a CAC's recommendations, and any decision to take any action stemming from a CAC recommendation and the ultimate authority to make decisions will continue to reside in the powers and duties of the Board.

Educ. Law Section 1709.

## **ARTICLE VIII**

### **PARLIAMENTARY AUTHORITY**

Rules contained in the Fourth Edition of "The Standard Code of Parliamentary Procedure" (2001) by Alice Sturgis, published by McGraw Hill, will govern the parliamentary procedures of the Board in all relevant situations, provided that such rules are consistent with applicable law and any other rules of order which the Board may adopt.

## **ARTICLE IX**

### **SUSPENSION OF THE BYLAWS**

Bylaws provisions which are not mandated by law may be suspended by general consent or a two-thirds majority vote of the full membership of the Board. Such suspension will apply only to the particular instance and matter pending at the time and will not apply beyond that particular instance or matter.

## **ARTICLE X**

### **AMENDMENTS TO THE BYLAWS**

The procedures for amending these Bylaws are identical with those for adopting new Board policies or modifying existing ones (Board Policy 2400).

**ARTICLE XI**

**PREMINENCE OF  
STATUTORY AUTHORITY**

In the event of any conflict between provisions of these Bylaws and New York State Law, the pertinent provisions of State Law will control.