

MEETINGS OF THE BOARD OF EDUCATION

Article 7 of the Public Officer's Law (Open Meetings Law) provides that citizens have the right to observe the business of public bodies. To that end, the Lindenhurst School Board wishes to be responsive to the public it serves and therefore shall ensure that:

1. Notice of all board meetings – business meetings, community forums, and workshops – will be mailed to the primary and secondary newspapers; and
2. The schedule of meetings will be kept on file at the administration building for public inspection. A second notice of all meetings – executive sessions, special meetings, business meetings, community forum, and workshops – will be distributed by mail or fax to the primary and secondary newspaper at least 72 hours in advance.

Also, at least 72 hours in advance notice of all meetings – executive sessions, special meetings, business meetings, community forums, and workshops – will be conspicuously posted in a public area of the following locations: the site of the meeting; the Margaret A. McKenna Administration Building; each school building of the Lindenhurst Union Free School District; and the Lindenhurst Memorial Library. This notice will include the date, the time and the place of meeting. It will also include a tentative agenda.

If a special meeting is called less than one week in advance, public notice to the extent practicable will be given to the news media and public. Notice of the meeting will be posted conspicuously before the meeting at the public sites noted above. This notice will include the date, time and place of the meeting and will also include the reason for the special meeting. It will also state why the agenda was an emergency or otherwise identify why the subject matter had to be presented at a special rather than a regularly scheduled business meeting.

Anyone who intends to use a recording device (audio-visual) at a public meeting of the Board will be required to notify the District Clerk before the start of the public meeting.

At its discretion, the Board may designate certain areas of a meeting room for the use of such recording instruments.

The Board reserves the right to order the individual or individuals to cease recording if such recording devices disrupt the meeting.

I. Meeting Dates

The Board of Education will hold its public meeting(s) on the day of the week and at locations determined at the annual reorganization meeting. The list of meeting places and dates will be publicized at the direction of the Board of Education in accordance with the provisions of the Open Meeting Law.

II. Quorum

Five members shall constitute a quorum at any meeting of the Board of Education.

1. If a quorum is not present within 20 minutes after the time set for a meeting, the members then in attendance may adjourn to any date prior to the next scheduled meeting. Notice shall be given to all members of the Board of the time and place of such adjourned meeting.
2. If a quorum of the Board is present, the votes of five of the members in attendance shall be controlling, except in cases where the vote of a larger proportion of the whole Board is required herein by law. State Education law requires that the vote of the majority of board members is necessary to carry a motion on most resolutions, and not simply of a majority of a quorum in attendance. A poll of the yeas and nays shall be taken and recorded upon any question if such procedure is requested at the time by any member of the Board.

III. Regular Meetings

An agenda will be forwarded to each member of the Board on the Friday prior to the date of each regular meeting. It is understood that items may be added to the agenda of any meeting if received by the members of the Board at least twenty-four hours prior to the start of the meeting.

It is further understood that emergency items or items of great importance may be considered by unanimous consent of members of the Board who are present.

Order of Business

At all Regular meetings of the Board of Education, the order of the business shall be as follows:

1. Opening of Meeting –

Call to Order, Silent Meditation, Pledge of Allegiance

2. Approval of Minutes of previous meetings.
3. Reports of Standing Committees of the Board
4. Individuals and Delegations to be heard (agenda items only) See Section IX
5. Trustee's Requests
6. Superintendent's Recommendations
7. Approval of Schedules
8. Reports and Enclosures
9. Old Business
10. New Business – No motion shall be made under New Business unless:
 - a. a brief narrative description of the topic addressed by the motion is included in the agenda within the time constraints provided for.
 - b. a motion may be introduced and only voted by a unanimous vote of Board Members present.
11. Announcements and Reminders
12. Correspondence
13. Adjournment

A change in the Order of Business shall be consented to by a majority of the members present.

IV. Community Forums

The Board of Education will conduct a second meeting each month known as the Community Forum for the express purpose of:

1. Presenting instructional programs (limited to one, to be well publicized, not to exceed 30 minutes). See Section X
2. Awarding presentations to students, staff and community members.
3. Obtaining community input on any school matters.
4. Business can be conducted when proper notification to the public and the Board of Education has been given in a timely manner.

Emergency items or items of great importance may be considered by unanimous consent of the members of the Board who are present.

V. Special Board Meetings

Special meetings of the Board may be called at the request of the Board President or any member of the Board of Education. Notice of 24 hours shall be given and shall state the reason for which the meeting is

called. No business other than that so stated shall be considered at a Special Meeting except by unanimous consent of all members of the Board of Education.

The notice shall also state why the meeting was emergent or otherwise state why the subject matter had to be presented at a special meeting rather than a regularly scheduled business meeting.

Items may be added to the agenda of a Special Meeting if received by the members of the Board at least 24 hours prior to the start of the meeting.

Emergency items or items of great importance may be considered by unanimous consent of the members of the Board who are present.

Sections pertaining to Quorum, Public Access to Meetings, Executive Sessions, Individuals and Delegations (agenda items only) and Parliamentary Procedure apply at Special Board Meetings.

VI. Executive Sessions

Executive Sessions may be held at which only members of the Board of Education, the Superintendent and persons invited shall be present. Executive sessions can be requested by any member of the Board or the Superintendent of Schools.

A Board member must make a motion during an open meeting to convene in executive session. Upon a majority vote of its members, the Board may convene in executive session at a place which the Board President or said members may designate within the district to discuss the subjects enumerated below. Matters which may be considered in executive session are:

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;
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; and

8. the 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.

Except as required by law, formal action must be taken in open sessions.

VII. Public Access to Meetings

All meetings of the Board of Education at which action is to be taken shall be open to the public.

VIII. Parliamentary Procedure

“Roberts’ Revised Rules of Order” shall apply in all meetings of the Board of Education.

IX. Individuals and Delegations

Although there is no basis in New York State Law or Commissioner’s Regulations guaranteeing a resident the right to speak at Board Meetings, the Board recognizes the need for community input, and will permit residents to address the Board at appropriate times and places. The Chair reserves the right to limit the number of speakers and the time allowed for individuals and delegations to address the Board.

X. Instructional Programs

During the school year, the Board will devote portions of their Community Forum meetings to consider information presentations of the instructional program by members of the administrative and teaching staff.

XII. Board Members-Elect

Upon election to the Board, Board members-elect shall be urged to attend all public meetings scheduled by the Board. Members-elect shall be permitted to attend these public meetings and participate in discussions but shall not vote on matters under consideration until the commencement of their term of the office. Board Members-elect may be allowed to attend Executive Sessions upon majority vote of the Board.

Ref: Education Law §§1606; 1708(3); 2504; 2563
Open Meetings Law, Public Officers Law §§100 et seq.
Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Adoption date: February 4, 2009

