

CORNING-PAINTED POST AREA SCHOOL DISTRICT

Bylaws

Article I Name - Jurisdiction

A. The legal name shall be the City School District of the City of Corning, New York. However, the District shall be known as the Corning-Painted Post Area School District.

B. The jurisdiction of the Corning-Painted Post Area School District shall be the City of Corning; the Villages of Painted Post, Riverside, and South Corning; the Towns of Corning, Lindley, Caton, Hornby, Erwin, and part of Campbell in Steuben County; portions of the Towns of Big Flats, Southport, and Catlin in Chemung County; and portions of the Towns of Orange and Dix in Schuyler County, as established on July 1, 1954.

Article II Membership

A. Election

The Board of Education shall consist of nine members elected by the voters of the School District. Each member shall serve a term of three years; the terms of office of one-third of the members of such Board shall expire annually with the thirtieth day of June. The election shall be administered by the Clerk of the School District in accordance with the Election Laws of the State of New York. (1)

B. Vacancies

Vacancies are created on the Board of Education by the public declaration of the Board member that he/she will not accept or serve as a Board member or by his/her refusal or neglect to attend three successive meetings of the Board of which he/she is duly notified without rendering a good and valid excuse therefore to the other Board members. Vacancies are also created by the death, resignation, incapacity, failure to maintain residency in the District, or removal from the office by the Commissioner of Education. (2)

(1) *Education Law - Section 2113*

(2) *Education Law - Article 51, Section 2502*

Whenever a vacancy shall occur or exist in the office of member of the Board of Education, except by reason of expiration of term or of an increase in the number of members of such Board, a majority of the remaining members of such Board may appoint a qualified person to fill the vacancy, authorize a special election to fill the vacancy or leave the position vacant until the next general election. If an appointment is made, the person so appointed shall hold office until the next regular school district election, and the person elected to fill such vacancy shall take office immediately upon the filing of the official Oath of Office with the District Clerk. However, any vacancy created within four months of the next general election shall remain so until the next general election.

C. Eligibility

Only qualified voters of the City School District and residents for a period of one year immediately preceding the date of election or appointment, and who are at least eighteen years of age, are eligible for Board membership. No person may hold the office of Board member and any city office, appointive or elective, at the same time.

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D. Orientation

The Board of Education and Superintendent shall provide for new Board members at least six hours of orientation on the operation of the Board of Education and the School District. This shall take place after certification of their election and before July 1 of the same year.

Ex Officio Student Board Members

The Board will have at least one ex officio student Board member. Ex officio student Board members will be entitled to sit with Board members at all public meetings and hearings of the Board and may participate in other Board activities and responsibilities at the discretion of the Board. However, ex officio student Board members will:

- a. Not be allowed to vote;
- b. Not be allowed to attend executive sessions or any other meetings or hearings not open to the public; and
- c. Not be entitled to receive compensation of any form for participating at Board meetings.

Ex officio student Board members will serve on the Board for a term of one year, commencing July 1 and ending June 30.

Selecting Ex Officio Student Board Members

To be designated as an ex officio student Board member the student must have attended a District high school for at least one year prior to selection.

The ex officio student members of the Board may be any of the following:

- a. The student that has been duly elected as student president of the high school;
- b. A student selected by the high school student government;
- c. A student selected by the high school principal;
- d. A student selected by the Superintendent; or
- e. A student selected by a majority vote of the Board.

The District will take into consideration the number of high schools within the District and provide a mechanism which allows for fair representation among the schools.

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Article III Board Organization and Meetings

A. Organizational Meeting

In the new year beginning July 1, the President and Vice-President elected in the previous year shall retain their positions until officers are elected at the Organizational Meeting. In the event that the President and Vice-President are not available before the election of new officers, the Executive Committee's revolving seat member serving in the final quarter of the past year will serve as the Temporary Board Chair and President. In the event that none of these individuals are available, the Board member most senior in time served on the Board shall act as Temporary Chair and President until officers are elected.

The annual organizational meeting of the Board of Education shall be held during the first seven days of July at such hour and day as the Board may determine.

The meeting shall be called to order by the President or by the appropriate designee in his absence. A Clerk of the Board shall then be appointed by the Board. The Clerk shall administer the Oath of Office to new Board members as deemed appropriate.

The Board shall then proceed to elect a President. Following the election of the President and the administration of the Oath of Office, the President shall preside and the Board shall proceed to elect a Vice-President and a Temporary Chairperson, who shall preside at meetings in the absence of the President and Vice-President.

The Board shall also appoint a Treasurer, an attorney, and all other personnel necessary to conduct the business of the Board of Education for the current year. The Board shall also designate official newspapers and official depositories for funds.

The Board will designate an official Policy Manual delineating current policies and procedures.

B. Meetings

All Meetings of the Board of Education shall be held in public. The Board shall hold at least one meeting a month - the schedule to be determined at the annual organizational meeting. Additional meetings may be called up to twenty-four hours prior to the meeting, with oral or written consent of two-thirds of the total members of the Board in assembly. Any member of the Board may request a special meeting for a designated purpose subject to the approval outlined.

Executive Sessions of the Board shall be called and conducted only as part of a regular Board meeting in accordance with the "Open Meetings Law". (3)

All meetings will be conducted in the spirit of the law and as prescribed by law. (4) - (5)

C. Public Participation at Board Meetings

The agenda for each meeting will include the opportunity for members of the public to address the Board on agenda items for the current meeting and/or on other items of concern.

D. Public Hearings

Hearings on such issues affecting the School District, as determined by the Board, may be conducted by the Board before making its final decision.

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E. Agenda

The Executive Committee will prepare for the Board of Education a proposed agenda for all Board meetings. With the approval of the Executive Committee, the proposed agenda will be disseminated to Board members three business days prior to the scheduled meeting. Board members will contact the Superintendent or Board President with questions, concerns and suggestions following the dissemination. The final agenda will be approved by the Board of Education at the scheduled Board meeting.

The last agenda item of each Board meeting shall provide an opportunity for future agenda building. Proposed items, with approval of a majority vote of Board members present and voting, will be scheduled for a future Board meeting, as deemed appropriate by the Executive Committee.

- (3) *NYS Laws of 1976 - Article VII of Public Officers Law, Chapter 551*
- (4) *NYS Laws of 1976 - Chapter 551*
- (5) *NYS Laws of 1976 - Article VII of Public Officers Law Open Meetings Law*

F. Quorum and Voting

A quorum shall consist of no less than five members. Procedural matters that require a formal vote, such as to accept the agenda or to adjourn a meeting, may be passed by a majority vote of the members present or by a two-thirds vote of members present for those appropriate actions in Parliamentary procedure. All other decisions of the Board shall require a majority (or five votes) of all members of Board, except where a two-thirds majority (or six votes) is required by law.

Article IV Powers and Duties of the Board and its Officers

A. Responsibility

Basic responsibility for providing a system of education for all children is established by specific constitutional provisions in New York State through the local Board of Education. The School Board has power to make rules and regulations to govern a limited geographical area on a limited aspect of government.

The local Board of Education, both as a state agency and as a representative body of the people of the District on school matters, is legally responsible and accountable for education in its own District.

Powers and duties of the Board of Education are defined in the Education Law of the State of New York, the regulations of the Commissioner of Education, rules of the Board of Regents, and decisions of the Courts. The Board affirms its obligation to act appropriately in respect to these laws, regulations, and rules.

Authority lies with the Board as a whole. The representative nature of the Board has meaning only when the whole Board decides upon issues. Individual members or committees are not given authority to act for the Board. The President or Vice-President of the Board may be given authority to act for the Board where permitted by law.

Official action of the Board can take place only at its regularly scheduled meetings or at special meetings properly called.

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The principal tasks of the Board of Education shall be directed toward (1) establishing policy to guide the Superintendent and the District on its mission, (2) evaluating the effectiveness of the administration of that policy, (3) evaluating the results of that policy, and (4) acting as a two-way link between the community and the schools to assure that the policies created are appropriate to District needs.

- (1) *Education Law - Section 2113*
- (2) *Education Law - Article 51, Section 2502*
- (3) *NYS Laws of 1976 - Article VII of Public Officers Law, Chapter 551*
- (4) *NYS Laws of 1976 - Chapter 511*

Each year the Board and Superintendent between July 1 and September 10 shall evaluate their individual and collective effectiveness during the previous year with input from other sources, as deemed appropriate.

B. Duties of the President of the Board

1. Preside at all meetings;
2. Call special meetings as considered necessary or as approved by the Board;
3. Appoint committees with the advice of the Board;
4. Act as an ex officio member of all committees appointed by the Board;
5. Execute documents on behalf of the Board upon Board approval;
6. Perform the usual and ordinary duties of the office and represent or speak for the Board when so designated;
7. Shall vote on all motions and shall have the privilege of debate on them;
8. Act as the Chief Financial Officer of the District in accordance with the law;
9. Act as Chair of the Board Executive Committee.

C. Duties of the Vice-President

The Vice-President shall be authorized to act for the President in case of the President's absence or inability to act.

The Vice-President shall serve on the Executive Committee of the Board.

D. Temporary Chairperson

A member of the Board shall be named by the Board to act as Temporary Chairperson in the event neither the President nor the Vice-President is available.

E. Duties of the Clerk

1. To attend meetings of the Board and keep a record of them;
2. To furnish copies of the minutes within a given time following each meeting;
3. To be responsible for the publishing of all legal notices concerning District business;
4. To perform such other duties for the School District as prescribed in the Education Law

F. Duties of the Treasurer

The Board shall annually appoint a Treasurer of the District. The Treasurer is responsible for the custody and disbursement of funds as regulated by the provisions of the Education Law. (7)

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- (6) *Education Law - Section 212*
- (7) *Education Law - Section 2523*

G. School District Attorney

The Board of Education shall retain an attorney to act as counselor for the District.

H. Board Committees

1. Executive Committee – Shall be comprised of the President of the Board, acting as Chairperson, Vice-President of the Board, the Superintendent of Schools, and a member of the Board of Education who will serve a six month term. A different Board member will serve July through December and January through June terms, respectively. Board members will be appointed in order of seniority of service on the Board. When the cycle of seniority is complete, another cycle of seniority service will commence and will repeat thereupon. In the event that an opening has two or more eligible Board members with equal seniority of service, the members will draw lots to determine the order of Committee appointment. The non-officer member of the Committee will act as Temporary Chair of Board meetings in the absence of the President and Vice-President.

The responsibilities of the Committee are to:

- a. Prepare the draft agenda for every Board meeting;
- b. Determine and provide for dissemination of all pertinent data, information and materials pertinent to Board decision making on all matters;
- c. Oversee Board practices and processes and make recommendations for modifications, as appropriate to ensure thorough, timely and efficient data drive decision-making;
- d. Manage an annual evaluation of the individual and collective effectiveness of the Board and Superintendent in its operations as well as the annual merit evaluation of the Superintendent pursuant to any existing contract. Evaluations for the previous year shall be conducted and completed between July 1 and September 15 following that year.
- e. Develop recommendations to the Board for specific goals and objectives and related action steps derived from the annual evaluation and then track progress with quarterly reports to the Board on adopted objectives/goals.
- f. Develop recommendations for Board training and development as deemed necessary and appropriate from board member feedback.
- g. Performing any other duties as determined by the Board.

2. Policy Committee - The President of the Board shall appoint a Policy Committee and its Chairperson by the first meeting of September. The Committee shall consist of at least three Board members. The Board President may appoint an alternate Board member to serve in the absence of a regular member of the Committee. The Committee will examine all the ongoing policy needs of the District and will examine the effects of all new proposed policies, amendments, and revisions to current policies and make recommendations to the Board. The Policy Committee is accountable to the Board of Education and will establish guidelines for operation of the Committee.

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3. Audit Committee – The Board of Education will establish an Audit Committee in accordance with Education Law and is responsible for reviewing and approving the Charter developed by the Audit Committee. The Audit Committee advises the Board on the external audit activities of the School District. The statutory responsibilities are to:

- a. Provide recommendations on the appointment of the external auditor, internal and claims auditors;
- b. Meet with the external and internal auditors prior to commencing an audit of the District
- c. Review and discuss the Risk Assessment letters as presented by the external, internal and claims auditors of the district's fiscal operations
- d. Receive and review the draft Audit Report and Management Letter for all audit functions;
- e. Work with all auditors to help the Board understand the Audit Report and Management Letter;
- f. Provide recommendations to the Board regarding acceptance of the all audit reports; and
- g. Review every Corrective Action Plan and assist the Board in their implementation.

The Audit Committee shall be composed of individuals who collectively possess the necessary knowledge in accounting, auditing, financial reporting and District finance. If necessary, the Board will provide additional training for Audit Committee members to obtain the necessary knowledge to understand accounting and auditing issues.

The Audit Committee shall not audit claims.

4. Budget Committee - The Board President shall annually appoint a Budget Committee and its Chairperson by the first Board meeting in September of each school year. The Committee shall consist of three Board members with the Superintendent of Schools and any other Administrators or community representatives requested by the Committee as resources and advisors.

The responsibilities of the Committee are to:

- a. Review all pertinent financial and operational information, as required, in order to make informed recommendations consistent with goals and priorities of the District;
- b. Present appropriate recommendations as requested by the Board on the allocation of available funds in support of District General Fund programs;
- c. Ensure that all budget presentations to the Board are provided in the most informative, logical, and understandable format;
- d. Provide to the Board timely updates on Committee activities and pertinent budget development data;
- e. Use outside resources including community advisors, as needed, to provide the best financial and program information.

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Article V Superintendent of Schools

The Superintendent is the executive officer of the Board. He/she is responsible for carrying out the policies of the Board, and for keeping the Board informed on all matters that should be weighed and decided by Board action. As executive officer, the Superintendent has the right to speak on all matters before the Board; has the duty to enforce all provisions of the law and the rules and regulations of the District; and has the responsibility to advise the Board on all matters of policy.

The Superintendent shall be responsible to the Board for the organizational structure and the administration of the School District, and for making recommendations for change and/or improvement whenever pertinent. The Superintendent shall have general supervision and direction over all School District activities.

Article VI Parliamentary Procedure

Conduct of meetings shall be consistent with a reasonable accordance to Roberts Rules of Order unless they are in conflict with Education Law, Commissioner's Decisions, or these Bylaws.

Article VII Amendments

Amendments to these Bylaws may be adopted by two-thirds (i.e., six votes) of the Board at any meeting provided Board members have received and reviewed the proposed changes at a prior meeting.

- (1) *Education Law - Section 2113*
- (2) *Education Law - Article 51, Section 2502*
- (3) *NYS Laws of 1976 - Article VII of Public Officers Law, Chapter 551*
- (4) *NYS Laws of 1976 - Chapter 511*
- (5) *NYS Laws of 1976 - Article VII of Public Officers Law Open Meetings Law*
- (6) *Education Law - Section 212*
- (7) *Education Law - Section 2523*

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