Tuesday, July 7, 2015
Robert L. Bradley Elementary School Library
5:00 p.m.
Robert J. Nole, Superintendent

AGENDA

I. Election of Chairman

II. Pledge of Allegiance

III. Appointment of Clerk of the Board (Betty Heil)

IV. Administration of Oath to Newly Elected Board Member (by District Clerk)

V. Election of Officers (Oath administered after election by Clerk)
   A. President of the Board
   B. Vice-President of the Board

VI. Appointment of Officers (administered by oath)
   A. Superintendent of Schools (Robert J. Nole)
   B. District Treasurer (Kimberly Hibbard) with bonding of $1,100,000
   C. Deputy District Treasurer (Denise Owens) with bonding of $1,100,000
   D. Tax Collector (Robin Kennedy) with bonding of $1,100,000
   E. Claims Auditor (Wendy Stillman) with bonding of $1,100,000
   F. Internal Claims Auditor (Sandy D’Onofrio) with bonding of $1,100,000
VII. Other Appointments

A. School Physician (Dr. Christopher Alinea – OHM BOCES)
B. School Attorney (Anthony Hallak)
C. District Auditor (Dermody, Burke & Brown)
D. Internal Auditor (Questar III BOCES)
E. Extra-Classroom Activity Fund Treasurers with bonding of $100,000

   Senior High School (Sr. High Office Specialist)
   Junior High School (Jr. High Office Specialist)

F. Asbestos (LEA) Designee (Andrew Morgan)
G. Records Management Officer (Mary Mandel)

VIII. Designations

A. Official Bank Depositories (See attached list)
B. Financial Consultants (Bernard P. Donegan, Inc.)
C. Official Newspaper (The Observer-Dispatch)
D. Approval of Meeting Dates & Location (See attached list)

IX. Authorizations

A. Payroll Certification (Mary Mandel)
B. School Purchasing Agent (Mary Mandel)
IX. Authorizations (cont'd.)

C. Establish Petty Cash and Change funds

$100 for Junior & Senior High Schools
$100 for Myles Elementary School
$100 for Hughes Elementary School
$100 for Bradley Elementary School
$100 for Business Office
$ 80 for Athletic Office Change Fund

Petty Cash Custodians
Sr. High School – Office Specialist
Jr. High School – Office Specialist
Myles Elementary – Office Specialist
Hughes Elementary – Office Specialist
Bradley Elementary – Office Specialist
Business Office – Account Clerk
Athletic Office – John Brigantino

D. Authorized Signature on Checks
   (One Signature -- District Treasurer)

E. School Safety Deposit Box
   (Board President, Clerk, Assistant Superintendent
    for Business Affairs)

F. Agreements with Other Districts to Transport Students
   (Superintendent)

G. Authorized Signatures for Extraclassroom Activity Accounts
   (Sr. High - 2 signatures – Office Specialist, Sr. High Principal and/or
    Dean of Students)
   (Jr. High - 2 signatures – Office Specialist and Principal)

H. Agreement for Services – School Resource Officer and School Safety
   Officer Programs
   (Superintendent)

X. Re-adoption of Bylaws of the Board of Education

   It is recommended that the Bylaws of the Board of Education be
   re-adopted.
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Policy

SCHOOL BOARD OPERATIONS 2000

BYLAWS OF THE BOARD OF EDUCATION

I. Organization

A. Powers and Duties

The powers and duties of the Board of Education are fully described in Section 1709 and 1804 of the Education Law.

No member of the Board as an individual has the right to exercise the authority of the Board. A Board member has authority only when meeting with the full Board, unless he/she has been specifically delegated authority to act on behalf of the Board.

Legal Ref: Sections 1701, 1709 and 1804, New York State Education Law; Section 41 of the General Construction Law.

B. Number of Board Members

The New Hartford Board of Education shall consist of seven (7) members elected by qualified voters of the District.

Legal Ref: Section 1804, New York State Education Law.

C. Term of Office

The term of office of a member of the New Hartford Board of Education shall be five (5) years.

In the event of death, resignation, refusal to serve, or any disqualification of a member, the Board, at the next regular meeting may vote to appoint a new member of the Board to fill such a vacancy, unless a separate election shall have been ordered by the Commissioner of Education or called by the Board of Education, or unless such appointment shall be postponed to a subsequent meeting of the Board. Any such vacancy filled by the Board shall be only for a term ending with the next regular school district election. A person appointed to fill a vacancy in this manner will take office immediately upon filing the oath of office.

Legal Ref: Sections 1702, 1709(17), 1804(1) and 2113, New York State Education Law.
D. Officers

The officers of the New Hartford Board of Education shall be the President, Vice-President and Clerk. The officers shall be elected by the Board at the annual organizational meeting and in the following order: President, Vice-President and Clerk. Each officer shall serve for a period of one (1) year.

Legal Ref: Sections 1701 and 2105, 2504, New York State Education Law.

E. Board Committees

The Board of Education shall serve as a committee of the whole. Committees may make recommendations to the board as a whole but cannot make legal decisions for the Board of Education. No member of the Board as an individual has the right to exercise the authority of the Board of Education as a whole.

Committees shall be appointed by the President only upon the official authorization of the Board of Education. The President shall appoint a chairperson and specify the functions of each committee. The President and the Superintendent shall serve in an ex-officio capacity on all committees. All Board members shall be notified of committee meetings and may attend if they desire to do so. Committee meetings shall be called by the Chairperson. The President, with Board authorization, shall dissolve a committee when the assigned functions have been completed by that committee.

F. Standing Committees of the New Hartford Board of Education

The functions of the following Board of Education Committees shall ordinarily be fact-finding, deliberative and advisory; and their reports shall be made to the Board for discussion and action. The President of the Board and the Superintendent shall be ex-officio members of all committees.

Following are the Board Committees, and respective committee tasks:

I. Curriculum and Staffing Committee

The Curriculum and Staffing committee shall serve as an advisory committee to the Board with special concerns regarding the scope and nature of educational offerings in the New Hartford Schools; and the number, assignment, and evaluation of instructional and non-instructional staff.
PRIORITY

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2. Finance and Budget Committees

The Educational Budget Committee shall serve as an advisory committee to the Board regarding the establishment of budgetary priorities and the formulation of the annual school budget. Special consideration should be given to short and long range financial planning including a planned balance, revenue analysis, state and federal legislation, etc.

3. Buildings and Grounds Transportation Committee

The Buildings and Grounds Transportation Committee shall serve as an advisory committee to the Board regarding transportation, preventative maintenance, safety awareness and implementation, and building and grounds needs. Special consideration should be given to short and long range planning pertaining to student enrollments, safety awareness and implementation and building and transportation programs.


4. Policy Committee

The Policy Committee shall serve as an advisory committee to the Board regarding development, review, and audit of policies as described in Section III (M) of the Bylaws.

5. Community Relations

The Community Relations Committee shall serve as an advisory committee to the Board regarding communication with the community and school staff on school district educational and financial matters. Special consideration should be given to short and long term planning for the explanation of critical issues that the school district faces or anticipates.

6. Audit Committee

A. The Audit Committee (unless constituted as the board as a whole) advises the board on the external and internal audit activities of the school district.

B. External Audit statutory responsibilities:
BYLAWS OF THE BOARD OF EDUCATION

1. provide recommendations on the appointment of the external auditor;
2. meet with the external auditor prior to commencing an audit of the district;
3. review and discuss with the external auditor the auditor’s risk assessment of the district’s fiscal operations;
4. receive and review the draft audit report and management letter;
5. work with the external auditor to help the Board understand the audit report and management letter;
6. provide recommendations to the board regarding acceptance of the external audit report; and
7. review every corrective action plan and assist the board in their implementation.

C. Internal Audit statutory responsibilities:

1. provide recommendations on the appointment of the internal auditor;
2. review all significant findings and recommendations of the internal auditor;
3. monitor the school district’s implementation of the internal auditor’s recommendations, and
4. assist in the evaluation of the internal auditor by providing feedback on the performance of the internal audit function.

II. Duties of Members and Auxiliary Personnel

A. Duties of the President

It shall be the duty of the President to:

1. Preside at all meetings of the Board, and enforce the laws, rules and regulations governing the procedure of the Board;

2. Sign all documents as authorized and directed by the Board;

3. Appoint all committees, unless otherwise ordered by the Board;

4. Act as an ex-officio member of all standing and special committees of the Board;
BYLAWS OF THE BOARD OF EDUCATION

5. Call special meetings of the Board, as provided in these Bylaws;

6. Perform such other duties as may customarily evolve upon the presiding officer of a legislative body or as may be prescribed by the Board.

Legal Ref: Section 1701, New York State Education Law.

B. Duties of the Vice-President

In the absence of the President, or in the President's inability to serve, the Vice-President shall perform the duties and have the obligations and authority of the President.

Legal Ref: Section 1701, New York State Education Law.

C. Duties of the Clerk

The Clerk's duties include:

1. Keep an accurate record of the proceedings of the Board, with the names of the members present and absent at each meeting;

2. Give due notice to each member of regular and special meetings;

3. Prepare for each regular meeting of the Board memoranda of unfinished business to come before the Board;

4. Enter upon the records the names of all employees of the Board together with the date of appointment and compensation of each;

5. Notify all employees of their appointment, and make and execute the contracts with them required by the Board of Education and by the Education Law;

6. Cause to be published notices of an election of school board members, and perform such other duties in connection with the school election as are required by the Education Law;

7. Cause to be published notices calling for bids on equipment, supplies, or labor to be furnished by contract to the Board of Education;

8. Maintain voter registration records.
9. Prepare and distribute the Superintendent's Evaluation Forms; type the final evaluation of the Superintendent.

10. Any of these duties may be delegated by the Clerk, with the approval of the Board, or if the Clerk is unable to act, the Board may delegate them.

Legal Ref: Section 2121, New York State Education Law.

D. Duties of the Treasurer

It shall be the duty of the treasurer to:

1. Receive and deposit promptly in the officially designated district depository all monies paid to the school district;

2. Keep a record of the receipt of such monies;

3. Submit monthly reports to the Board reflecting the current balances in district funds; and receipts for the preceding month;

4. Sign checks; and

5. Sign all legal documents as required by statute.

Legal Ref: Section 2122, New York State Education Law.

E. Duties of the Collector of Taxes

The Board of Education shall appoint a school district tax collector, who shall hold office during the pleasure of the Board. The tax collector shall be responsible for performing all the necessary functions required for fulfilling the job of collecting taxes levied by the Board of Education each year. Furthermore, the tax collector must make a final report to the Board which indicates the total amount of the tax warrant, the amount of taxes collected, the amount of fees collected, and the total amount of uncollected taxes, with fees included. The tax collector shall be responsible for completing and filing the County Treasurer's forms for uncollected taxes.

Legal Ref: Sections 2124-2130, New York State Education Law.

F. Duties of the School Attorney(s)
POLICY

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1. The Board of Education will retain a School Attorney for the District. The School Attorney must be licensed to practice law in New York State.

2. When selecting a School Attorney, the District will consider a variety of factors, including the special knowledge or expertise of the attorney, the quality of the services provided by the attorney and the attorney’s suitability for the District’s needs.

3. The School Attorney will advise the Board of Education in all legal matters including, but not limited to the sale and purchase of property, litigations/legal matters, and other services requiring legal expertise.

III. Methods of Operation

A. Public Hearing, Budget Vote, Annual District Meeting, and Board Member Election(s).

1. Nomination

Board of Education members are placed into nomination by the presentation of a petition, not later than thirty (30) days preceding election day, to the Clerk of the School District between the hours of nine o’clock a.m. (9:00) and five o’clock p.m. (5:00). The petition shall:

   a. Be signed by at least twenty-five (25) qualified voters of the district or two percent (2%) of the number of voters in the previous election, whichever is greater;

   b. State the residence of each voter signing the petition;

   c. State the name and residence of the candidate and the vacancy for which the candidate is nominated.

Nominations are not to be considered for separate, specific Board of Education seats.

2. Public Hearing

A Public Hearing shall be set by the Board, and that set date shall be not less than seven (7) nor more than fourteen (14) days prior to the budget vote, for the purpose of presenting to the voters of New Hartford the
BYLAWS OF THE BOARD OF EDUCATION

established School Budget for the forthcoming school year. At this Budget Hearing, Board candidates shall be provided an opportunity to present their reasons for running for the Board.

3. Annual District Meeting and Election

The district shall hold an annual meeting and election at which the district's authorized voters will elect members of the Board of Education and vote on the district budget for the coming school year. The annual district meeting and election will be held on the third Tuesday in May from seven o'clock a.m. (7:00 a.m.) to nine o'clock in the evening (9:00 p.m.), unless this date conflicts with religious observances on that day, in which case the annual meeting and election will be held on the second Tuesday in May.

The District Clerk shall publish a notice of the date, time and place of the annual meeting and election at least four times within the seven weeks prior to the meeting, in two newspapers having general circulation within the district. The first publication of the notice shall be at least 45 days prior to the meeting. The notice shall also contain notice of any other matter required by law.

Copies of the budget to be voted upon at the annual meeting election will be available in each district school building for district residents upon request at the time of the annual meeting and election and fourteen (14) days (other than Saturday, Sunday and holidays) prior to the meeting.

The Board of Education shall appoint assistant clerks and election inspectors necessary for the annual meeting and election at a Board meeting held before the annual meeting and election.

The order in which the names of the candidates appear on the ballot shall be determined by the drawing of lots. Candidates shall run "at large" and not for specific seats on the Board. Candidates who receive the most votes cast shall be declared the winner(s), largest number of votes is to elect for the longest term.

Legal Ref: Sections 1804, 2004, 2121(4) and 2017, New York State Education Law.

4. Rules adopted by the Board of Education for the submission of petitions on additional budget items
BYLAWS OF THE BOARD OF EDUCATION

a. The petition must be signed by at least five (5) percent of the number of those who voted in the previous annual election of the members of the Board of Education or twenty-five (25) qualified voters, whichever is greater. Those who sign must give their address.

b. Petitions must contain a special proposal or resolution to be placed before the voters, and must specify the amount of money to be appropriated with specific references to how said monies should be spent.

c. Residents who seek to file a petition calling for submission of a proposition to district voters must file the petition not later than 30 days before a meeting or election to vote on the same.

d. It is essential that propositions be free from ambiguity. A petition must contain a clear, concise and detailed statement of the proposals and steps which the Board is being asked to put before the District for a vote. If the wording of a petition fails to comply with legal requirements, the Board may reject the petition or may alter or change the wording of the petition so that it conforms to legal requirements.

e. Propositions may be rejected by the Board if the purpose of the proposition is not within the power of the voters, or if such purpose is illegal, or if the purpose is to modify the proposed budget, but specific appropriations for the purposes listed are not included in the proposition, or for any other reason permitted by law.

f. All signatures should be in black or blue ink.

g. Each petition should be signed at the bottom by a witness who is a resident of the New Hartford Central School District.

h. The Board may also, on its own motion submit propositions.


B. **Publicity**
The Clerk of the Board shall cause a notice of the annual or special school election to be published in the official newspapers of the school district as prescribed by law.

C. Annual Organizational Meeting

The organizational meeting shall be held at any time as set by the Board during the first fifteen (15) days of July in the Oxford Road Elementary School Library. If a legal holiday conflicts with a regularly scheduled organizational meeting, said meeting will be held the following day.

Legal Ref: Section 1707, New York State Education Law.

D. Order of Business at Annual Organizational Meeting

Agenda

1. Election of Chairperson

2. Administration of Oath (by District Clerk)

3. Election of Officers (oath administered after election of Clerk)
   a) President of Board
   b) Vice-President of Board

4. Appointment of Officers (administration of oath)
   a) District Treasurer
   b) Clerk of the Board
   c) Tax Collector
   d) Internal Claims Auditor

5. Other Appointments
   a) School Physician
   b) School Attorney
   c) District Auditor
   d) Building Treasurer (Extra Classroom Activity Funds)

6. Designations
POLICY

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a) Official Bank Depository
b) Official Newspapers
c) EEO Compliance Officer
d) Records Management Officer

7. Authorizations

a) Payroll Certification
b) School Purchasing Agent
c) Establish Petty Cash Funds
d) Authorized signature on check (one signature--District Treasurer)
e) School Safety Deposit Box (Board President, Clerk, Business Administrator)
f) Public Law #874
g) ESEA Title I

8. Bonding of Personnel

a) District Treasurer
b) District Tax Collector

9. Readoption of Bylaws of Board of Education

E. Regular Meetings

The Board shall meet each month to consider items of business and matters of policy pertaining to the school system.

All meetings shall be held in the Oxford Road Elementary School Library at 7:00 p.m., unless otherwise voted by the Board.

It shall be the duty of each member to attend all meetings. If any member shall refuse to attend any three consecutive meetings after having been regularly notified and a satisfactory cause for each non-attendance is not shown, the Board may proceed to declare his or her office vacant.

Legal Ref: Sections 1708 and 2109, New York State Education Law; Educ. Dept. Rep. 1938 6051 Dept. 94.

F. Order of Business at Regular Meetings
POLICY

SCHOOL BOARD OPERATIONS 2000

BYLAWS OF THE BOARD OF EDUCATION

1. Unless changed by a majority vote of those present at each regular meeting of the Board of Education, the order of business shall be as follows:
   Call to Order
   Pledge of Allegiance
   Approval of Minutes
   Recognition of Visitors and Delegations
   Correspondence and Communications
   Board and Committee Reports
   Old Business
   New Business
   Other Business
   Adjournment

2. During "Recognition of Visitors and Delegations", the president may ask for brief comments relating to school matters. In order to allow meaningful discussion by the Board on agenda items and to accomplish the business of the District, a time limit of 5 minutes per speaker will be allowed.

G. Executive Session

A majority of the Board may approve a motion to enter into executive session for discussion with only invited persons present (as prescribed by law). The motion to enter into executive session should specify the general subject(s) or area(s) to be discussed.

Matters for discussion in executive session shall include the following; in addition to any other subject exempted by law from the requirements of the Open Meetings Law:

1. Matters which will imperil the public safety if disclosed;

2. Any matter which may disclose the identity of a law enforcement agent or informer;

3. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;

4. Discussions regarding proposed, pending or current litigation;
POLICY

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5. Collective negotiations pursuant to Article fourteen of the Civil Service 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 of securities, or sale or exchange of securities held by the Board, but only when publicity would substantially affect the value thereof; and


At the conclusion of the executive session, the Board must return to open meeting status for the purpose of possible action and adjournment.

Legal Ref: Sections 97, 100, 101 and 104, New York State Public Officers' Law.

H. Special Meetings

Special meetings of this Board of Education may be called by the President of the Board, or by any members, by causing a written notice thereof specifying the purpose of the meeting to be served upon each member personally, or by mail directed to his or her place of residence or place of business at least twenty-four (24) hours before the time fixed for such meeting.

In case of emergency, the provision requiring written notice and twenty-four (24) hours notice may be waived by a unanimous vote of the Board. A special meeting may be called by telephone or personal notice only if all Board members are present and if they sign Waivers of Notice at the time the meeting is held. Such waivers shall be duly noted in the minutes of the meeting.

Legal Ref: Section 1606, New York State Education Law

I. Quorum

A quorum of the board shall consist of four (4) members.
POLICY

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Legal Ref: Section 41, General Construction Law.

J. Parliamentary Procedure

Unless otherwise provided in the Board's Bylaws, the Board shall conduct all of its meetings in accord with Robert's Rules of Order Revised.

K. Orienting New Board Members

The Board and its staff shall assist each new member-elect to understand the Board's functions, policies and procedures before he/she takes office. The following methods shall be employed:

1. The electee shall be given selected material on the job of being part of the Board.

2. The electee shall be invited to attend Board meetings and to participate in its discussions.

3. The Clerk shall supply material pertinent to meetings and shall explain its use.

4. The incoming member shall be invited to meet with administrative personnel to discuss services they perform for the Board.

5. A copy of the Board's policies and Bylaws and a copy of the most recent edition of School Law shall be given to him or her by the Clerk.

L. Opportunities for Development

Individual Board members may attend meetings and conferences sponsored by the New York State School Boards Association, the National School Boards Association and other educational associations at the expense of the school district, when approved by resolution of the Board.

Each newly-elected Board member shall complete, within the first year of their term, six hours of training on fiscal oversight, accountability, and fiduciary responsibilities, to comply with Section 2101-a of the Education Law. The District shall pay the expense, if any for the training. The completion of this training by each new Board member shall be recorded in the minutes of the Board.
M. Formulation and Adoption of Policies

The Board of Education reserves to itself the function of providing guides for the discretionary action of those to whom it delegates authority. These guides for discretionary action shall constitute the policies governing the operation of the school system. These shall be recorded in writing.

The formulation and adoption of these written policies shall constitute the basic method by which the Board of Education shall exercise its leadership in the operation of the school system. It is the duty of the School Board to adopt, revise or rescind policies. However, the School Board shall generally seek the ideas, opinions and counsel of staff members, administrators and/or citizens in the development of policies before their adoption. The formal adoption of policies shall be recorded in the minutes of the Board of Education. Only those written statements so adopted and so recorded shall be regarded as official Board Policy.

Any new policy being introduced or any policy being revised or rescinded shall require a total of three (3) readings at three (3) School Board meetings as follows:

1. First Reading

Any proposed policy introduced by a Board member or Committee shall be referred to the appropriate Board Committee for research and discussion. The Committee's report and a subsequent resolution calling for adoption of a new policy would be considered the first reading.

2. Second Reading

After the first reading, the proposed policy shall be appropriately publicized through school and community media. The Board shall hold a second reading of the proposed policy in order to secure pertinent input and reactions on the proposed policy.

Some policies that are proposed, such as internal operational matters, may not have to go to the community for discussion. Most policies regarding personnel may require input from appropriate individuals or may be contractual and thus not subject to community discussion.

3. Third Reading
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Following the second reading, the Board may either defer the resolution until the next meeting or send it back to the committee for further review. The third reading would consist of a final vote following any further discussion.

4. The Board may waive this policy or process in an emergency situation.

The School Board shall review one third of its policies on an annual basis. The Superintendent is given the continuing commission of calling to the School Board’s attention all policies that are out of date or for other reasons appear to need revision.

The School Board shall evaluate how the policies have been executed by the school staff and shall weigh the results. It shall rely on the staff, administration and the community to provide evidence of the effect of the policies which it has adopted.

N. Formulation of Bylaws

The Board of Education shall reserve to itself the function of providing rules for governing the Board's internal operations.

O. Formulation of 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 detailed arrangements shall constitute the administrative regulations governing the schools.

P. Superintendent's Evaluation

The President of the Board of Education shall annually appoint a Special Committee of three (3) Board members to conduct an evaluation of the Superintendent's performance. The formal procedures used to complete the evaluation are to be filed in the District Office and available for public review no later than September 10 of each year. After completion, the Board will prepare a written evaluation of the Superintendent’s performance and the evaluation shall be submitted to the Board, and reported to the Superintendent no later than June 15th of each year, unless otherwise specified in the Superintendent of Schools employment contract.

Legal Ref: 8 NYCRR 100.2
BYLAWS OF THE BOARD OF EDUCATION

Q.  Voting

All votes on motions and all resolutions shall be "aye", "abstain", and "nay", and the vote shall be recorded.

R.  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. Minutes of Board meetings must be made available to the public within two (2) weeks from the date of the meeting; and must record the vote of each board member on each matter of action.

S.  Complaints

The usual channeling of complaints, especially those involving instruction, discipline or learning materials is from teacher to school building or district administrator, to Superintendent and then to the Board. In those cases where satisfactory adjustment cannot be made according to this procedure, complaints may be submitted to the Board. Citizens concerned over educational matters and issues should contact the Board or Superintendent in advance. When a concern goes to the Board, as a general rule, it should be submitted in advance in writing and signed, specifying the action desired or the remedy sought.

As a general rule, discussion and charges relating to the competence or personal conduct of individuals should be ruled out of order at public Board meetings. They may be referred to the Superintendent or appropriate school administrator for investigation, review and possible solution prior to any board action. An executive session should be convened to evaluate the allegations and substance of the complaint and to determine resolution.