

ORGANIZATION AND AUTHORITY

Table of Contents
(SECTION 1000)

| <u>SUBJECT</u> | <u>NUMBER</u> |
|--|---------------|
| <u>Organization and Authority</u> | 1000 |
| <u>Number of Members and Term of Office</u> | 1010 |
| <u>Qualifications of Board Members</u> | 1020 |
| <u>Nomination and Election of Board Members</u> | 1030 |
| <u>Vacancies on the Board</u> | 1040 |
| <u>Powers and Duties of Board Members</u> | 1100 |
| <u>Duties of the Board President</u> | 1110 |
| <u>Duties of the Board Vice-President</u> | 1120 |
| <u>Duties of the District Clerk</u> | 1130 |
| <u>Duties of the Treasurer</u> | 1140 |
| <u>Duties of the Independent Auditor</u> | 1150 |
| <u>Duties of the Internal Auditor</u> | 1151 |
| <u>Appointment and Duties of the Claims Auditor</u> | 1152 |
| <u>Duties of Recording Secretary</u> | 1160 |
| <u>Duties of the School Attorney</u> | 1170 |
| <u>Method of Operation</u> | 1200 |
| <u>Principles for Board Members</u> | 1210 |
| <u>Formulation, Adoption and Dissemination of Policy</u> | 1220 |
| <u>Execution of Policy: Administrative Regulations</u> | 1230 |
| <u>Regular Meetings of the Board of Cooperative Educational Services</u> | 1300 |
| <u>Public Sessions</u> | 1301 |
| <u>Order of Business at Regular Board Meetings</u> | 1305 |
| <u>Executive Sessions of the Board</u> | 1315 |
| <u>Special Meetings</u> | 1320 |
| <u>Organizational Meeting</u> | 1325 |
| <u>Annual Meeting</u> | 1330 |
| <u>Quorum and Attendance at Board Meetings</u> | 1340 |
| <u>Minutes</u> | 1350 |
| <u>Use of Parliamentary Procedure</u> | 1360 |
| <u>Board Committees</u> | 1370 |
| <u>Advisory Committees and Councils</u> | 1380 |
| <u>Career and Technical Education Advisory Council</u> | 1390 |
| <u>Attendance by Board Members at Conferences, Conventions and Workshops</u> | 1400 |
| <u>Membership in Associations</u> | 1410 |
| <u>Board Self-Evaluation</u> | 1500 |
| <u>Compensation and Expenses</u> | 1550 |

Allegations of Fraud

1560

Adopted: January 9, 2002
Revised: June 14, 2006
Revised: November 8, 2006
Revised: January 14, 2009

SUBJECT: ORGANIZATION AND AUTHORITY

The Board of Cooperative Educational Services of the Sole Supervisory District of Washington-Saratoga-Warren-Hamilton and Essex Counties, New York shall be known and referred to as the Washington-Saratoga-Warren-Hamilton-Essex BOCES, hereinafter referred to as the BOCES.

The BOCES is a corporate body created by statute and vested with complete authority over the educational and fiscal affairs of the BOCES of the Supervisory District. In the exercise of such authority the BOCES shall only employ such powers as are expressly granted to it by law

All authority rests with the Board as a whole and not with any individual member or any group of members in any committee. Committee members may act on an individual basis only when specifically delegated with the authority by the Board. All final policy decisions are placed in the hands of the Board.

Limitation of Responsibilities as Individuals

The authority and responsibilities of individual Board members do not extend to execution of the policies which they adopt as a body.

The role of the Board, as with any legislative body, is to act collectively, not individually. Individual members have no status as, and shall not attempt to act as, administrators in the district. Rather, the District Superintendent, all administrators, as well as all other personnel of the district, are responsible to the Board as an entity. Board members, however, as with all legislators, are entitled to full information and all data necessary, in their judgment, to the proper casting of their votes on any matter which can come before the Board for action. Administrative duties will be delegated to the District Superintendent and his/her staff; governing powers will be rigorously retained for action by the Board itself.

Individual Board members being recipient of citizens' comments, petitions, or complaints serious enough to warrant, or by their nature such as to warrant action by the Board as a whole, should normally request the same to be reduced to writing and transmitted to the District Office for revision and inclusion on a Board meeting agenda, if deemed appropriate.

Individual Board members, speaking in their own behalf outside of regular Board meetings, should make it clear that their personal views are not necessarily the same as the full Board acting collectively.

Each member of the Board shall read his/her agenda and necessary documents accompanying the same, prior to the Board meeting, and mark portions which need

clarification; and otherwise be prepared for maximum participation necessary in the shortest time possible on each question coming before the Board. Board members are expected to contact the District Superintendent prior to the meeting, to clarify any items on the agenda.

Board members, if they are to retain effective control of the District without becoming involved in the administration thereof, should avail themselves of every opportunity to develop their knowledge and skills as members of the governing body of this District.

Education Law Section 1950

Adopted: January 9, 2002

SUBJECT: NUMBER OF MEMBERS AND TERM OF OFFICE

The Board shall consist of fifteen (15) members elected to represent the component districts within the BOCES area.

Members of the BOCES shall serve on the Board for a term of three (3) years, commencing July 1 following election.

Education Law Section 1950(2)

Adopted: January 9, 2002

SUBJECT: QUALIFICATIONS OF BOARD MEMBERS

Any eligible voter who resides within the boundaries of a component school district may be elected to the Board. A candidate need not be a member of a board of education of a component district. A candidate must be eligible to hold office in a component district. An employee of one of the component school districts of the BOCES, or of the BOCES staff, is not eligible for election to the Board.

Education Law Section 1950(9), (9a)

Adopted: January 9, 2002

SUBJECT: NOMINATION AND ELECTION OF BOARD MEMBERS

Board members are nominated by component districts and the names transmitted to the Clerk of the BOCES in writing by the date designated by the President of the BOCES, which must be at least thirty (30) days prior to the date of the election.

Election of the Board members will occur between April sixteenth and April thirtieth on a date selected by the BOCES Board President. No component district may have more than one member on the BOCES Board. It shall be the duty of the BOCES to encourage candidates from components not currently represented on the Board. The ballot will be prepared by the BOCES Board Clerk and mailed to each component district no later than fourteen (14) days prior to the date designated as the day of the election by the President of the Board. The candidate receiving a plurality of the votes cast is elected, with the candidate receiving the highest vote total elected to the position with the longest term and the candidate with the second highest vote total elected to the position with the next longest term in descending order. Any tie vote will be broken by a runoff election within twenty (20) days of the initial vote. Specific voting procedures will be in accordance with education law.

Each component Board of Education shall have one vote for each vacancy to be filled at either a special or regular election of members to the BOCES Board.

Education Law Sections
1950(2), (4), (9) and (11)

Adopted: January 9, 2002

SUBJECT: VACANCIES ON THE BOARD

If a member of the BOCES resigns, refuses to serve, is removed from office, or no longer is a resident of the Supervisory District, his or her position shall be termed vacant. A vacancy may be filled in two ways:

- a) If the vacancy occurs on or after January 1 and prior to the fifth day preceding the date designated for submission of candidate nominations, the BOCES may fill the vacancy by appointment and the person so appointed shall hold office until the next annual election.
- b) If the vacancy occurs prior to January 1 or during the period commencing five days prior to the date designated for submission of nominations and ending on the last day of the school year, a special election shall be held.

Removal from Office

A member of the BOCES who refuses or neglects to attend three successive meetings of the BOCES of which he/she is duly notified, without rendering a good and valid excuse therefore to the other members of the BOCES, vacates his/her office by refusal to serve.

Education Law Section 1950(1)

Adopted: January 9, 2002

SUBJECT: POWERS AND DUTIES OF BOARD MEMBERS

The powers and duties of the Board include the following:

- a) Appoint a District Superintendent of Schools and, at its discretion, provide for payment of supplementary salary to the District Superintendent of Schools by the BOCES.
- b) Prepare and adopt a budget for the Board programs for the ensuing year no later than May 15 of each year.
- c) Upon the recommendation of the District Superintendent employ faculty, staff and other personnel necessary to carry out the program.
- d) Provide and maintain suitable classrooms, office and other facilities necessary to carry out the program.
- e) Establish policies which provide the framework for the day-to-day operations.
- f) Such other powers and duties as prescribed by law.

Education Law Sections 1701 and 1950(4)

Adopted: January 9, 2002

SUBJECT: DUTIES OF THE BOARD PRESIDENT

The President shall be a member of the BOCES elected at the annual organization meeting in July, and shall perform the following duties:

- a. Preside at all public Board meetings and all meetings held in executive session
- b. Appoint membership on committees established by the Board, including committee chairpersons
- c. Execute all documents as required
- d. Discharge duties imposed by law
- e. Vote upon all questions before the Board, and at his/her own discretion, take part in the debate on any questions under consideration
- f. He/she shall be an ex-officio member of all committees, and upon his/her request, he/she shall be notified of all committee meetings
- g. Perform such other duties as may be specified by the Board

Education Law Section 1950(4)(j)

Adopted: January 9, 2002

SUBJECT: DUTIES OF THE BOARD VICE-PRESIDENT

The Vice-President shall be elected by the BOCES at the annual organization meeting in July to exercise the duties of the President when the President is absent or disabled.

If the office of President is vacated by reason of resignation or death, the Vice-President of the BOCES shall automatically become President until the next organizational meeting of the Board.

If the office of Vice President is vacated for any reason, the most senior Board member automatically becomes Vice President until the next organizational meeting of the Board.

Adopted: January 9, 2002

SUBJECT: DUTIES OF THE DISTRICT CLERK

The District Clerk shall be appointed by the BOCES at the organizational meeting in July, and shall perform the following duties:

- a. Take and record accurate minutes of each public Board meeting, and furnish copies of such minutes to Board members before the next regularly scheduled meeting
- b. Sign documents and papers, as required by law or Board order
- c. Post public notices, as required by law or Board order
- d. Other duties as assigned by the Board

Education Law Sections 1950(7)(j) and 2130

Adopted: January 9, 2002

SUBJECT: DUTIES OF THE TREASURER

The Treasurer shall be appointed by the BOCES at the annual organizational meeting in July and shall perform the following duties:

- a. Assume responsibility for custody of BOCES funds. Such responsibility shall include receipt of BOCES money and deposit of same in banks designated by the Board.
- b. Maintain custody and safekeeping of the check-signing machine. The Treasurer or Deputy Treasurer is authorized to sign checks for the BOCES.
- c. Prepare accounts and reports as required by law, Commissioner's Regulations or the Board.
- d. Pay bills for the BOCES as they become due.
- e. Assume other duties as assigned by the Board.

Before entering upon the duties of the office, the Treasurer shall file with the BOCES a bond in such amount as the Board shall annually designate.

Education Law Sections 1950(7)(j) and 2130

Adopted: January 9, 2002

SUBJECT: DUTIES OF THE INDEPENDENT AUDITOR

The Board shall appoint an independent certified public accountant or an independent public accountant who shall complete a certified audit in a form prescribed by the Commissioner. Such report shall be accepted by the Board and furnished annually to the State Education Department.

Commissioner's Regulations Section 170.3

Adopted: January 9, 2002

SUBJECT: DUTIES OF THE INTERNAL AUDITOR

The Internal Auditor reports directly to the Board of Education.

BOCES may participate in an inter-municipal cooperative agreement, or hire independent contractors as the person/entity serving as Internal Auditor. The person or entity serving as Internal Auditor must follow generally accepted auditing standards, be independent of BOCES business operations, and have the requisite knowledge and skills to complete the work.

The Internal Auditor is responsible for performing the internal audit function for the Board of Education which includes at a minimum:

- a. Development of a risk assessment of BOCES operations, including but not limited to, a review of financial policies, procedures and practices;
- b. An annual review and update of such risk assessment;
- c. Annual testing and evaluation of one or more areas of the BOCES internal controls, taking into account risk, control weakness, size and complexity of operations;
- d. Preparation of reports, at least annually or more frequently as the Board may direct, which:
 1. Analyze significant risk assessment findings;
 2. Recommend changes for strengthening controls and reducing identified risks; and
 3. Specify timeframes for implementation of such recommendations.

Education Law Sections 1950, 2116-b and 2116-c
8 New York Code of Rules and Regulations (NYCRR)
Section 170.12(d)

NOTE: Refer also to Policy 4110 – Internal Audit Function

Adopted: June 14, 2006

SUBJECT: APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR

The Board may adopt a resolution establishing the appointment of a Claims Auditor who shall hold the position subject to the pleasure of the Board and report directly to the Board on the results of audits and claims. The Board may require that the Claims Auditor report to the Clerk of the BOCES or the Board, or to the District Superintendent for administrative matters such as workspace, time and attendance.

Qualifications

The Claims Auditor must have the necessary knowledge and skills to effectively audit claims including experience with purchasing, bidding and claims.

No person shall be eligible for appointment to the office of Claims Auditor who shall be:

- a) A member of the Board;
- b) The Clerk or Treasurer of the Board;
- c) The District Superintendent or official of the District responsible for business management;
- d) The Purchasing Agent;
- e) Clerical or professional personnel directly involved in accounting and purchasing functions of the BOCES under the direct supervision of the District Superintendent;
- f) The individual or entity responsible for the internal audit function (the Internal Auditor);
- g) The External (Independent) Auditor responsible for the external audit of the financial statements;
- h) A close or immediate family member of an employee, officer, or contractor providing services to the BOCES. A “close family member” is defined as a parent, sibling or nondependent child; an “immediate family member” is a spouse, spouse equivalent, or dependent (whether or not related).

The Claims Auditor is not required to be a resident of the BOCES and shall be classified in the civil service exempt class.

The Board may delegate this claims auditor function by using inter-municipal cooperative agreements, or independent contractors, providing that the individual or organization serving as independent contractor meets the following standards for independence between the Claims Auditor and the BOCES:

- a) Has no other responsibilities related to the business operations of the BOCES;
- b) Has no interest in any other contracts with, and does not provide any goods or services to the BOCES; and
- c) Is not a close or immediate family member of anyone who has responsibilities related to business operations of the BOCES, or has an interest in any other contracts with the BOCES. A “close family member” is defined as a parent, sibling or nondependent child; an “immediate family member” is a spouse, spouse equivalent, or dependent (whether or not related).

Valid claims against the BOCES shall be paid by the Treasurer only upon the approval of the Claims Auditor. The Claims Auditor shall certify that each claim listed on the warrant was audited and payment was authorized. He/she shall:

- a) Examine all claim forms with respect to the availability of funds within the appropriate codes and adequacy of evidence to support the BOCES expenditure;
- b) Meet such other requirements as may be established by the Regulations of the Commissioner of Education and/or the Comptroller of the State of New York.

Education Law Sections 1604(35),
1709(20-a), 2526 and 2554(2-a)

8 New York Code of Rules and
Regulations (NYCRR) Section
170.12(c)

Adopted: January 14, 2009

SUBJECT: DUTIES OF RECORDING SECRETARY

The District Superintendent will make available to the Board a recording secretary. The duties of the recording secretary shall include, but not be limited to:

- a. Taking notes at each regular and special meeting of the Board
- b. Preparing the official minutes for each Board meeting for presentation to the District Clerk and Board
- c. Notifying individual Board members of Board meetings and other activities as necessary
- d. Maintain a calendar of Board conferences, conventions and workshops, and arrange for attendance at such

Adopted: January 9, 2002

SUBJECT: DUTIES OF THE SCHOOL ATTORNEY

The Board shall employ an attorney. Said attorney shall give legal advice to the Board and to the District Superintendent on all matters pertaining to the BOCES.

Adopted: January 9, 2002

SUBJECT: METHOD OF OPERATION

The BOCES operates at the policy-making level, leaving the administration of that policy to its executive office administrators and supervisors, thus freeing itself for major considerations and decisions.

Board policies are statements, which set forth the purposes and prescribe in general terms the organization and program of the BOCES. They create a framework within which the District Superintendent and other staff can discharge their assigned duties with positive direction. Essentially, they tell what is desired and they may also indicate reasons why and how much.

Specific directions giving precise details of how, by whom, where, and when things are to be done, are rules and regulations.

This distinction between policy, rules and regulations does not imply that policy should deal only with abstract expressions of theory and philosophy. On the contrary, statements of policy should spell out clearly what the Board intends. The clearer the statement of the policy the clearer the directions to be taken by the administration.

Education Law Section 1709

Adopted: January 9, 2002

SUBJECT: PRINCIPLES FOR BOARD MEMBERS

The success of every school system depends on an effective working relationship between the Board and the Chief Executive Officer. This code emphasizes the most important goals and obligations of that relationship.

- a. Assure the opportunity for high quality education for every student and make the well being of students the fundamental principle in all decisions and actions.
- b. Obey all national, state, and local laws and regulations pertaining to education and public agencies.
- c. Represent the entire community without fear or favor, while not using these positions for personal gain and accepting all responsibilities as a means of unselfish service.
- d. Adhere to the principle that the Board shall confine its role to policy-making, planning, and appraisal while the District Superintendent (Chief Executive Officer) shall implement the Board's policies.
- e. Act as part of an educational team with mutual respect and regard for each other's respective responsibilities and duties, recognizing that the strength of a Board is in acting as a Board, not as individuals; and that the strength of the District Superintendent is in being the educational leader.
- f. Maintain high standards and the effectiveness of education through research and continuing professional development.
- g. Preserve the obligation of having all issues considered fairly and without bias.
- h. Instill respect for individuals, community, state, and nation.

Adopted: January 9, 2002

SUBJECT: FORMULATION, ADOPTION AND DISSEMINATION OF POLICY

The BOCES shall determine and adopt policies in accordance with procedure, which it will establish, in order to facilitate the broadest possible consultation with elements of the district, including district employees who may have special knowledge of, or a particular interest in, the policy under consideration.

Policy and the Law

No policy of the BOCES may be in conflict with the law; nor may the Board adopt policies or perform any functions expressly prohibited to it by law.

Proposing Board Policy

Policies may be proposed for adoption, amendment, or repeal at any Board meeting, by any member of the Board, or by the District Superintendent. The Board desires that the members of the staff, both certificated and classified, and other interested parties shall have maximum possible opportunity to advise the Board of their reactions to and feelings about proposed changes in policy.

Procedure for Adopting Policies

Policies will be voted upon by using the following procedure:

- a. At the first meeting, a proposed policy is presented. It will be discussed, but action will not be taken. Formal action will be taken at a subsequent Board meeting, or
- b. If a NYS Law or Commissioner's Regulation requires immediate action, a proposed policy may be adopted by the Board at its first reading. It is the Board's intent that this provision will be used only in situations requiring immediate Board action in order to be in compliance with Law or Regulation.

Review and Revision

The Board of Education shall maintain a public written record of its policies, which is reviewed and revised as deemed necessary (with the date of initial adoption and subsequent revisions noted on the policy).

Adopted: January 9, 2002

SUBJECT: EXECUTION OF POLICY: ADMINISTRATIVE REGULATIONS

The Board delegates to the District Superintendent the function of specifying required actions and designing the detailed arrangements under which the BOCES will be operated. These rules and these detailed arrangements shall constitute the administrative regulations governing the BOCES. They must be in every respect consistent with the policies adopted by the Board. The Board shall be kept informed periodically of changes in administrative regulations.

Adopted: January 9, 2002

SUBJECT: REGULAR MEETINGS OF THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES

The Board shall regularly meet on the dates and at the time chosen at the annual organizational meeting. All meetings shall be held within the boundaries of the Supervisory District. Regular and special meetings of the Board will normally adjourn no later than 11:00 p.m.

Each meeting is presided over by the Board President or in his/her absence, the Vice-President, or in the absence of both officers, the Board member present with the longest term of service on the Board. In the event of a tie in length of Board service, alphabetical order shall prevail. (See Policy 1110)

The agenda for each regular or special Board meeting shall be distributed to each Board member prior to the meeting.

Public Notice

Public notice of the time and place of a meeting shall be given to the news media and shall be conspicuously posted in the BOCES administrative offices at least seventy-two hours before each meeting.

Adjourned Meeting

Any meeting may be adjourned to a specific future date, time, and place when so voted by the Board of Education.

All Board members shall be notified at least twenty-four hours (24) in advance of the call-to-order of an adjourned meeting, reconvened.

The only business which can be transacted is the business which was on the agenda of the meeting that was adjourned.

Public Officers Law, Article 7

Adopted: January 9, 2002

SUBJECT: PUBLIC SESSIONS

All Board meetings must be open to the public except those portions of the meetings, which qualify as executive sessions. A "meeting" is defined as an official convening of a public body for the purpose of conducting public business and a "public body" is defined as an entity which requires a quorum to conduct business, including committees and subcommittees.

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.

Public Officers Law, Article 7

Adopted: January 9, 2002

SUBJECT: ORDER OF BUSINESS AT REGULAR BOARD MEETINGS

Except as altered by a vote of a majority of the members of the Board, the following shall be the order to be observed in the transaction of business:

1. Call to Order
2. Pledge of Allegiance
3. Public Hearing
4. Minutes
5. Old Business
6. Communications
7. Administrative Reports
8. New Business
9. Personnel
10. Financial
11. Others
12. Executive Session (when needed)
13. Adjournment

Adopted: January 9, 2002

SUBJECT: EXECUTIVE SESSIONS OF THE BOARD

The Board may hold executive sessions where only the members of the Board and those persons invited by the Board shall be present.

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the general area or areas of the subject or subjects to be considered, the Board may conduct an executive session for discussion of the below enumerated purposes only, provided, however, that no action by formal vote shall be taken except on a 3020A probable cause finding:

- a. Matters which will imperil the public safety if disclosed
- b. Any matter which may disclose the identity of a law enforcement agent or informer
- c. Information relating to current or future investigation or prosecution of a criminal offense, which would imperil effective law enforcement, if disclosed
- d. Discussions regarding proposed, pending or current litigation
- e. Collective negotiations pursuant to Article 14 of the Civil Service Law
- f. The medical, financial, credit or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation.
- g. The preparation, grading or administration of examinations.
- h. The proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof.

Minutes shall be taken at executive sessions of any action that is taken by formal vote, which shall consist of a record summary of the final determination of such action, and the date and vote thereon; provided, however, that such summary need not include any matter, which is not required to be made public by the Freedom of Information Law. Such minutes shall be available to the public within one week from the date of the executive session.

Public Officers Law Sections 105 and 106(2) (3)
Education Law Sections 1708 and 3020-a Commissioner's Regulations Section 200.5

Adopted: January 9, 2002

SUBJECT: SPECIAL MEETINGS

Special meetings of the Board shall be held on call by any member of the Board. A reasonable and good faith effort shall be made by the District Superintendent or the Board President, as the case may be, to give every member of the Board a twenty-four hour notice of the time, place and purpose of the meeting.

In an emergency, if all Board members are present, the twenty-four hour notice requirement may be waived by unanimous agreement. In this situation, the Clerk of the Board may request each member to sign a waiver of notice and the fact of such signing shall be entered in the minutes.

Special meetings shall be open to the public in the same manner as are regular meetings. Public notice of the time and place of special meetings shall be given, to the extent practicable, to the news media and shall be conspicuously posted in the BOCES administrative office at a reasonable time prior thereto.

Education Law Section 1606
Public Officers Law, Section 104

Adopted: January 9, 2002

SUBJECT: ORGANIZATIONAL MEETING

The Board may hold its annual organizational meeting at any time during the first fifteen (15) days of July. The District Superintendent shall serve as temporary chairperson, who shall open the meeting and conduct the election of the President. The President shall assume office immediately, and shall conduct the remainder of the Board's business.

The agenda shall include:

- a. Oath of Office
- b. Elections/Oaths of Office
 - 1. President
 - 2. Vice-President
- c. Board Appointments
 - 1. Board Clerk
 - 2. Board Secretary
 - 3. Treasurer
 - 4. Deputy Treasurer
 - 5. Extraclassroom Activity - Fund Treasurer
 - 6. School Attorney
 - 7. School Physician
 - 8. Independent Auditor
 - 9. Internal Auditor
 - 10. Election of Legislative Liaison
 - 11. Election of Delegate and Alternate to the New York State School Boards Association
 - 12. Other
- d. Designations
 - 1. Official Bank Depository
 - 2. Official Newspaper(s)
 - 3. Regular Monthly Meeting Dates
 - 4. Annual Meeting Date
 - 5. Date for component districts to vote on administrative budget and election of board members
 - 6. Records Management Officer
 - 7. Title IX 504/ADA Coordinator/Compliance Officer

- e. Authorizations
- employees
1. Asst. Superintendent for Administrative Services to certify payroll
 2. Purchasing Agent and Deputy Purchasing Agent
 3. Attendance at conferences, conventions and workshops
 4. Instructional and non-instructional substitutes and temporary
 5. Bonding Personnel
 6. Mileage Reimbursement Rate
 7. Investment of Funds
 8. Authorize Over-Time
 9. Signature on Checks
 10. District Superintendent to Sign Contracts and Grants
 11. Budget Transfers
 12. Others

Public Officers Law, Article 7

Adopted: January 9, 2002

SUBJECT: ANNUAL MEETING

The annual meeting of the component school districts of the BOCES is held between April 1 and April 15 in each year on a date and at a place and hour designated by the BOCES, for the purpose of reviewing the preliminary BOCES program budget and such other business that may properly come before the annual meeting. The Notice of the Call of such meeting shall conform to the law and be administered by the Clerk of the District.

The agenda shall include:

- a. Call to order by President
- b. Notice of Call of Meeting
- c. Election of Chairperson (if necessary)
- d. Review of preliminary administrative, capital and program budgets
- e. Other business
- f. Adjournment

Public Notice

Pursuant to Education Law, Section 1950(b)(4), public notice must be given by publishing notice of the annual meeting in two newspapers in general circulation in the BOCES, or one such newspaper if there is only one, once each week within the two weeks preceding the annual meeting, with the first publication at least 14 days prior to the annual meeting. Where there are no such newspapers, notice must be posted in at least 20 public places. Additionally, notice of the date, time and place of the annual meeting must be mailed to each Board member of the component school districts at least 14 days prior to the meeting.

Public Officers Law Article 7

Adopted: January 9, 2002

SUBJECT: QUORUM AND ATTENDANCE AT BOARD MEETINGS

The quorum for any meeting of the Board shall be eight (8) members. No formal action shall be taken at any meeting at which a quorum is not present. When only a quorum exists, the Board shall act by unanimous vote unless otherwise required by the laws of the State of New York.

The District Superintendent and members of his/her staff at the District Superintendent's discretion shall attend all meetings of the Board. The District Superintendent shall attend all executive session meetings of the Board except those which concern his/her evaluation and salary determination. The Board may request the attendance of such additional persons as it desires. It is the duty of each member of the Board to attend all meetings of the Board.

Education Law Section 2502(8)

Adopted: January 9, 2002

SUBJECT: MINUTES

The minutes are a legal record of the activities of the Board as a public corporation having the specified legal purpose of maintaining public schools. The minutes of all meetings shall be kept by the Clerk or, in his/her absence, by the District Superintendent or his/her designee. The minutes shall be complete and accurate and stored in a minutes' file.

The minutes of each meeting of the Board of Cooperative Educational Services shall state:

- a. The type of meeting
- b. The date, time of convening, and adjournment
- c. Board members present and absent
- d. All action taken by the Board, with evidence of those voting in the affirmative and the negative, and those abstaining.

Communications and other documents that are too long and bulky to be included in the minutes shall be referred to in the minutes and shall be filed in the District Office.

Minutes of the meeting are to be communicated in writing to each Board member before the next regularly scheduled meeting. Minutes of meetings shall be approved based upon final transcripts of minutes in the hands of Board Members. No minutes will be approved "as corrected" or "as amended" unless the specific language of the correction or the amendment is agreed upon and included in the minutes of the meeting at which the subject minutes are finalized and approved or at any subsequent meeting of the Board.

All Board minutes shall be signed by the Clerk when submitted and stored in a vault or file. Unless otherwise provided by law, minutes shall be available to the public within two (2) weeks following the date of a meeting; draft copies, so marked, are acceptable, subject to correction.

Public Officers Law Section 106

Adopted: January 9, 2002

SUBJECT: USE OF PARLIAMENTARY PROCEDURE

The business of the Board shall be conducted in accordance with the following principles:

- a. Rules of the Board will have precedence;
- b. Authoritative principles of parliamentary procedure as found in the latest edition of Robert's Rules of Order shall be followed.

Commissioner's Decision Numbers 8018 and 887
General Construction Law Section 41

Adopted: January 9, 2002

SUBJECT: BOARD COMMITTEES

Committee of the Whole

The powers and duties of the Board must be exercised by the Board as a whole. The Board will function as a committee of the whole in discussions, in informal sessions, in considering recommendations, and in participating in other Board activities.

Standing Committees

Prior to September 1 of each year the Board President may make appointments of Board members to standing committees including chairpersons. The number of and charge to each standing committee shall be determined annually by the Board.

Ad hoc Committees

The President of the Board may appoint a subcommittee of not more than four (4) members to investigate a problem and/or area of concern and report its findings to the Board. Such report is advisory only. The President of the Board shall also appoint the chairperson of the subcommittee where necessary. Such committees shall be terminated automatically, following their final reports to the Board unless asked to continue by the President.

Adopted: January 9, 2002

SUBJECT: ADVISORY COMMITTEES AND COUNCILS

The Board shall establish permanent advisory councils as required by law for the operation of specific services offered by the BOCES. Temporary advisory committees shall be formed at the Board's discretion to deal with current problems. These temporary committees serve only for the duration of the study undertaken.

Each advisory committee should be created and discharged by resolution of the Board. The creating resolution should state specifically the scope of the work of the committee. Every effort will be made to include representatives with divergent views to insure fairness and community involvement.

All advisory committees originated by the Board shall have as a consultant a member of the professional staff of the BOCES. Appointments to an advisory committee shall be made on the basis of interest, experience, and concern.

All publicity concerning the findings of an advisory committee shall be handled through the regular channels of the Board.

The Board shall establish a timetable covering release of findings, progress reports, etc., at the first organizational meeting of the committee.

Public Officers Law
Sections 102 and 104

Adopted: January 9, 2002

SUBJECT: CAREER AND TECHNICAL EDUCATION ADVISORY COUNCIL

The Board shall appoint an Advisory Council for Career and Technical Education as provided in Section 4601 of the Education Law. It shall be the duty of the Advisory Council for Career And Technical Education to advise the Board:

- a. On the development of any policy matters arising in the administration of career and technical education
- b. In preparation of long-range and annual program plans submitted to the Commissioner of Education
- c. On an annual evaluation of the career and technical education program services and activities provided by the BOCES

Education Law Section 4601

Adopted: January 9, 2002

SUBJECT: ATTENDANCE BY BOARD MEMBERS AT CONFERENCES, CONVENTIONS AND WORKSHOPS

In keeping with the stated position on the need for continuing inservice training and development for its members, the Board encourages the participation of all members at appropriate conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the Board establishes the following guidelines:

- a. A calendar of Board conferences, conventions and workshops shall be maintained by the Recording Secretary (See Policy 1160). The Board will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the BOCES.
- b. Funds for participation at such meetings will be budgeted for on an annual basis. When funds are limited, the Board will designate which of its members would be the most appropriate to participate at a given meeting.
- c. Reimbursement to Board members for their travel expenses will be in accordance with the regulations established by the Board for travel reimbursements.
- d. When a conference, convention or workshop is not attended by the full Board, those who do participate are encouraged to share information, recommendations, and materials acquired at the meeting.
- e. Attendance at national conferences is encouraged. Normally, a maximum of three Board members may attend a national conference in any one year. Preference will be given to newly elected members and/or members attending for the first time.

General Municipal Law Section 77-b
Education Law Section 2118

Adopted: January 9, 2002

SUBJECT: MEMBERSHIP IN ASSOCIATIONS

The Board will maintain membership in the following organizations:

- a. New York State School Boards Association (NYSSBA)
- b. National School Boards Association (NSBA)
- c. Saratoga School Boards Association (SSBA)
- d. Adirondack Area School Boards Association (AASBA)

Additionally, the Board may maintain membership and participate cooperatively in other associations.

- e. Adirondack Regional Chambers of Commerce (ARCC)
- f. Saratoga Chamber of Commerce
- g. Southern Saratoga Chamber of Commerce
- h. Capital Area School Development Association (CASDA)
- i. Rural Schools Association (RSA)

Adopted: January 9, 2002

SUBJECT: BOARD SELF-EVALUATION

The Board believes that periodic evaluation of its procedures will improve the Board's performance, exemplify the constructive evaluations it encourages for all school personnel and programs, and promotes a spirit of teamwork throughout the district. Regular evaluation also helps the Board set those objectives it will try to accomplish before its next evaluation. At least once a year, Board members will evaluate their own performance – and that of the Board as a whole – according to standards developed by the Board. Information gathered from the evaluation will be used each year to establish objectives for the coming year.

Adopted: January 9, 2002

SUBJECT: COMPENSATION AND EXPENSES

Members of the Board shall be reimbursed for necessary expenses incurred while on business for BOCES, including but not limited to, attendance at regular and special meetings of the Board. Board members will be reimbursed for lodging expenses and mileage incurred in attending such meetings.

Reimbursement for mileage costs will be at the Board approved rate. While attending state and national conventions, members will be entitled to receive reimbursement to help defray certain actual out-of-pocket expenses, which must be accounted for with proper explanation and receipts upon submission of a certified district claim voucher. Such expenses shall include, but not be limited to, the following: parking, tolls, mileage at Board approved rate, car rental, taxicabs, bus, rail, and/or air transportation, actual cost of meals with receipts, when said meals are not included in convention package, actual cost of single lodging and other necessary expenses which are proper in the performance of a member's official duties. Sales tax exemption certificates should be used when appropriate.

Members of the Board serve without compensation. However, individual Board members may participate in the BOCES health insurance plan at their own expense while serving on the Board. Pursuant to Education Law, Board members may elect to participate in the health insurance plan at their own expense upon retirement from the BOCES Board and after twenty years of service. (See Board Policy 5220)

Adopted: January 9, 2002

SUBJECT: ALLEGATIONS OF FRAUD**Reporting and Investigations of Allegations of Fraud:**

Upon receipt of an allegation of financial improprieties/fraud and/or wrongful conduct, the Board or designated employee(s) will conduct a thorough investigation of the charges. However, even in the absence of a report of suspected wrongful conduct, if the BOCES has knowledge of, or reason to know of, any occurrence of financial improprieties/fraud and/or wrongful conduct, the BOCES will investigate such conduct promptly and thoroughly. To the extent possible, within legal constraints, all reports will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges and/or to notify law enforcement officials as warranted, and any disclosure will be provided on a “need to know” basis. Written records of the allegation, and resulting investigation and outcome will be maintained in accordance with law.

Based upon the results of this investigation, if the BOCES determines that a school employee, school official, or school officer has engaged in financial improprieties/fraudulent and/or wrongful actions, appropriate disciplinary measures will be applied, up to and including termination of employment, in accordance with legal guidelines, BOCES policy and regulation, and any applicable collective bargaining agreement. Third parties who are found to have engaged in financial improprieties/fraud and/or wrongful conduct will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the BOCES does not preclude the filing of civil and/or criminal charges as may be warranted. Rather, when school officials receive a complaint or report of alleged financial improprieties/fraud and/or wrongful conduct that may be criminal in nature, law authorities should be immediately notified.

An appeal procedure will also be provided, as applicable, to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable investigating officer(s).

Approved/Revised: 11/8/06