

BYLAWS

OF THE

BOARD OF EDUCATION

OF THE

MANHASSET PUBLIC SCHOOLS

MANHASSET, NEW YORK

Amended: *May 14, 2020*

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INTRODUCTION

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

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

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

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

- George Demeter

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

- Paul Mason

ARTICLE I

NAME AND CLASSIFICATION

SECTION 1. NAME

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

SECTION 2. CLASSIFICATION

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

ARTICLE II

AUTHORITY AND POWERS

SECTION 1. AUTHORITY AND RESPONSIBILITY

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

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

SECTION 2. POWERS

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

¹ See Education Law §§1701 *et. seq.*

² See Education Law §1709.

SECTION 3. ROLE OF INDIVIDUAL BOARD MEMBERS

Individual Board members shall have authority over District affairs only when they are acting as part of the Board in a properly convened legal session. No member of the Board, as an individual, has the right to exercise the authority of the Board, unless they are specifically delegated authority to act on the Board's behalf. The Board shall not be bound in any way by an individual's statement or action unless the Board, through an adopted policy or by a majority vote of the Board, has delegated this authority to an individual member.

ARTICLE III

ORGANIZATION OF THE BOARD AND APPOINTMENT OF DISTRICT OFFICERS

SECTION 1. COMPOSITION

The Board consists of five members.³

SECTION 2. QUALIFICATIONS

State Law requires that Board members be, among other things, citizens of the United States; at least 18 years of age; and able to read and write. Board members must also have been residents of the District for a continuous and uninterrupted period of at least one year prior to their election and may not reside with, or be a member of the same family of, a current school board member.⁴

SECTION 3. NOMINATION

A candidate for a position on the Board must be nominated by petition addressed to the District Clerk. Copies of a nominating petition may be obtained from the District Clerk. The petition must be signed by at least two percent (2%) of the number of people who voted in the previous annual election of Board members or twenty-five (25) qualified voters, whichever number is greater. The petition shall state, among other things, the length of term of the position for which the candidate is being nominated. The petition shall be filed with the District Clerk not later than thirty (30) days prior to the annual or special District meeting at which the election is scheduled to occur.⁵

³ See Education Law §2101(2).

⁴ See Education Law §2102.

⁵ See Education Law §2018.

SECTION 4. ELECTION

The election of Board members shall take place on a date scheduled by New York State.⁶ Voting shall be by voting machines, or as otherwise determined by law⁷, except that absentee ballots shall be provided as needed.⁸ Proxy voting is not permitted.

SECTION 5. TERM OF OFFICE

The term of office of each member is three (3) years.⁹ The terms shall be overlapping with no more than two (2) full terms expiring in a given year.

SECTION 6. RESIGNATIONS

A Board member may resign their office by filing a letter of resignation with the District Clerk and shall be effective on the date specified or, if no date is specified, thirty (30) days after the date of filing. Notwithstanding, no resignation shall be effective more than thirty (30) days after its proper filing.

SECTION 7. REMOVAL

A Board member may be removed from office for official misconduct, willful violation or neglect of duty, or for willfully disobeying any decision, order or regulation of the Commissioner of Education. Notice of the charge and an opportunity for defense shall be provided. Any decision to remove a Board member from office may be reviewed by the Commissioner of Education on appeal. A Board member who has been removed from office may not be appointed or elected to any District office for a period of one (1) year from the date of their removal. A vacancy as a result of a removal shall be filled in accordance with Section 8 of this Bylaw.

SECTION 8. VACANCIES

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

SECTION 9. NEW MEMBERS

All Board members must comply with the legal requirements for training as established by New York State, including (a) participation in at least six (6) hours of training on the financial

⁶ See Education Law §2002.

⁷ See Education Law §2035.

⁸ See Education Law §2018-a.

⁹ See Education Law §2105.

¹⁰ See Education Law §1709(17).

¹¹ See Education Law §2113(3).

oversight, accountability and fiduciary responsibilities of school board members,¹² (b) training on the powers, functions and duties of school boards, and (c) training on the powers and duties of other governing and administrative authorities affecting public education.¹³ Moreover, the Board shall provide a program of orientation for new Board members that may include, but is not limited to:

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

SECTION 10. ELECTION OF OFFICERS OF THE BOARD

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

SECTION 11. APPOINTMENT OF DISTRICT OFFICERS

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

SECTION 12. OATH OF OFFICE

Newly elected, reelected or appointed Board members, Board officers and District officers shall take the Constitutional oath of office prior to exercising the duties of such office. The

¹² See Education Law §§2101 *et seq.*

¹³ See Education Law §2102 *et seq.*

¹⁴ See Education Law §1701; General Construction Law §41.

¹⁵ See **Error! Main Document Only.** Appeal of Foshee, 38 Ed. Dept. Rep. 346 (1998).

oath shall be administered by the District Clerk at the annual organizational meeting of the Board, except in cases where a term of office may commence at another time. This oath must be filed with the District Clerk within thirty (30) days after the term of office begins. Public Officers Law §10.

SECTION 13. VACANCIES IN BOARD OFFICER POSITIONS

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

SECTION 14. REMUNERATION

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

SECTION 15. APPOINTMENT OF SUPERINTENDENT OF SCHOOLS

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

ARTICLE IV

DUTIES OF THE OFFICERS OF THE BOARD AND THE DISTRICT

SECTION 1. DUTIES OF THE PRESIDENT

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

SECTION 2. DUTIES OF THE VICE PRESIDENT

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

SECTION 3. PRESIDING OFFICER PRO TEMPORE

In the event that both the Board President and Vice-President are absent from a Board meeting, the role of presiding officer *pro tempore* shall be assumed by the Board member with the most seniority on the Board who is both present and willing to accept such position. Such presiding officer *pro tempore* shall have the power to exercise the duties of Board President only at that meeting during the absence of both the Board President and Vice-President.

SECTION 4. DUTIES OF THE DISTRICT CLERK

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

SECTION 5. DUTIES OF THE DISTRICT TREASURER

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

SECTION 6. DUTIES OF THE CLAIMS AUDITOR

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

ARTICLE V

MEETINGS OF THE BOARD

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

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

The meeting shall be called to order by the previous Board President or their designee, who shall preside until the election of a new Board President. The order of business to be conducted at the Annual Organizational Meeting shall include the following items as required or implied by State Law or Regulations:

1. Administration of oath to newly elected and/or reelected Board members;
2. Election and swearing in of the Board President and Vice President;
3. Swearing in of the Superintendent of Schools;
4. Appointment and swearing in of the District Clerk, District Treasurer, Assistant Treasurer and Claims Auditor;
5. Other appointments and establishment of stipends, (e.g., stipends for the School Physician, School Attorney, and Bond Counsel);
6. Designation of official depositories for District funds; official District newspapers; and
7. Authorization for person(s) designated to sign checks; certify payrolls; open bids; approve budget transfers; establish petty cash funds and amounts; serve as purchasing agent and assistant purchasing agent; and attend conferences.

SECTION 2. REGULAR MEETINGS and ORDER OF BUSINESS FOR REGULAR MEETINGS

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

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

1. Approval of Minutes;
2. Student / Staff Recognition;
3. Communications / Announcements;
4. Board/Administrative Affairs (e.g., Special Presentations and Policy Reviews);
5. Student Matters and Curriculum (e.g., Superintendent's Report);
6. Facilities;
7. Finance, Business and Operations;
8. Personnel;
9. Information Items Only;
10. Board Discussion (no formal action to be taken, e.g., Board committee reports);

11. Consent Agenda; and
12. Open Time (limited to no more than thirty (30) minutes). The presiding Board officer shall have the discretion to determine the amount of time available for public discussion, unless the Board agrees by a majority vote to a longer period of time. Guidelines for public participation at Board meetings are outlined in Article VI, Section 5 of these Bylaws.

Routine matters to be approved may be done through the consent agenda, which lists matters that are not expected to be controversial.

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

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

Guidelines for public participation at Board meetings are outlined in Article VI, Section 5 of these Bylaws.

SECTION 3. SPECIAL MEETINGS

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

SECTION 4. EXECUTIVE SESSIONS

Although the Open Meetings Law calls for Board meetings to be open to the public, it does provide, under certain circumstances, for executive sessions at which only Board members and others invited by the Board may be present. The vote to go into executive session requires a majority vote of the full Board and must be taken at an open Board meeting. The

motion to go into executive session must specify the subject(s) to be discussed in executive session. The eight subjects that may be discussed in executive session include the following:

1. Matters which will imperil the public safety if disclosed;
2. Any matter which may disclose the identity of a law enforcement agency or informer;
3. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed;
4. Discussions regarding proposed, pending or current litigation;
5. Collective negotiations pursuant to Article 14 of the Civil Service Law (the "Taylor Law");
6. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation;
7. The preparation, grading or administration of examinations;
8. The proposed acquisition, sale or lease of real property or the proposed acquisition, sale or exchange of securities, but only when publicity would substantially affect the value thereof.

Public Officers Law §105.

In addition, subjects that must be discussed in private include any matter made confidential by Federal or State law, such as the Family Educational Rights and Privacy Act (FERPA); Individuals with Disabilities Education Act (IDEA); or New York Civil Practice Law and Rules. Public Officers Law §108(3). The Board may also discuss any judicial or quasi-judicial proceeding in private. Public Officers Law §108(1).

An executive session must remain confidential at all times unless a release of such information is authorized by the Board in accordance with or as provided by law. An executive session may be terminated only by returning to public session.

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

SECTION 5. WORKING SESSIONS

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

SECTION 6. ANNUAL DISTRICT MEETING

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

SECTION 7. SPECIAL DISTRICT MEETINGS

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

SECTION 8. PUBLIC HEARINGS ON BUDGET AND OTHER MATTERS

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

SECTION 9. PREPARATION OF MEETING AGENDAS

Preparation of the agendas for Board meetings shall be the responsibility of the Board President and Vice President or their designee(s). Individual Board members and the Superintendent may contribute agenda items. The agenda of all regular meetings of the Board shall provide time for remarks by members of the general public who wish to be heard by the Board. A copy of the Board meeting agenda may be accessed 48 hours prior to the scheduled meeting date and time on the official District website at www.manhassettschools.org.

SECTION 10. NOTIFICATION OF BOARD MEETINGS

For all regular and scheduled meetings of the Board, the District Clerk shall provide adequate notice to all Board members and to the community, including posting public notice of the date, time and place of a Board meeting on the District website. If a meeting is scheduled *at least a week in advance*, notice will be given or electronically transmitted by the District to the public and the news media at least 72 hours prior to such meeting. Public Officers Law §104.

A special meeting may be called upon 24-hour notice to Board members. When a meeting is scheduled *less than a week in advance*, public notice shall be provided or electronically

transmitted, to the extent practicable, to the news media and shall be posted conspicuously in one or more designated public locations at a reasonable time prior thereto and shall be conspicuously posted on the District website. Public Officers Law §104.

SECTION 11. APPLICATION OF THE OPEN MEETINGS LAW

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

ARTICLE VI

PROCEDURES AT BOARD MEETINGS

SECTION 1. QUORUM

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

SECTION 2. VOTING

The affirmative public vote of a majority of the full membership of the Board shall be required to exercise the authority of the Board in the transaction of its business. The method of voting shall be at the discretion of the presiding officer, as long as such method clearly reveals how each Board member votes. Public Officers Law §87(3)(a). Board members may vote through the use of videoconferencing in accordance with the Open Meeting Law (Public Officers Law §§102 and 103), but may not vote by telephone or email.

SECTION 3. BASIC PROCEDURAL RULES FOR BOARD MEETINGS

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

1. Members are not required to be recognized prior to making motions and speaking;
2. Motions do not require a second;
3. There is no limit to the number of times a member may speak on a question;
4. Informal discussion of a subject on the agenda is permitted while no motion is pending;
5. The presiding officer may make motions and vote on all questions; and
6. There is no limitation as to when or how many times the motion to reconsider may be moved. Reconsideration may only be moved by a member who voted on the prevailing side, by a member who abstained or by a member who was absent. A majority vote is required to reconsider.

SECTION 4. MINUTES OF BOARD MEETINGS

Minutes should contain a record of action taken by the Board rather than a summary of the discussion leading to the action. Minutes should contain the following:

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

As soon as minutes are approved by the Board, the District Clerk shall keep a record of such minutes and shall ensure that the approved minutes are posted on the official District website at www.manhassetsschools.org. Whenever minutes are accepted as corrected based on suggestions made by Board members, Board members shall receive, as soon as practicable, the corrected section of the minutes for their files.

SECTION 5. GUIDELINES FOR PUBLIC PARTICIPATION AT BOARD MEETINGS

In order that the public may be advised as to action(s) contemplated by the Board, the Board will not, except in appropriate exigent circumstances, take action on any items of business which do not appear on the regular meeting agenda. A copy of the Board meeting agenda may be accessed 48 hours prior to the scheduled meeting date and time on the official District website at www.manhassetsschools.org.

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

1. **Writing to the Board in advance of the meeting.** Correspondence requesting that an item or issue be placed on the agenda of a future regular Board meeting, may be addressed to the Board and sent either by email to boe@manhassetchools.org or by mail to: Manhasset Board of Education, 200 Memorial Place, Manhasset, NY 11030. At its discretion, the Board may determine whether the correspondence is to be placed on the agenda of a regular Board meeting. Dates of regular Board meetings shall be established by the Board at the Annual Organizational Meeting and will be published on the official District website at www.manhassetchools.org and in the District's calendar. In the event that the item is placed on the agenda of a regular Board meeting, the writer or the writer's designee may comment on the correspondence at the Board meeting. At the presiding officer's discretion, speakers may be limited to one representative for multiple letters expressing a similar sentiment on the same matter. Correspondence must be received no later than midnight on the Wednesday one full week preceding the Board meeting.
2. **Speaking during "Open Time" on any item that is or is not on the agenda.** Speakers shall use the centrally-located microphone and lectern, when available. Prior to addressing the Board, speakers should state their full name and organizational affiliation, if any. The presiding Board officer shall have the discretion to determine the amount of time available for public discussion.
3. **Speaking during a public comment period on an item that is on the agenda, prior to the Board taking a vote on that agenda item.**
 - a. Members of the public may speak on an item of business under voting consideration by the Board after the Board members, the Superintendent and Student Delegate to the Board finish their discussion and prior to the time that the Board votes on the item. Questions and comments should be confined to the item immediately under discussion. Speakers shall use the centrally located microphone and lectern, when available. Prior to addressing the Board, speakers should state their name and organizational affiliation, if any.
 - b. At their discretion, the presiding Board officer shall determine the amount of time available for public discussion prior to putting a pending item to a vote by the Board.

In order to speak during Open Time or during a public comment period, an individual either may fill out a request card (available in the Board meeting room) and hand it to the District Clerk prior to or during the Board meeting, or seek recognition to speak from the floor. Priority to speak will be given to those individuals who have completed a request card and, if time permits, questions or comments may be taken from the floor.

Questions and comments should be addressed to the entire Board and not to individual Board members, the Superintendent or members of the audience. In lieu of or in addition to oral presentations, written statements may be received by the Board. Board members may enter into a dialogue with a speaker for purposes of clarification and information. Speakers shall not repeat points already made by previous speakers. If more residents wish to speak than time allows, the Board may carry over the item under consideration to the next Board meeting to enable residents who have expressed a desire to speak to do so.

The Board expects that speakers will observe the commonly-accepted rules of courtesy, decorum, dignity, and good taste. The use of what the Board deems to be intemperate, abusive, or defamatory language will not be permitted.

SECTION 6. GUIDELINES FOR STUDENT DELEGATE PARTICIPATION AT BOARD MEETINGS

The Student Delegate to the Board of Education shall be elected or chosen from Manhasset High School. The Delegate must be a senior at Manhasset High School and must have attended Manhasset High School for at least two (2) years prior to their selection. Education Law §1702(3). Additional rules may govern the selection of the Student Delegate.

The Student Delegate shall act as a liaison between the Board and the Manhasset High School Student Senate during the school year. The Student Delegate shall attend all public Board meetings as a non-voting Board member and may speak on items of business under consideration by the Board prior to discussion by the general public and prior to the Board vote. The Student Delegate shall present to the Board at each meeting and is expected to share information gathered at each such meeting with the Student Senate. The Student Delegate shall be provided with the public agenda and appropriate materials prior to the public meeting. The Student Delegate may not attend executive sessions of the Board.

ARTICLE VII

COMMITTEES

SECTION 1. AUDIT COMMITTEE

New York State law requires the Board to establish an Audit Committee. The Audit Committee shall be an advisory committee that reviews and advises the Board on matters related to the District's independent annual audit and the internal audit function. The Audit Committee shall consist of at least three (3) members who are charged with fulfilling the duties of an audit committee as set forth in the Education Law and Commissioner's Regulations. See Education Law §2116-c; 8 N.Y.C.R.R. §170.12(d). The duties of the Audit Committee shall be described in the specific Charter for such Committee as approved by the Board.

SECTION 2. STANDING COMMITTEES

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

SECTION 3. SPECIAL COMMITTEES

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

SECTION 4. VISITING COMMITTEE

Consistent with Education Law §1708(2), the Board shall appoint one or more Visiting Committees, consisting of one or more Board members, to visit each school of the District at least once annually for the purpose of observing the general condition thereof. The Visiting Committee shall report on such visit(s) at the next regular Board meeting.

SECTION 5. COMMITTEE POWERS

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

SECTION 6. COMPOSITION

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

SECTION 7. CITIZENS ADVISORY COMMITTEES

- a. Appointment.** The Board may appoint Citizens Advisory Committees at its discretion. The Committee shall be dissolved at the discretion of the Board.
- b. Composition.** Each Citizens Advisory Committee shall be composed of District residents who have varying interests and experience with the District and who are broadly representative of community interests, attitudes and backgrounds. Committees shall consist of one or more members of the Board as liaisons. The Board may invite District staff members to participate in the work of the Committee under conditions approved by the Board.

- c. Powers and Duties.** The duties of each Citizens Advisory Committee shall be described in specific bylaws for such committee and approved by the Board. Unless otherwise empowered by the Board, Citizens Advisory Committees shall have no legislative or administrative authority. The function of Citizens Advisory Committees shall be to observe, investigate, advise, and/or make recommendations, as charged by the Board. Notwithstanding, the ultimate authority to make decisions will continue to reside in the powers and duties of the Board.

ARTICLE VIII

PARLIAMENTARY AUTHORITY

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

ARTICLE IX

SUSPENSION OF THE BYLAWS

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

ARTICLE X

AMENDMENTS TO THE BYLAWS

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

ARTICLE XI

**PREMINENCE OF
STATUTORY AUTHORITY**

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