

## Bylaws

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

All Board meetings will be open to the public except those portions that are executive sessions. The Board will make reasonable efforts to ensure that all meetings are held in an appropriate facility that can adequately accommodate all members of the public who wish to attend. The Superintendent will attend all Board meetings. Members of the Superintendent's staff may attend Board meetings at the Superintendent's discretion. The Board may also request that additional people attend.

Regular Board meetings will take place on the day and time designated by the Board at the Annual Organizational Meeting, except as modified. Any Board meeting may be adjourned to a future date and time if approved by a majority of the Board present. Further, if a meeting date falls on a legal holiday, interferes with other area meetings, or Board member attendance will be less than a quorum, the Board will select a date for a postponed meeting at the prior regular meeting, and it will direct the District Clerk to notify all members. The District Clerk will provide the Board members written notice of the time of and agenda for each regular meeting before the meeting.

When the Board schedules a meeting on at least one week's notice, it will give or electronically transmit public notice of the time and place to the news media and conspicuously post the notice in one or more designated public locations at least 72 hours before the meeting. Notice of other meetings will be given or electronically transmitted, to the extent practicable, to the news media and conspicuously posted at one or more designated public locations at a reasonable time before the meeting. When the Board has the ability to do so, it will conspicuously post meeting notices on the District's website. If a meeting is streamed live over the Internet, the notice will inform the public of the website's Internet address.

The Superintendent will prepare the meeting agenda during the week before the meeting and review it with the Board President. The agenda will then be distributed to Board members no later than the Friday before the regular meeting. The President or other Board members will submit requests to place matters on the agenda to the Superintendent. Whenever individuals or groups wish to bring a matter to the attention of the Board, they will submit a written request to the Superintendent.

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

**Using Videoconferencing to Conduct Board Meetings**

If videoconferencing is used to conduct a Board meeting:

- a) The Board will provide an opportunity for the public to attend, listen, and observe the meeting at any location where a Board member is participating; and

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- b) The public notice for the meeting will inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

Voting may be done through videoconferencing provided that Board members can be both seen and heard voting and participating from remote locations.

Extraordinary Circumstances

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

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

- a) The District must maintain an official website.
- b) The Board must have adopted a resolution, following a public hearing, authorizing the use of extraordinary circumstances videoconferencing:
  - 1. For itself and its committees or subcommittees; or
  - 2. Specifying that each committee or subcommittee may make its own determination.
- c) The Board must have established written procedures governing Board member and public attendance at meetings where extraordinary circumstances videoconferencing is being used that are consistent with law and those procedures must be conspicuously posted on the District's website.
- d) Board members must only participate in meetings remotely from locations that are not open to the public in an extraordinary circumstance. How the Board defines extraordinary circumstances must be set forth in the Board's resolution and written procedures related to extraordinary circumstances videoconferencing. Extraordinary circumstances may include disability, illness, caregiving responsibilities, or other significant or unexpected factor or event which precludes the Board member's physical attendance at a meeting. Except for an extraordinary circumstance, Board members must be physically present at meetings unless a state disaster emergency has been declared or a local state of emergency has been proclaimed and the Board has determined that the circumstances necessitating the emergency declaration would affect or impair the ability of the Board to hold an in-person meeting.

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- e) At the meeting where extraordinary circumstances videoconferencing is being used:
1. The public must be able to attend, listen, and observe the meeting in at least one physical location at which a Board member is participating.
  2. A minimum number of Board members must be present to fulfill the quorum requirement in the same physical location or locations where the public can attend.
  3. Except in the case of executive sessions, Board members must be able to be heard, seen, and identified while the meeting is being conducted, including, but not limited to, any motions, proposals, resolutions, and any other matter formally discussed or voted upon.
  4. The minutes of the meeting must include which, if any, Board members participated remotely and must be made available in accordance with law.
  5. The public notice must inform the public that: videoconferencing will be used; where the public can view and/or participate in the meeting; where required documents and records will be posted or available; and identify the physical location(s) for the meeting where the public can attend.
  6. The meeting must be recorded. The recordings must be posted or linked on the District's website within five business days following the meeting, and must remain available for a minimum of five years thereafter. Upon request, these recordings must be transcribed.
  7. The Board must provide the opportunity for the public to view the meeting via video, and to participate in proceedings via videoconference in real time where public comment or participation is authorized and must ensure that videoconferencing authorizes the same public participation or testimony as in person participation or testimony.
  8. The Board must utilize technology to permit access by individuals with disabilities consistent with the 1990 Americans with Disabilities Act, as amended, and corresponding guidelines.

**Recording Meetings**

The Board allows public meetings to be photographed, broadcast, webcast, or otherwise recorded and/or transmitted by means of audio or video, in a non-disruptive manner, and it supports the use of this technology to facilitate the open communication of public business.

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**SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE) (Cont'd.)****Quorum**

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

**Use of Parliamentary Procedure**

The Board will use pertinent portions of the latest edition of Robert's Rules of Order to conduct its business.

**Public Comment**

The Board encourages courteous and respectful public comment at Board meetings. All speakers must conduct themselves in a civil manner. Obscene language, harassing language, defamatory statements, and threats of violence are prohibited. All participants are required to comply with the District *Code of Conduct*.

**Guidelines for Participation**

- a) The Board of Education will provide two opportunities during each meeting for public participation:
  1. An opportunity after the review or approval of the agenda for participants to comment upon the agenda.
  2. An opportunity at the end of the meeting for participants to address the Board on topics appropriate for open session.
- b) The Board welcomes attendance and participation by District residents, persons having business within the boundaries of the School District and persons who do business with the Board of Education.
- c) A maximum of 30 minutes will be reserved for comments from community members. Board members may also request a 30-minute extension of this time, subject to Board approval.
- d) Those wishing to speak must be at least 16 years of age.
- e) All participants must be recognized by the presiding officer and must preface their comments by an announcement of their name, address and group affiliation, if appropriate.

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- f) Each speaker will be limited to three minutes to offer comments pursuant to the guidelines offered below, unless the Board votes to waive rules to allow it. The participant will not be allowed to transfer all or part of their allotted time to another participant.
- g) All statements must be directed at the presiding officer; no visitor to a Board meeting may address or question Board members individually.
- h) Participants may register their request to speak with the District Clerk or the Deputy District Clerk in advance of the meeting. Those that register in advance of the meeting will speak in order of their sign-up. Community members who do not sign-up prior to the start of the meeting will speak after those who signed up in advance.
- i) Participants may not discuss specific individuals or issues that fall under executive session.

Role of the Board President

In order to facilitate an appropriate and productive discourse, the Board President also has the right to exercise one of the following options:

- a) Interrupt or terminate a participant's comments when the comment is too lengthy, personally directed, abusive or irrelevant;
- b) Request any individual to leave the meeting when the person does not observe reasonable decorum;
- c) Call for a recess or an adjournment to another time when the lack of decorum so interferes with the orderly progress of the meeting;
- d) Direct comments and questions from participants to the Superintendent, administrator, or appropriate department for action or response within a reasonable time frame after the meeting.

If there are a large number of individuals who want to address the Board, the Board President may limit the number of repetitive comments being made so that the time limit on public comment is not exceeded.

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**SUBJECT: REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMETARY PROCEDURE) (Cont'd.)**

If individuals engage in disruptive or unruly behavior during the meeting, the Board President will remind the audience of this policy and the requirement to conduct themselves in a civil manner and comply with the District *Code of Conduct*. The Board President may call for the removal of disruptive or unruly individuals from the meeting. When appropriate, law enforcement may be called to remove disruptive or unruly individuals. In some instances, individuals engaging in disruptive or unruly behavior may be subject to criminal sanctions.

These rules apply to residents and nonresidents equally.

Education Law §§ 1708, 2504, and 2801  
General Construction Law § 41  
Penal Law § 240.20  
Public Officers Law Article 7  
8 NYCRR § 100.2

NOTE: Refer also to Policies #1520 -- Special Meetings of the Board of Education  
#1730 -- Executive Sessions  
#6217 -- Employment of Relatives of Board of Education Members

Adopted: 5/9/06  
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