

## **SUBJECT: Regular Board Meetings And Rules**

All Board of Education meetings must be open to the public except those portions of the meetings which qualify as executive sessions. In accordance with Section 102 of the Open Meetings Law, a "meeting" is defined as an official convening of a public body for the purpose of conducting public business, including the use of videoconferencing for attendance and participation by the members of the public body. 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. Reasonable efforts shall be made to ensure that all meetings are held in an appropriate facility which can adequately accommodate any and all members of the public who wish to attend.

Whenever such a meeting is to take place, there must be at least seventy-two (72) hours advance notice in accordance with the provisions of the Open Meetings Law. Notice of other meetings shall be given as soon as is practicable in accordance with law. When the District has the ability to do so, notice of the time and place of a meeting shall be conspicuously posted on the District's internet Web site.

District records subject to release under Freedom of Information Law (FOIL), as well as any proposed rule, regulation, policy or amendment, that are on the Board agenda and scheduled to be discussed at a Board meeting, shall be made available upon request, to the extent practicable, prior to the meeting. Copies of such records may be made available for a reasonable fee. If the District maintains a regularly updated Web site and utilizes a high speed internet connection, such records may be posted on the Web site to the extent practicable, prior to the meeting. The District may, but it is not required to expend additional funds to provide such records.

If videoconferencing or online technology is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify all 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 members can be both seen and heard voting and participating from remote locations. The minutes of the meeting must reflect which members participated by video conference. Any technology used by the District for video conferencing must be compliant with the Americans with Disabilities Act.

The Board of Education may use video conferencing without allowing for in-person attendance at the location of the member participating by video conference under the following conditions:

- There must be at least one physical location where members of the public can attend in-person;
- A quorum of the Board must be physically present at the physical location(s);
- The Board member participating by video conference must be physically unable to be present due to an extraordinary circumstance, which may include but is not limited to: disability, illness, caregiving responsibilities, and/or any other significant or unexpected factor or event which precludes physical attendance, as defined in the "Hybrid Meeting Procedures" located on the District's website; and
- Any Board member participating through video conference must be able to be heard, seen, and identified at all times (except during Executive Sessions).

Notwithstanding the in person quorum requirements set forth above, the Board of Education has determined to allow for any member who has a disability as defined in section two hundred ninety-two of the New York State Executive Law, where such disability renders such member unable to participate in-person at any such meeting location where the public can attend, to be considered present for purposes of fulfilling the

quorum requirements for the Board of Education at any meetings conducted through videoconferencing, provided, however, that the Board of Education maintains at least one physical location where the public can attend such meeting.

Any in-person requirements under Section 103-a of the Public Officers Law shall not apply during any national, State, or locally declared state of emergency, if the Board determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting.

Regular meetings of the Board of Education 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 same can be placed on the agenda. Whenever individuals or groups wish to bring a matter to the attention of the Board, such request shall be addressed in writing to the Superintendent. The Superintendent shall present such matter to the Board.

The District Clerk shall notify the members of the Board of Education in advance of each 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.

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, employment status, and salary determination. The Board may request the attendance of such additional persons as it desires.

### **Recording of Meetings**

The Board recognizes that advances in technology allow public meetings to be photographed, broadcast, webcast and/or otherwise recorded, by means of audio or video, in a non-disruptive manner and supports the use of such technology to facilitate the open communication of public business. To that end, the Board may adopt rules addressing the location of the equipment and/or personnel used to photograph, broadcast, webcast and/or record such meetings to assure that its proceedings are conducted in an orderly manner. Such rules shall be conspicuously posted during meetings and written copies provided, upon request, to meeting attendees. Any meeting that utilizes video conferencing shall be recorded by the District and the recording shall be posted to the District's website within 5 days of the meeting.

### **Public Expression at Meetings**

Public expression at such meetings shall be encouraged and a specific portion of the agenda shall provide for this privilege of the floor. At its discretion, the Board may invite visitors to its meetings to participate in the Board's discussion of matters on the agenda. If video conferencing is used for any meeting, the Public will be allowed to participate via video conference in real time and in the same capacity as those members of the public who attend in-person.

The Board of Education reserves the right to enter into executive session as specified in Policy 2330 - Executive Sessions.

### **Use of Parliamentary Procedure**

The business of the Board of Education shall be conducted in accordance with the authoritative principles of parliamentary procedure as found in the latest edition of Robert's Rules of Order.

Education Law Sections 1708 and 2504  
General Construction Law Section 41  
Public Officers Law Article 7, Section 103-a, 103(d), 104 and 107