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# Pittsford Schools

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## Policy Manual

### Section 1000

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**1110 - SCHOOL DISTRICT AND BOARD LEGAL STATUS**

The Constitution of New York State, as amended in 1894, instructs the Legislature to provide for a system of free common schools wherein all children of the State may be educated.

The Legislature of the State has implemented this constitutional mandate through the creation of school districts of various types. The Pittsford Central School District is governed by the laws set forth for Central School Districts in Article 37 of the Education Law, and by-laws relating to, or affecting, Union Free School Districts as set forth in Article 35 of the Education Law.

The District constitutes a corporate entity that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

The Constitution of the State of New York places the responsibility for public education on the State Legislature, and directs the establishment of a State Department of Education for general supervision over the schools and headed by a Commissioner of Education. The New York State Constitution further provides that local public schools under the general supervision of the State Education Department shall be maintained, developed and operated by locally elected Boards. Legally, local Boards are instruments of the New York State Constitution, the New York Statutes and the regulations of the State Education Department and its Commissioner.

New York State Constitution  
Education Law Articles 35 and 37

## By-Laws

**1120 - BOARD AUTHORITY**

As a body created under the Education Law of New York State, the Board of the Pittsford Central School District has full authority, within the limitations of federal and state laws and the Regulations of the Commissioner of Education and interpretations of them, to carry out the will of the people of its District in matters of education.

In all cases where laws or regulations of the State Commissioner of Education do not provide, permit, or prohibit, the Board shall consider itself the agent responsible for establishing and appraising educational matters and activities.

Board members have no authority over school affairs as individuals. They have authority only when acting as a body duly called in session.

Education Law Sections 1604, 1701, 1709, 1804, and  
1805

## By-Laws

**1130 - NUMBER OF MEMBERS AND TERMS OF OFFICE**

The Board of the Pittsford Central School District shall consist of seven (7) members elected by the qualified voters of the District at the annual election as prescribed by law.

Members of the Board shall serve for three (3) years beginning July 1 following their election and each term shall expire on the thirtieth day of June of the third year. Terms of office shall be arranged so that no more than three members' terms expire the same year.

Education Law Sections 1602, 1702(1), 1804(1) and  
2105

**1210 - BOARD MEMBERS: QUALIFICATIONS**

A Board member of the Pittsford Central School District must meet the following qualifications:

- a) A citizen of the United States;
- b) Eighteen (18) years of age or older;
- c) Able to read and write;
- d) A legal resident one (1) year prior to the election; however, need not be a District tax payer;
- e) Cannot be an employee of the Pittsford Central School District;
- f) The only member of his/her family on the Pittsford Central School District Board (that is, cannot be a member of the same household);
- g) May not simultaneously hold another, incompatible public office;
- h) Must not have been removed from a school District office within one (1) year preceding the date of appointment or election to the Board.

Education Law Sections 2102, 2103 and -a, and  
2502(7)  
Public Officers Law Section 3

## By-Laws

**1220 - BOARD OF EDUCATION MEMBERS: NOMINATION AND ELECTION**

- a) Candidates for the office of member of the Board shall be nominated by a petition directed to the District Clerk which is signed by at least twenty-five (25) qualified voters of the District, or by two percent (2%) of the number of voters who voted in the previous annual election, whichever is greater. Petitions must state the residence of each signer, the name and residence of each candidate.
- b) The notice of the annual District meeting must state that petitions nominating candidates for the Board must be filed with the Clerk not later than the thirtieth (30) day preceding the election at which time the candidates so nominated are to be elected.
- c) Voting will be by machine, and provision shall be made for the election by "write-in-vote" of any candidate not previously nominated. The position of candidates on ballots shall be determined by lot at a drawing conducted by the Clerk on the day after the last filing. Candidates or their proxies may be present for the drawing.
- d) The hours of voting shall be 7:00 a.m. to 9:00 p.m.
- e) The candidates receiving the largest number of votes shall be declared elected in accordance with Education Law.
- f) No later than the last Board meeting prior to the election, the Board shall appoint at least one (1) inspector and one (1) clerk of election for each voting machine.
- g) The Clerk shall attend the election and record the name and legal residence of each voter. The Clerk shall give notice immediately to each person declared elected to the Board, informing him/her of the election and his/her term of office.
- h) Only qualified voters as determined by Education Law (Section 2012) may vote at any District meeting or election.
- i) Starting in the 2005/2006 school year, proof of residency will be required to vote.
- j) No electioneering will be allowed within one hundred (100) feet of the polling place.
- k) When a term of office expires at the end of a school year and the office has become vacant at the time of election, the person elected to fill the new full term vacancy also fills the remaining days of the previous term, beginning his/her term of office immediately upon election.

Education Law Sections 2004, 2012, 2018, 2025, 2029,  
2031-a, 2032, 2034(7)(d), 2105(14), 2121 and 2608(1)

**1230 - REPORTING OF EXPENDITURES AND CONTRIBUTIONS**

Each candidate for the position of member of the Board whose expenses and/or contributions received exceed five hundred dollars (\$500) must file a statement accounting for his/her campaign expenditures and contributions with the Clerk and an additional statement with the Commissioner of Education. In the event the expenses do not exceed five hundred dollars (\$500) and the aggregate amount of all contributions made to the candidate do not exceed \$500, then a sworn statement to that effect must only be filed with the Clerk. **Three individual statements, in accordance with School Law, must be submitted regarding expenses and contributions.**

Education Law Sections 1528 and 1529  
Election Law Section 14-100(1)



## By-Laws

**1240 - RESIGNATION AND DISMISSAL**

Board members may resign at a District meeting of residents (i.e., the annual meeting, not a regular Board meeting) or by filing a written resignation with the District Superintendent of the Supervisory District who must endorse his/her approval and file the resignation with the Clerk.

Alternatively, a Board member may resign under Public Officers Law Section 31 by filing a written resignation with the Clerk. The Clerk must then notify the Board and the State Board of Elections.

A resignation may be withdrawn only with the consent of the person to whom the resignation was delivered (i.e., the Clerk or BOCES District Superintendent). The School Board has no authority to act upon a request to withdraw a resignation.

The resignation shall take effect upon the date specified in the letter of resignation; however, if no effective date is specified, it shall take effect on the date of delivery to or filing with the Clerk. If an effective date is specified in the letter of resignation, such date shall not be more than thirty (30) days subsequent to the date of its delivery or filing.

It shall be the duty of each member of the Board to attend all meetings of the Board and, if any member shall refuse to attend three (3) consecutive meetings of the Board after having been regularly notified and a satisfactory cause for each non-attendance is not shown, the Board will proceed to declare that office vacant.

A Board member may be removed from office by the Commissioner of Education for willful violation of any provision of law, neglect of duty, or willfully disobeying any decision, order or regulation of the Commissioner. The Board may also remove a Board member for misconduct relating to the exercise of authority as a Board member. A written copy of all charges made of such misconduct must be served upon the Board member at least 10 days before the time designated for a hearing on the charges; and the Board member shall be allowed a full and fair opportunity to refute such charges before removal.

In the event of death, resignation, removal from office, departure from the District, or refusal to serve of a Board member, the District has the power and duty to fill the vacancy. If the Board chooses to fill the vacancy by appointment, the appointment requires a majority vote of the full Board and shall be only for a term ending with the next annual election of the District at which time such vacancy shall be filled in a regular manner for the balance of the unexpired term.

(Continued)

## By-Laws

**1240 - RESIGNATION AND DISMISSAL (Cont'd.)**

The Board, at its own option, may instead call a special election within ninety (90) days to fill the unexpired term. If not filled by Board appointment or special election, the District Superintendent of the Supervisory District may appoint a competent person to fill the vacancy until the next annual election. Alternatively, the Commissioner of Education may order a special election for filling a vacancy. When such special election is ordered, the vacancy shall not be otherwise filled.

A person elected or appointed to fill a vacancy shall take office immediately upon filing the oath of office.

A Board member who has been removed from office shall be ineligible to appointment or election to any office in the District for a period of one (1) year from the date of such removal.

Education Law Sections 306, 1607, 1706,  
1709(17)(18), 1804(1), 2103(2), 2109, 2111, 2112,  
2113, 2502, 2503, and 2553  
Public Officers Law Sections 30, 31 and 35

## By-Laws

**1310 - POWERS AND DUTIES OF THE BOARD**

The Board shall have powers and duties as set forth in New York State Education Law, principally Articles 33, 35 and 37, and other applicable Federal and State laws and regulations. In general, the Board shall have in all respects the superintendence, management and control of the educational affairs of the District and shall have all the powers necessary to exercise these powers expressly granted to it by the laws of New York State and the Commissioner of Education.

Education Law Sections 1604, 1709 and 1804

NOTE: Refer also to Policy #6540 -- Defense and Indemnification of Board Members and Employees

**1320 - NOMINATION AND ELECTION OF BOARD OFFICERS**

Officers of the Board shall be nominated and elected by the simple majority of the Board at its Annual Organizational Meeting for a term of one (1) year. They will take their oath as officers at this meeting along with newly elected members.

The elected officers of the Board are:

- a) President;
- b) Vice President.

**Terms of Office**

In the case where the President of the Board continues as a Board member, the President retains legal status as President of the Board from the expiration of term on June 30 until the annual organization meeting. If the President does not continue as a Board member, the Vice-President of the Board assumes the duties of the President from June 30 until the organization meeting.

Education Law Sections 1701 and 2105(6)

**1321 - DUTIES OF THE PRESIDENT OF THE BOARD**

The President's duties include the following:

- a) Presides at all meetings of the Board;
- b) Calls special meetings as necessary or on request;
- c) Appoints members to all committees of the Board;
- d) Serves ex-officio as a member of all committees;
- e) Executes documents on behalf of the Board;
- f) Performs the usual and ordinary duties of the office.

Education Law Section 1701

**1322 - DUTIES OF THE VICE PRESIDENT OF THE BOARD**

The Board may, in its discretion, elect one (1) of its members Vice President who shall have the power to exercise the duties of the President in case of the absence or disability of the President. In case of vacancy in the office of the President, the Vice President shall act as President until a President is elected.

Education Law Section 1701

**1330 - APPOINTMENTS AND DESIGNATIONS BY THE BOARD****Appointments**

The Board is authorized to appoint individuals to positions which will facilitate the meeting of its responsibilities to the State, the School System, and the community. These appointments usually take place at the Annual Re-Organization Meeting.

**The following shall be appointed annually:**

- a) Clerk;
- b) District Treasurer;
- c) Assistant District Treasurer;
- d) Tax Collectors;
- e) External (Independent) Auditor;
- f) Central Treasurer, Extraclassroom Activities Account.

**The following must be appointed but need not be reappointed annually:**

- a) Chief Census Enumerator and assistants;
- b) Director of School Health Services (School Physician/Nurse Practitioner);
- c) Supervisors of Attendance;
- d) Committee on Special Education and Committee on Preschool Special Education;
- e) Records Access/Officer;
- f) Record Retention Officer;
- g) Asbestos Hazard Emergency Response Act (AHERA) Local Educational Agency (LEA) designee;
- h) Title IX/Section 504/ADA Compliance Officer;
- i) Liaison for Homeless Children and Youth.
- j) Chemical Hygiene Officer.

**The following may also be appointed:**

- a) School Attorney;
- b) Internal Claims Auditor;
- c) Insurance Advisor;
- d) Internal Auditor.

**Designations**

The following designations shall be made by the Board at the Annual Re-Organization

(Continued)

## By-Laws

**1330 - APPOINTMENTS AND DESIGNATIONS BY THE BOARD  
(Cont'd.)**

Meeting in July:

- a) Petty Cash Fund(s);
- b) Official Newspaper(s);
- c) Official Bank Depositories;
- d) Official Bank Signatories;
- e) Purchasing Agent;
- f) Certifier of Payrolls;
- g) Designated Educational Official to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings;
- h) School Pesticide Representative.

**Authorizations**

- a) Approval of attendance at conferences, conventions, workshops, and the like;
- b) Superintendent to approve budget transfers within limits prescribed by Commissioner's Regulation Section 170.2 and Board guidelines;
- c) Superintendent to apply for Grants in Aid (State and Federal) as appropriate;
- d) Mileage reimbursement rate set according to New York State rate;
- e) Other(s) as deemed appropriate/necessary.

Education Law Sections 305(31) and 1709  
McKinney-Vento Homeless Education Assistance Act,  
Section 722, as reauthorized by the No Child Left  
Behind Act of 2001



## By-Laws

**1331 - DUTIES OF THE CLERK**

The Clerk will be appointed by the Board at its Annual Organizational Meeting and will serve for a period of one (1) year. The Clerk's duties include the following:

- a) Attends all meetings of the Board and keeps a record of its proceedings and records, by name, those in attendance;
- b) Prepares minutes of the meetings of the Board, obtains approval of the minutes by the Board at the next meeting, signs the minutes to signify their official standing and forwards copies of the minutes to each member of the Board;
- c) Sends notices of special meetings to members of the Board; contacts and communicates with members as required;
- d) Sees that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;
- e) Maintains an up-to-date record of Board policies and by-laws;
- f) Delivers to, and collects from, the President (or Vice President) such papers for signature as may be necessary;
- g) Distributes notices to the public announcing availability of copies of the budget to be presented at the annual District meeting in compliance with the requirements of the State Education Law;
- h) Administers oaths of office, as required by Section 10, Public Officers Law;
- i) Gives written notice of appointment to persons appointed as inspectors of election;
- j) Calls all meetings to order in the absence of the President and Vice President;
- k) Assumes other duties customary to the office.

The above duties of the Clerk are not intended to be complete but should serve as a comprehensive guide in undertaking the duties of this office. The Clerk shall perform such other duties as may be assigned from time to time by the Board.

Education Law Section 2121  
Public Officers Law Section 104

## By-Laws

**1332 - DUTIES OF THE SCHOOL DISTRICT TREASURER**

The Treasurer is appointed by the Board at the Annual Re-Organization Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting and preparing reports and statements concerning District finances, the District Treasurer shall perform other specific tasks as follows:

- a) Acts as custodian of all moneys belonging to the District and lawfully deposits these moneys in the depositories designated by the Board;
- b) Pays all authorized obligations of the District as directed;
- c) Maintains proper records and files of all checks, and approved payment of bills and salaries;
- d) Makes all such entries and posts all such financial ledgers, records and reports as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;
- e) Signs all checks drawn on District fund accounts provided that the District's Claims Auditor has attested to the authority to issue the check based upon proper evidence of a charge against the District's funds;
- f) Assumes other duties customary to the office.

Duties: Education Law Section 2122  
Bond: Education Law Section 2130, Part 5  
8 New York Code of Rules and Regulations  
(NYCRR) Sections 170.2(o) and (p)

## By-Laws

**1333 - TAX COLLECTOR**

The towns of Brighton, Pittsford, Perinton, Penfield, Mendon and Victor serve as the school tax collectors and perform the following duties on behalf of the District.

- a) Prepares and mails tax notices;
- b) Uses suitable printed tax receipt forms as prescribed by the State Tax Commission;
- c) Collects taxes in the amount of the warrant, upon the issuance of the tax warrant by the Board and penalty fees in accordance with the terms of such warrant;
- d) Turns over to the District Treasurer all money collected by virtue of any tax list and warrant issued;
- e) Submits a report, certified by him/her to the District, showing the amount of taxes and fees collected along with the unpaid listing. The combination of taxes collected and uncollected shall equal the amount of the warrant;
- f) Turns over to the County Treasurer, prior to November 15, a list of unpaid taxes;
- g) Carries out such other duties of the position as prescribed in the Real Property Tax Law.

Education Law Sections 2126 and 2130  
Real Property Tax Law Sections 922, 924, 1322, 1330,  
and 1338

## By-Laws

**1334 - DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR**

The Board by law shall obtain an annual audit of its records by an independent certified public accountant or an independent public accountant. The independent accountant shall present the report of the annual audit to the Board and provide a copy of the audit to each Board member. The Board shall adopt a resolution accepting the audit report and file a copy of the resolution with the Commissioner. The District will also file the audit report with the Commissioner for a specific school year by October 15th of the following school year. In addition to the annual audit, the District shall be subject to State audits conducted by the State Comptroller.

**Request for Proposal Process**

In accordance with law, no audit engagement shall be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

Education Law Sections 1709(20-a), 2110-a, 2116-a  
and 2854(c)  
General Municipal Law Sections 33 and 104-b  
8 New York Code of Rules and Regulations (NYCRR)  
Sections 170.2, 170.3 and 170.12

### **1335 - APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR**

The Board may adopt a resolution establishing the appointment of a Claims Auditor who shall hold the position subject to the pleasure of the Board and report directly to the Board on the results of audits of claims. The Board may require that the Claims Auditor report to the Clerk, or to the Superintendent for administrative matters such as workspace, time and attendance.

#### **Qualifications**

The Claims Auditor must have the necessary knowledge and skills to effectively audit claims including experience with purchasing, bidding and claims. The Claims Auditor must be bonded prior to assuming his/her duties.

No person shall be eligible for appointment to the office of Claims Auditor who shall be:

- a) A member of the Board;
- b) The Clerk or Treasurer of the Board;
- c) The Superintendent or official of the District responsible for business management;
- d) The Purchasing Agent;
- e) Clerical or professional personnel directly involved in accounting and purchasing functions of the District or under the direct supervision of the Superintendent;
- f) The individual or entity responsible for the internal audit function (the Internal Auditor);
- g) The External (Independent) Auditor responsible for the external audit of the financial statements;
- h) A close or immediate family member of an employee, officer, or contractor providing services to the District. A "close family member" is defined as a parent, sibling or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

The Claims Auditor is not required to be a resident of the District and shall be classified in the civil service exempt class.

The Board may delegate this claims audit function by using inter-municipal cooperative agreements, shared services through a Board of Cooperative Educational Services, or independent contractors, providing that the individual or organization serving as independent contractor meets the following standards for independence between the Claims Auditor and the District:

(Continued)

## By-Laws

**1335 - APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR (Cont'd.)**

- a) Has no other responsibilities related to the business operations of the District;
- b) Has no interest in any other contracts with, and does not provide any goods or services to, the District; and
- c) Is not a close or immediate family member of anyone who has responsibilities related to business operations of the District, or has an interest in any other contracts with the District. A "close family member" is defined as a parent, sibling or nondependent child; an "immediate family member" is a spouse, spouse equivalent, or dependent (whether or not related).

Valid claims against the District shall be paid by the Treasurer only upon the approval of the Claims Auditor. The Claims Auditor shall certify that each claim listed on the warrant was audited and payment was authorized. He/she shall:

- a) Examine all claim forms with respect to the availability of funds within the appropriate codes and adequacy of evidence to support the District's expenditure;
- b) Substantiate receipts or other revenues or expenditures;
- c) Meet such other requirements as may be established by the Regulations of the Commissioner of Education and/or the Comptroller of the State of New York.

Education Law Sections 1604(35), 1709(20-a), 2526  
and 2554(2-a)  
8 New York Code of Rules and Regulations (NYCRR)  
Section 170.12(c)

**1336 - DUTIES OF THE EXTRACLASSROOM ACTIVITIES FUNDS TREASURER(S)**

Extraclassroom Activities Funds Treasurers are appointed by the Board and are responsible for the supervision of the extraclassroom activities funds.

The Treasurer's duties include the following:

- a) Countersigns all checks disbursing funds from the Extraclassroom Activities Account;
- b) Provides general supervision to ensure that all receipts are deposited and that disbursements are made by check only;
- c) Maintains records of all receipts and expenditures;
- d) Submits records and reports to the Board as required;
- e) Assumes other duties customary to the position.

8 New York Code of Rules and Regulations (NYCRR)  
Part 172

**1337 - DUTIES OF THE SCHOOL ATTORNEY**

The Board shall employ School Attorneys who shall be responsible to the Board for guidance on all affairs which are of a legal nature, including, but not limited to:

- a) Negotiation of all legal charges and processes for each bond issue and construction and/or reconstruction of new buildings;
- b) Legal counsel on matters referred to him/her to determine legality of procedure;
- c) Matters related to "due process" hearings or procedures.



## By-Laws

**1338 - DUTIES OF THE SCHOOL PHYSICIAN**

The School Physician shall be appointed by the Board. The duties of the School Physician shall include, but are not limited to, the following:

- a) Performs professional medical services in the examination and care of school children;
- b) Performs school physicals as needed;
- c) Serves as an on call member on the Committee on Special Education;
- d) Reports to the Director of Pupil Services on school health services;
- e) Provides physical examinations to students participating in interscholastic athletics as needed;
- f) Develops the program of health service in accordance with policies approved by the Board and as directed by the Superintendent;
- g) Serves as resource to school nurses;
- h) Conducts a medical evaluation on any employee at the request of the Superintendent.

Education Law Sections 902 and 913

## By-Laws

**1339 - DUTIES OF THE INTERNAL AUDITOR**

The Internal Auditor reports directly to the Board.

The District may use its employees, inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950, or independent contractors as the person/entity serving as Internal Auditor. The person or entity serving as Internal Auditor must follow generally accepted auditing standards, be independent of District business operations, and have the requisite knowledge and skills to complete the work.

The Internal Auditor is responsible for performing the internal audit function for the Board which includes at a minimum:

- a) Development of a risk assessment of District operations, including but not limited to, a review of financial policies, procedures and practices;
- b) An annual review and update of such risk assessment;
- c) Annual testing and evaluation of one or more areas of the District's internal controls, taking into account risk, control weakness, size, and complexity of operations;
- d) Preparation of reports, at least annually or more frequently as the Board may direct, which:
  1. Analyze significant risk assessment findings;
  2. Recommend changes for strengthening controls and reducing identified risks; and
  3. Specify timeframes for implementation of such recommendations.

Education Law Sections 1950, 2116-b and 2116-c  
8 New York Code of Rules and Regulations  
(NYCRR) Section 170.12(d)

NOTE: Refer also to Policy #5573 -- Internal Audit Function

## **1340 - CODE OF ETHICS: BOARD MEMBERS**

### **Pittsford Central School District – Board of Education Code of Ethical Conduct (2022-2023)**

The Code of Ethical Conduct set forth in this Board of Education policy shall be applied *as a supplement to* the policy is set forth in New York State General Municipal Law, including, but not limited to:

- Conflicts of interest between the Board member and the District generally, as well as any of its individual stakeholders, and
- Prohibition on disclosure of confidential information obtained while discharging official duties and using confidential information to further personal interests.

For purposes of this policy, *ethics* means and includes personal behaviors, in addition to those dictated by law, aligned with honesty, trustworthiness, integrity, credibility, fairness, and respect for the dignity of all.

**All Pittsford Central School District Board members shall conduct themselves with the highest ethical standards; specifically, they shall –**

- a) Respect their oath of office and consistently observe and comply with all state and federal laws and regulations that pertain to public education.
- b) Value and uphold student success as the fundamental principle for all decisions.
- c) Serve as Steward and Guardian of the District’s core values, mission, and vision.
- d) Strive to ensure the opportunity for a high-quality educational experience for all students.
- e) Represent the *entire* community in an impartial manner.
- f) Avoid even the appearance of an undisclosed conflict of an interest and remain apolitical.
- g) Shall not abuse their position for personal gain.

(Continued)

**1340 - CODE OF ETHICS: BOARD MEMBERS (Cont'd.)**

- h) Maintain strict confidentiality of privileged information including, but not limited to, all information discussed during Executive Session.
- i) Operate at all times understanding that a Board of Education member is one-seventh of a unit and that individually have no authority over District affairs.
- j) Act with civility, respect, and regard for the opinions, experiences, perspectives, and responsibilities of fellow Board members, District leadership and staff, students, and members of the broader community.

**Executive Session**

Board members understand and acknowledge that they are obliged to maintain the utmost confidentiality regarding information conveyed to them in their capacity as Board members or discussed during portions of Board meetings that are designated as Executive Session. Executive session topics are limited legally to eight categories as such only these topics may be discussed.

Board members shall neither repeat nor discuss matters shared with them at any time other than during a portion of a meeting which has been designated as an Executive Session.

Board members shall not, under any circumstance, copy, record or reproduce any portion of a School Board meeting which has been designated as an Executive Session.

**NOTE:** If a Board member has any reason to believe that another Board member, District employee, parent, student, community member, and/or any other person is copying, recording, or otherwise reproducing any portion of a meeting that has been designated as an Executive Session, such Board member shall immediately report such information to the Superintendent and Board President.

(Continued)

## **1340 - CODE OF ETHICS: BOARD MEMBERS (Cont'd.)**

### **Oath of Office**

Board members shall abide by the District's Oath of Office, which requires Board members to uphold the laws of the Constitution of the United States and the State of New York. All local laws

and regulations pertaining to education and public agencies as well as policies of the District must also be upheld.

### **Affirmation – Code of Ethical Conduct**

In addition to the annual Oath of Office, all Pittsford Central School District Board of Education members shall annually affirm their acknowledgement and acceptance of this Code of Ethical Conduct by. In so doing, they confirm that they have read and understand the conditions defined herein.

As a best practice, it is recommended that the act of affirmation occur at the Board's reorganization meeting in July or, if a member is not present at the reorganization meeting, at a convenient location within fourteen (14) working days of the date of the reorganization meeting. The Board President and District/Board Clerk shall be responsible for coordinating these tasks.

### **Penalties**

In addition to any civil or criminal penalty contained in any other provision of law, any Board of Education member who shall knowingly and intentionally violate any of the provisions of this policy, including not signing the code of ethics as required herein may be fined, suspended or removed from office or employment, as the case may be, in the manner provided by law.

NOTE: Refer also to Policy 6110 – Code of Ethics For All District Personnel.

**1340 - CODE OF ETHICS: BOARD MEMBERS (Cont'd.)**

**Code of Ethics**

**ACKNOWLEDGEMENT**

I, \_\_\_\_\_, hereby acknowledge that I have read and understand District Policy 1340. I affirm that I will abide by the conditions set forth in District Policy 1340 and understand that my failure to do so is grounds for removal from my position as School Board member.

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Print Name

Sworn to before me this

\_\_\_\_ day of July, 20\_\_\_\_.

\_\_\_\_\_

## By-Laws

**1410 - POLICY**

The Board shall be alert to the future of the District and shall regularly review relevant data provided by the staff, consultants and the District Planning Team for such purpose.

Members of the Board shall be aware of pending local, county, state, and federal legislation which relates to educational matters and shall take appropriate action when warranted.

Furthermore, the Board shall consider itself accountable for cultivating a proactive approach to its responsibilities. As part of this mindset, each Board member shall endeavor to discern educational trends and other relevant changes at International, National, State, local and community levels.

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

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

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

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

It shall be the Board's responsibility to keep its written policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision. The entire policy manual will be reviewed at least every seven (7) years.

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

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

Pittsford Central School District Adopted: 2/12/62, 7/6/65, 1/9/67, 5/22/67, 6/28/82, 2/20/89, 2/13/95, 3/11/96, 12/11/00, 10/12/04

## By-Laws

**1420 - EXECUTION OF POLICY: ADMINISTRATIVE REGULATIONS**

The Board shall delegate to the Superintendent the function of specifying required actions and designing the detailed arrangements under which the schools will be operated. These rules and these detailed arrangements constituting the administrative regulations governing the schools will be formulated by applying the same principles of involvement and communication used in policy development. They must in every respect be consistent with the policies adopted by the Board. The Board shall be kept informed periodically of changes in administrative regulations.



**1510 - REGULAR BOARD MEETINGS**

All Board meetings must be open to the public except those portions of the meetings which qualify as executive sessions. A "meeting" is defined as an official convening of a public body for the purpose of conducting public business and a "public body" is defined as an entity of two (2) or more persons which requires a quorum to conduct public business, including committees and subcommittees.

If a Board meeting has been scheduled at least one week before it occurs, there must be at least seventy-two (72) hours advance notice in accordance with the provisions of the Open Meetings Law. Notice of Board meetings scheduled less than a week in advance shall be given as soon as is practicable in accordance with law.

If a District resident is hearing impaired and desires the services of an interpreter, the Board shall provide services upon reasonable notice.

If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

Regular meetings of the Board of Pittsford Central School District shall take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified at subsequent meetings of the Board.

It is the responsibility of the Superintendent to prepare the agenda and review it with the Board President for each meeting of the Board. The agenda for each meeting shall be prepared during the week prior to the meeting. The agenda shall be distributed to Board members no later than the Friday before such regular meeting. Whenever the President or other members of the Board wish to bring a matter to the attention of the Board, such request should be made to the Superintendent so that the topic can be considered for placement on the agenda. Whenever individuals or groups wish to bring a matter to the attention of the Board, such request shall be addressed to the Superintendent. The Superintendent may present such matter to the Board.

The Clerk shall notify the members of the Board in advance of each regular meeting. Such notice, in writing, shall include an agenda and the time of the meeting.

In the event that a meeting date falls on a legal holiday, interferes with other area meetings, or there is an inability to attend the meeting by Board members to the extent that a quorum would not be present, the Board shall select a date for a postponed meeting at the previous regular meeting, and shall direct the Clerk to notify all members.

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

(Continued)

**1510 - REGULAR BOARD MEETINGS (Cont'd.)**

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

Public Officers Law Article 7  
Education Law Section 1708

NOTE: Refer also to Policy #1520 -- Special Meetings of the Board

## By-Laws

**1520 - SPECIAL MEETINGS OF THE BOARD**

Special meetings of the Board shall be held on call by any member of the Board. A reasonable and good faith effort shall be made by the Superintendent or the Board President, as the case may be, to give every member of the Board twenty-four (24) hours notice of the time, place and purpose of the meeting. All special meetings shall be held at a regular meeting place of the Board and/or in accordance with provisions of the Open Meetings Law as may be applicable.

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

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

Public Officers Law Sections 103 and 104

NOTE: Refer also to Policy #1510 -- Regular Board Meetings

## By-Laws

**1610 - ANNUAL DISTRICT MEETING AND ELECTION/BUDGET VOTE**

Pursuant to law, the Annual District Meeting and Election/Budget Vote for the District will be held on the third Tuesday in May. At this time, the District's voters will elect members of the Board and will also vote on the District Budget for the upcoming school year. However, in the event that the third Tuesday in May conflicts with a religious holiday, the School Board may petition the Commissioner of Education to obtain permission to hold the Annual Meeting and Election/Budget Vote on the second Tuesday in May. Such request from the Board must be certified and received by the Commissioner no later than March 1.

The Clerk shall give notice of the time and place of holding the Annual Meeting and Election/Budget Vote by publishing such notice four (4) times within seven (7) weeks preceding the meeting. The first publication of the notice must be at least forty-five (45) days prior to the meeting. Such notice must appear in two (2) newspapers, if there are two (2) newspapers which have a general circulation within the District, or one (1) newspaper, if there is one (1) newspaper with a general circulation within the District. The notice shall also contain such other information as required by law.

Copies of the proposed annual operating budget for the succeeding year to be voted upon at the Annual Meeting and Election shall be available to District residents, on request, in each District school building during certain designated hours on each day other than a Saturday, Sunday or holiday during the fourteen (14) days preceding such Annual Meeting. The availability of this budget information shall be included in a legal notice of the Annual Meeting; and such copies of the proposed budget will also be available to District residents at the time of the Annual Meeting and Election.

Starting in the 2005/2006 school year, proof of residency will be required to vote.

Education Law Sections 1608, 1716, 1804(4), 1906(1),  
2003(1), 2004(1), 2017(5) and (6), 2022(1), and  
2601-a(2)

NOTE: Refer also to Policy #1640 -- Absentee Ballots

Pittsford Central School District Adopted: 7/14/53, 4/3/61, 6/28/82, 2/20/89, 3/11/96, 12/11/00,  
10/12/04

**1611 - BUSINESS OF THE ANNUAL DISTRICT ELECTION**

The Board will appoint a qualified voter as chairperson of the Annual District Meeting and Election/Budget Vote.

The chairperson will call the Annual District Meeting to order and proceed to the following order of business:

- a) Designation of Clerk as clerk of the election and assistant clerks;
- b) Designation of tellers and/or inspectors of election as previously appointed by the Board;
- c) Reading of notice of call of the election by the Clerk;
- d) Opening of the booths for voting;
- e) Closing of the booths;
- f) Receiving the report of the Clerk of the results of the elections;
- g) Adjournment.

Voting machines shall be used in annual and special District meetings.

Education Law Sections 1716 and 2025

**1620 - ANNUAL REORGANIZATION MEETING**

The Annual Organizational Meeting of the Board shall be held on the second Monday in July of each year, unless that day is a legal holiday, in which event it shall be held on the second Tuesday in July.

The Board may pass a resolution, however, to hold its Annual Organizational Meeting at any time during the first fifteen (15) days of July.

Education Law Section 1707

## By-Laws

**1630 - LEGAL QUALIFICATIONS OF VOTERS AT DISTRICT MEETINGS**

A person shall be entitled to vote at any school meeting for election of members of the Board, and upon all matters which may be brought before such meeting, who is:

- a) A citizen of the United States;
- b) Eighteen (18) years of age or older;
- c) A resident within the District for a period of thirty (30) days preceding the meeting at which he/she offers to vote.

Any person who would not be qualified to vote under the provisions of Sections 5-100 and 5-106 of the Election Law shall not have the right to vote in an election.

Education Law Sections 2012 and 2603  
Election Law Article 5

**1631 - PROOF OF RESIDENCY FOR VOTING**

Starting with the 2005/2006 school year and thereafter, in order for a person to be entitled to vote at the elections of members of the Board, the District budget, and all matters which may be brought before the residents of the District, valid proof of residency must be shown prior to voting. Proof of residency may include the following:

- a) A New York State driver's license;
- b) A New York State non-driver identification card;
- c) A utility bill; or
- d) A voter registration card.

Proof of residency may also be obtained by personal verification of an individual's residency status by an election inspector or clerk.

In instances where proof of residency is not provided, voters will be permitted to vote by paper ballot provided they swear to and subscribe an affidavit stating that they are legal residents and qualified voters of the Pittsford Central School District.

Voters shall also be required to provide their signature, printed name and address.

Education Law Sections 2018-c and 2019



## By-Laws

**1640 - ABSENTEE BALLOTS**

The Board authorizes the Clerk to provide absentee ballots to qualified District voters. Absentee ballots shall be used for the election of Board members and the adoption of the annual budget.

A District voter must request in advance an application for an absentee ballot. The voter must complete the application and state the reason he/she will not be able to appear in person on the day of the District election/vote for which the absentee ballot is requested. The application must be received by the Clerk or Board designee at least seven (7) days before the election/vote if the ballot is to be mailed to the voter, or the day before the election/vote if the ballot is to be delivered personally to the voter.

Pursuant to the provisions of Education Law, a qualified District voter is eligible to vote by absentee ballot if he/she is unable to appear to vote in person on the day of the District election/vote because:

- a) He/she is or will be a patient in a hospital, or is unable to appear personally at the polling place on the day of the election/vote because of illness or physical disability;
- b) He/she has duties, occupation or business responsibilities, or studies which require being outside of the county or city of residence on the day of the District election/vote;
- c) He/she will be on vacation outside of the county or city of residence on the day of such District election/vote;
- d) He/she will be absent from the voting residence due to detention in jail awaiting action by a grand jury or awaiting trial, or is confined in prison after conviction for an offense other than a felony; or
- e) He/she will be absent from the District on the day of the District election/vote by reason of accompanying spouse, parent or child who is or would be, if he/she were a qualified voter, entitled to apply for the right to vote by absentee ballot.

Statements on the application for absentee ballot must be signed and dated by the voter.

Starting in the 2005/2006 school year, proof of residency must be shown if an application and ballot is not mailed directly to the voter's residence.

An absentee ballot must reach the office of the Clerk or Board designee not later than 5 p.m. on the day of the election/vote in order that his/her vote may be canvassed.

(Continued)

## By-Laws

**1640 - ABSENTEE BALLOTS (Cont'd.)**

A list of all persons to whom absentee ballots have been issued shall be maintained in the office of the Clerk and made available for public inspection during regular office hours until the day of the election/vote. 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 reason for such challenge. The written challenge shall be transmitted by the Clerk to the election inspectors on the day of the District election/vote. In addition, any qualified voter may challenge the acceptance of the absentee voter's ballot of any person on such list by making his/her reasons known to the election inspector before the close of the polls.

Education Law Sections 2014, 2018-a and -b, and 2613

## By-Laws

**SUBJECT: SUBMISSION OF QUESTIONS AND PROPOSITIONS AT ANNUAL ELECTIONS AND SPECIAL DISTRICT MEETINGS****Questions and Propositions at Annual District Elections**

The following rules and regulations shall apply to the submission of the questions or propositions at the annual elections or special District elections of this District.

- a) Questions or propositions shall be submitted by petition directed to the Clerk and shall be signed by twenty-five (25) qualified voters, or five percent (5%) of the registered voters of the District who voted in the previous annual election of Board members, whichever is greater.
- b) A separate petition shall be required for each question or proposition.
- c) Each petition shall be filed with the Clerk. Petitions relating to an Annual Election must be filed not later than thirty (30) days preceding the election at which the question or proposition is to be voted upon.
- d) Questions or propositions submitted in accordance with these rules and accepted will be printed on the ballot for the voting machine.
- e) The Board shall cause the rules and regulations set forth in this policy to be distributed within the District.
- f) Nothing herein contained shall affect the nominations of candidates as set forth in the Annual District Election notice pursuant to Section 2018 of the Education Law.

**Questions or Propositions to be Submitted at Special District Meetings**

A special District meeting is a meeting of the qualified voters at the District for a specific purpose(s) called by the Board when it deems necessary or proper, or when petitioned to do so by the voters.

The procedure for requesting the Board to call a Special District Meeting to vote on a question or proposition shall be in accordance with subdivision 2 of Section 2008 of the Education Law.

Education Law Sections 2006-2008 and 2035(2)

**1710 - QUORUM**

The quorum for any meeting of the Board shall be four (4) members. No formal action shall be taken at any meeting at which a quorum is not present. When only a quorum exists, the Board shall act by unanimous vote unless otherwise required by the laws of the State of New York.

General Construction Law Section 41

## By-Laws

**1720 - MINUTES**

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

The minutes of each meeting of the Board shall state:

- a) The type of meeting;
- b) The date, time of convening, and adjournment;
- c) Board members present and absent;
- d) Board members' arrival and departure time, if different from opening or adjournment times;
- e) All action taken by the Board, with evidence of those voting in the affirmative and the negative, and those abstaining;
- f) The nature of events that transpire, in general terms of reference.

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

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

Education Law Section 2121  
Public Officers Law Section 106

## By-Laws

**1730 - EXECUTIVE SESSIONS**

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

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

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

Public Officers Law Article 7  
Education Law Section 3020-a