

By-Laws

SUBJECT: POWERS AND DUTIES OF THE BOARD

As a Central School District, the Board of Education shall have powers and duties as set forth in New York State Education Law, principally Articles 33, 35 and 37, and other applicable Federal and State laws and regulations. In general, the Board shall have in all respects the superintendence, management, and control of the educational affairs of the District and shall have all the powers necessary to exercise these powers expressly granted to it by the laws of New York State and the Commissioner of Education.

Exclusive Authority of School Boards

While school boards in New York State have an array of responsibilities, they have exclusive authority to:

1. Hire and evaluate the superintendent of schools.
2. Propose an annual budget to voters.
3. Establish policy.

Board members have a responsibility to act with fairness and integrity in these roles and other district-related business and activity.

Respect For Stakeholders

Each school board member should make decisions based on what he or she believes to be in the best interest of the community of stakeholders, including but not limited to:

1. All students (in contrast to individual students or certain groups of students).
2. Employees, including teachers, administrators and non-academic staff, as well as volunteers.
3. Parents and guardians.
4. Taxpayers.
5. Employers, colleges, universities, and others with a vested interest in the education provided by the district or BOCES.
6. Educational partners, business partners and contractors.
7. The community at large.

School board members have a duty to be open to feedback and information received from all stakeholders.

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SUBJECT: POWERS AND DUTIES OF THE BOARD (Cont'd.)**Best Practices**

- It is the duty of each school board member to make a good faith effort to serve with integrity and to the best of one's ability. Each school board member should:
- Try to all attend all school board meetings absent exigent circumstances.
- Be prepared for school board meetings by reviewing relevant information supplied by the superintendent or board clerk.
- Be well-versed in parliamentary procedure and the state Open Meetings Law.
- Communicate and interact in a civil and professional manner with fellow board members, the superintendent and district stakeholders with the aim of serving as role models for all students.
- Understand and honor the roles and responsibilities of a school board as opposed to those of the superintendent.
- Keep abreast of current issues in education.
- Participate in training and educational opportunities relevant to board service, ideally on an ongoing basis.
- Make decisions based on a careful review and discussion of relevant facts.
- Vote consistent with a sincere belief regarding what is in the best interest of students and other stakeholders, free from bias or favoritism.
- Respect and abide by each decision of the board as a whole, regardless of one's personal vote.
- Set high expectations for students and employees.

Right of Free Expression

As citizens of the United States, school board members have a right to free expression that is protected by the First Amendment of the U.S. Constitution and Article 1, Section 8 of the Constitution of the State of New York. However, when making statements to stakeholders, the public or the media, school board members have a duty to distinguish personal opinion from the established policy or articulated views of the board. Only the board as a whole, or its designee, has authority to speak for the board. Therefore, whenever communicating about issues related to the district, each board member should clearly state that he or she is communicating a personal opinion and is not speaking for the board.

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SUBJECT: POWERS AND DUTIES OF THE BOARD (Cont'd.)**Official Conduct**

In their official capacity, school board members:

- Should not engage in any personal or commercial activity which presents a conflict of interest or an appearance of impropriety which would bring discredit upon the school district, its staff and/or its students.
- Must publicly disclose the nature and extent of any personal interest in any proposed contract or agreement that comes before the board and recuse oneself from voting as appropriate.
- Must never use one's position as a school board member to benefit either oneself, a family member or any other individual or entity in a manner inconsistent with the law or one's sincere belief that one is acting in the best interest of the school district and all stakeholders.
- Must keep confidential all matters that one is privy to as a school board member that would constitute a violation of law to disclose and should keep confidential all matters that would gratuitously harm or embarrass one or more individuals or would fail to serve any goal of the school district.
- Should behave in a manner consistent with this Code of Ethics.

Private Conduct

School board members should refrain from any private action that is: Contrary to their oath of office; Antithetical to the formally adopted vision, mission and/or goal statements of the school district; or inconsistent with this Code of Ethics.

Education Law Sections 1604, 1709, 1804 and 2503

NOTE: Refer also to Policy # 6540 -- Defense and Indemnification of Board Members and Employees.

Adopted: 8/5/96

Revised: 7/6/98; 5/22/06; 11/07/2022