

Section/Classification ★1000 By-Laws

Policy Number ★1110

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

SCHOOL DISTRICT AND BOARD OF EDUCATION LEGAL STATUS AND AUTHORITY

Policy

The Constitution of New York State, as amended in 1894, instructs the Legislature to provide for a system of free common schools wherein all children of the State may be educated.

The State Legislature has implemented this constitutional mandate through the creation of school districts of various types. The Niagara Falls City School District is governed by the laws set forth for Small City School Districts in Education Law Articles 51 and 53, and by laws relating to, or affecting, Central School Districts as set forth in Education Law Article 37, Union Free School Districts as set forth in Education Law Article 35, and Common School Districts as set forth in Education Law Article 33.

The School District constitutes a corporate entity that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

The Constitution of the State of New York places the responsibility for public education on the State Legislature, and directs the establishment of a State Department of Education for general supervision over the schools and headed by a Commissioner of Education. The New York State Constitution further provides that local public schools under the general supervision of the State Education Department shall be maintained, developed and operated by locally elected boards. Legally, local boards are instruments of the New York State Constitution, the New York Statutes and the regulations of the State Education Department and its Commissioner.

Board of Education Authority

As a body created under the Education Law of New York State, the Board

of Education of the Niagara Falls City School District has full authority, within the limitations of federal and state laws and the Regulations of the Commissioner of Education and interpretations of them, to carry out the will of the people of its District in matters of education.

In all cases where laws or regulations of the State Commissioner of Education do not provide, permit, or prohibit, the Board shall consider itself the agent responsible for establishing and appraising educational matters and activities.

Board members have no authority over school affairs as individuals. They have authority only when acting as a body duly called in session.

Education Law Sections 1604, 1701, 1709, 1804, 1805, 2502, 2503 and Articles 33, 35, 37, 51 and 53
New York State Constitution

Adopted: February 23, 2012

Last 5 edits:	02/27/2012 06:09 PM by Ruthel D Dumas/NFCSD
	02/27/2012 04:31 PM by Ruthel D Dumas/NFCSD
Created:	02/27/2012 04:24 PM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1120

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

BOARD OF EDUCATION: QUALIFICATIONS, NUMBERS AND TERMS OF OFFICE

Policy

A Board of Education member of the Niagara Falls City School District must meet the following qualifications:

- a. A citizen of the United States;
- b. Eighteen (18) years of age or older;
- c. Able to read and write;
- d. A legal resident of the District for a continuous and uninterrupted period of at least one (1) year prior to the election;
- e. Cannot be an employee of the Niagara Falls City School District;
- f. The only member of his/her family (that is, cannot be a member of the same household) on the Niagara Falls City School District Board;
- g. May not simultaneously hold another incompatible public office, including, but not limited to Superintendent, clerk, tax collector, treasurer or librarian, or an employee of the Board. In small city school districts, Board members may not hold any city office other than that of police officer or firefighter.
- h. Must not have been removed from a school district office within one (1) year preceding the date of appointment or election to the Board.

Number of Members

The Board of Education of the Niagara Falls City School District shall consist of nine (9) members elected by the qualified voters of the School District at the annual election as prescribed by law.

Terms of Office

Members of the Board of Education shall serve for five (5) years

beginning July 1 following their election and each term shall expire on the thirtieth (30th) day of June of the fifth year.

Education Law Sections 1602, 1702(1), 1804(1), 1950(9), 2101, 2102, 2103, 2103-a, 2130(1), 2105, and 2502
Public Officers Law Section 3
Town Law Section 23(1)

Adopted: February 23, 2012

Last 5 edits:	02/27/2012 06:09 PM by Ruthel D Dumas/NFCSD
	02/27/2012 06:09 PM by Ruthel D Dumas/NFCSD
	02/27/2012 05:07 PM by Ruthel D Dumas/NFCSD
Created:	02/27/2012 04:29 PM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1210

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 01/30/2014

Next review date ★



Title

BOARD OF EDUCATION MEMBERS: NOMINATION AND ELECTION

Policy

- a) Candidates for the office of member of the Board of Education shall be nominated by a petition directed to the Board of Education which is signed by at least one hundred (100) qualified voters of the District. Petitions must state the residence of each signer, the name and residence of each candidate.
- b) The notice of the Annual District meeting must state that petitions nominating candidates for the Board of Education must be filed with the Clerk of the District no later than twenty (20) days before the Annual or Special District Meeting at which the school board election will occur, between 9 a.m. and 5 p.m.
- c) Voting will be by machine, and provision shall be made for the election by "write-in-vote" of any candidate not previously nominated. The position of candidates on ballots shall be determined by lot at a drawing conducted by the District Clerk on the day after the last filing. Candidates or their proxies may be present for the drawing.
- d) The hours of voting shall be as indicated by Board resolution.
- e) The candidates receiving the largest number of votes shall be declared elected in accordance with Education Law.
- f) At least ten (10) days prior to the election, the Board shall appoint at least three (3) inspectors of election for each voting machine, and set their salary.
- g) The District Clerk shall oversee the election. The Clerk shall give notice immediately to each person declared elected to the Board, informing him/her of the election and his/her term of office.
- h) Only qualified voters as determined by Education Law Section 2012

may vote at any District meeting or election.

i) No electioneering will be allowed within one hundred (100) feet of the polling place.

j) When a term of office expires at the end of a school year and the office has become vacant at the time of election, the person elected to fill the new full term vacancy also fills the remaining days of the previous term, beginning his/her term of office immediately upon election and the taking and filing of the oath of office.

Education Law Sections 2004, 2012, 2018, 2025, 2029, 2031-a, 2032, 2034, 2105(14), 2121, 2502, 2602, 2608(1) and 2610

Revised: January 30, 2014
Adopted: February 23, 2012

Last 5 edits:	02/18/2014 04:44 PM by Ruthel D Dumas/NFCSD
	07/17/2012 09:45 AM by Ruthel D Dumas/NFCSD
	02/27/2012 06:08 PM by Ruthel D Dumas/NFCSD
	02/27/2012 06:05 PM by Ruthel D Dumas/NFCSD
	02/27/2012 06:01 PM by Ruthel D Dumas/NFCSD
Created:	02/27/2012 05:07 PM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1220

Status ★ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title

REPORTING OF EXPENDITURES AND CONTRIBUTIONS

Policy

Each candidate for the position of member of the Board of Education whose expenses and/or contributions received exceed five hundred dollars (\$500) must file a statement accounting for his/her campaign expenditures and contributions with the District Clerk and an additional statement with the Commissioner of Education. In the event the expenses do not exceed five hundred dollars (\$500) and the aggregate amount of all contributions made to the candidate do not exceed five hundred dollars (\$500), then a sworn statement to that effect must only be filed with the District Clerk.

Required contribution statements shall include:

- a)The dollar amount and/or fair market value of any receipt, contribution or transfer which is other than money;
- b)The name and address of the transferor, contributor or person from whom received;
- c)If that transferor, contributor or person is a political committee as defined in Election Law Section 14-100;
- d)The name and political unit represented by the committee;
- e)The date of receipt;
- f)The dollar amount of every expenditure;
- g)The name and address of the person to whom the expenditure was made, or the name of and political unit represented by the committee to which it was made; and
- h)The date of the expenditure.

The times for filing the statements are as follows:

- a)The first statement on or before the thirtieth day preceding the election to which it relates;
- b)A second statement on or before the fifth day before the election;
- c)A third statement within twenty days after the election.

Any contribution or loan in excess of one thousand dollars (\$1000) received after the close of the period covered in the last statement filed before the election (b above) but before the election itself shall be reported within twenty-four (24) hours after receipt.

All statements must be sworn before a notary public, a commissioner of deeds, a lawyer or a public official authorized by New York State law to administer oaths.

Education Law Sections 1528 and 1529
Election Law Section 14-100(1)

Adopted: June 21, 2012

Last 5 edits:	07/17/2012 09:36 AM by Ruthel D Dumas/NFCSD
	07/17/2012 09:33 AM by Ruthel D Dumas/NFCSD
Created:	07/17/2012 09:26 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1230

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

RESIGNATION AND DISMISSAL

Policy

Board members may resign at a District meeting of residents (i.e., the annual meeting, not a regular Board of Education meeting) or by filing a written resignation with the District Superintendent of the Supervisory District who must endorse his/her approval and file the resignation with the District Clerk.

Alternatively, a Board member may resign under Public Officers Law Section 31 by filing a written resignation with the District Clerk. The Clerk must then notify the School Board and the State Board of Elections.

A resignation may be withdrawn only with the consent of the person to whom the resignation was delivered (i.e., the District Clerk or BOCES District Superintendent). The School Board has no authority to act upon a request to withdraw a resignation.

The resignation shall take effect upon the date specified in the letter of resignation; however, if no effective date is specified, it shall take effect on the date of delivery to or filing with the District Clerk. If an effective date is specified in the letter of resignation, such date shall not be more than thirty (30) days subsequent to the date of its delivery or filing.

It shall be the duty of each member of the Board of Education to attend all meetings of the Board and, if any member shall refuse to attend three (3) consecutive meetings of the Board after having been regularly notified and a satisfactory cause for each non-attendance is not shown, the Board will proceed to declare that office vacant.

A Board member may be removed from office by the Commissioner of Education for willful violation of any provision of law, neglect of duty, or willfully disobeying any decision, order or regulation of the Commissioner. The Board of Education may also remove a Board member for misconduct relating to the exercise of authority as a Board

member. A written copy of all charges made of such misconduct must be served upon the Board member at least ten (10) days before the time designated for a hearing on the charges; and the Board member shall be allowed a full and fair opportunity to refute such charges before removal.

As a small city school district, the District is not obligated to fill a vacancy on the Board which occurs due to death, resignation, removal from office or from the School District, or refusal to serve of a Board member.

However, the Board may fill the vacancy by appointment for a term ending with the next annual election of the School District. If the Board chooses to fill the vacancy by appointment, the appointment requires a majority vote of the remaining members of the Board.

The Board, at its own option, may instead call a special election within ninety (90) days to fill the unexpired term. If not so filled, the District Superintendent of the Supervisory District may appoint a competent person to fill the vacancy until the next annual election.

A person elected or appointed to fill a vacancy shall take office immediately upon filing the oath of office.

Education Law Sections 306, 1607, 1706, 1709(17)(18), 1804(1), 2103(2), 2109, 2111, 2112, 2113, 2502, 2503 and 2553
Public Officers Law Sections 30, 31 and 35

Adopted: February 23, 2012

Last 5 edits:	02/27/2012 06:08 PM by Ruthel D Dumas/NFCSD
	02/27/2012 05:30 PM by Ruthel D Dumas/NFCSD
	02/27/2012 05:28 PM by Ruthel D Dumas/NFCSD
Created:	02/27/2012 05:15 PM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1310

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

POWERS AND DUTIES OF THE BOARD

Policy

As a Small City School District, the Board of Education shall have powers and duties as set forth in New York State Education Law, principally Articles 33, 35, 37, 51 and 53, 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.

Education Law Sections 1604, 1709, 1804 and 2503

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

Adopted: February 23, 2012

Last 5 edits: 02/28/2012 10:13 AM by Ruthel D Dumas/NFCSD

Created: 02/28/2012 09:32 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1320

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

NOMINATION AND ELECTION OF BOARD OFFICERS AND DUTIES OF THE PRESIDENT AND VICE PRESIDENT

Policy

Officers of the Board of Education shall be nominated and elected by the simple majority of the Board at its Annual Organizational Meeting for a term of one (1) year. They will take their oath as officers at this meeting along with newly elected members.

The elected officers of the Board of Education are:

- a) President;
- b) Vice President.

Duties of the President of the Board of Education

The President's duties include the following:

- a) Presides at all meetings of the Board;
- b) Calls special meetings as necessary or on request;
- c) Appoints members to all committees of the Board;
- d) Serves ex-officio as a member of all committees;
- e) Executes documents on behalf of the Board;
- f) Performs the usual and ordinary duties of the office;
- g) The President shall have the right, as other Board members have, to offer resolutions, discuss questions, and to vote.

Board President Term of Office

No Board member may serve more than two (2) consecutive terms as Board President.

Duties of the Vice President of the Board of Education

The Board of Education may, in its discretion, elect one (1) of its members Vice President who shall have the power to exercise the duties of the President in case of the absence or disability of the President. In case of vacancy in the office of the President, the Vice President shall act as President until a President is elected.

Education Law Sections 1701, 2105(6) and 2502

Adopted: February 23, 2012

Last 5 edits: 02/28/2012 10:24 AM by Ruthel D Dumas/NFCSD

Created: 02/28/2012 10:11 AM by Ruthel D Dumas/NFCSD

Section/Classification ★ 1000 By-Laws

Policy Number ★ 1330

Status ★ ACTIVE

Adopted ★ 03/25/2010

Last review date ★ 03/25/2010

Next review date ★



Title **APPOINTMENTS AND DESIGNATIONS BY THE BOARD OF EDUCATION**

Policy **Appointments**

The Board is authorized to appoint individuals to positions which will facilitate the meeting of its responsibilities to the State, the School System, and the community. These appointments usually take place at the Annual Reorganization Meeting.

The following shall be appointed annually:

- a) District Clerk;
- b) School District Treasurer;
- c) Tax Collector;
- d) External (Independent) Auditor;
- e) Treasurer, Extraclassroom Activities Account;
- f) Audit Committee.

The following must be appointed and will be reappointed annually:

- a) Census Enumerator and assistants if District conducts census;
- b) Director of School Health Services (District Physician/Nurse Practitioner);
- c) Supervisors of Attendance;
- d) Committee on Special Education and Committee on Preschool Special Education;
- e) Public Records Access Officer;

- f) Records Management Officer;
- g) Asbestos Hazard Emergency Response Act (AHERA) Local Educational Agency (LEA) designee;
- h) Title IX/Section 504/ADA Compliance Officer;
- i) Liaison for Homeless Children and Youth;
- j) Chemical Hygiene Officer.

The following will also be appointed:

- a) School Attorney(s);
- b) Claims Auditor;
- c) Internal Auditor;
- d) Insurance Advisor;
- e) Copyright Officer;
- f) Third Party Administrator for District's Unemployment Insurance Program;
- g) Employees having access to records of students with disabilities.

Designations

The following designations shall be made by the Board of Education at the Annual Reorganization Meeting in July:

- a) Petty Cash Fund(s);
- b) Official Newspaper(s);
- c) Official Bank Depositories;
- d) Official Bank Signatories;
- e) Purchasing Agent;
- f) Certifier of Payrolls;
- g) Designated Educational Official (DEO) to receive court notification regarding a student's sentence/adjudication in certain criminal cases and juvenile delinquency proceedings;
- h) School Pesticide Representative;

- i) Reviewing Official, Hearing Official and Verification Official for participation in the federal Child Nutrition Program (the Hearing Official may not be the same person as the Reviewing and/or Verification Official);
- j) Transfer agents for debt service;
- k) Municipal bond consultants;
- l) Bonding Attorneys;
- m) Designation of regular Board meeting dates;
- n) Designation of Board representative to select Impartial Hearing Officers on behalf of Board.

Authorizations

The following authorizations shall be made by the Board of Education at the Annual Reorganization Meeting in July.

- a) Approval of attendance at conferences, conventions, workshops, and the like;
- b) Superintendent to approve budget transfers within limits prescribed by Commissioner's Regulation Section 170.2 and Board guidelines;
- c) Superintendent to apply for Grants in Aid (State and Federal) as appropriate;
- d) Establish mileage reimbursement rate;
- e) Annual review of procurement policy(ies) by the Board of Education;
- f) Other(s) as deemed appropriate/necessary.

McKinney-Vento Homeless Education Assistance Act, Section 722, as reauthorized by the No Child Left Behind Act of 2001
29 Code of Federal Regulations (CFR) Section 1910.1450
Education Law Sections 305(31), 1709 and 2503
8 New York Code of Rules and Regulations (NYCRR) Part 185
21 New York Code of Rules and Regulations (NYCRR) Parts 1401, 9760

Last 5 edits: 11/16/2010 11:07 AM by Diane E Spacone/NFCSD
11/15/2010 12:44 PM by Diane E Spacone/NFCSD
11/15/2010 12:38 PM by Diane E Spacone/NFCSD
11/15/2010 12:10 PM by Diane E Spacone/NFCSD
Created: 11/15/2010 11:49 AM by Diane E Spacone/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1331

Status ★ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title

DUTIES OF THE DISTRICT CLERK

Policy

The District Clerk will be appointed by the Board at its Annual Organizational Meeting and will serve for a period of one (1) year. The Clerk's duties include the following:

- a)Attends all meetings of the Board and keeps a record of its proceedings and records, by name, those in attendance;
- b)Prepares minutes of the meetings of the Board, obtains approval of the minutes by the Board at the next meeting, signs the minutes to signify their official standing and forwards copies of the minutes to each member of the Board of Education;
- c)Sends notices of special meetings to members of the Board; contacts and communicates with members as required;
- d)Sees that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;
- e)Maintains an up-to-date record of Board policies and by-laws;
- f)Delivers to, and collects from, the President (or Vice President) such papers for signature as may be necessary;
- g)Distributes notices to the public announcing availability of copies of the budget to be presented at the Annual District Meeting in compliance with the requirements of the State Education Law;
- h)Administers oaths of office, as required by Public Officers Law Section 10;
- i)Gives written notice of appointment to persons appointed as

inspectors of election;

j)Calls all meetings to order in the absence of the President and Vice President;

k)Assumes other duties customary to the office.

The above duties of the District Clerk are not intended to be complete but should serve as a comprehensive guide in undertaking the duties of this office. The District Clerk shall perform such other duties as may be assigned from time to time by the Board.

Education Law Section 2121
Public Officers Law Section 104

Adopted: June 21, 2012

Last 5 edits: 07/17/2012 09:42 AM by Ruthel D Dumas/NFCSD

Created: 07/17/2012 09:34 AM by Ruthel D Dumas/NFCSD

Section/Classification ★ 1000 By-Laws

Policy Number ★ 1332

Status ★ ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title

DUTIES OF THE SCHOOL DISTRICT TREASURER

Policy

The Treasurer is appointed by the Board of Education at the Annual Organizational Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting and preparing reports and statements concerning District finances, the District Treasurer shall perform other specific tasks as follows:

- a) Acts as custodian of all moneys belonging to the School District and lawfully deposits these moneys in the depositories designated by the Board;
- b) Pays all authorized obligations of the District as directed, including payments of bond principal and interest;
- c) Maintains proper records and files of all checks, and approved payment of bills and salaries;
- d) Makes all such entries and posts to all such financial ledgers, records and reports, including bond and note registers, as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;
- e) Signs all checks drawn on District fund accounts provided that the District's Claims Auditor has attested to the authority to issue the check based upon proper evidence of a charge against the District's funds;
- f) Safeguards the check-signing machine and signature plate, personally overseeing all uses of the machine to prepare checks;
- g) Assumes other duties customary to the office.

Education Law Sections 2122, 2130 and 2523
Local Finance Law Sections 163 and 165
8 New York Code of Rules and Regulations (NYCRR) Sections 170.2(g),
170.2(o) and 170.2(p)

Adopted: June 21, 2012

Last 5 edits: 07/17/2012 09:46 AM by Ruthel D Dumas/NFCSD

Created: 07/17/2012 09:41 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1334

Status ★ACTIVE

Adopted ★ 03/25/2010

Last review date ★ 03/25/2010

Next review date ★



Title

DUTIES OF THE EXTERNAL (INDEPENDENT) AUDITOR

Policy

The Board by law shall obtain an annual audit of its records by an independent certified public accountant or an independent public accountant. The independent accountant shall present the report of the annual audit to the Board and provide a copy of the audit to each Board member. The Board shall adopt a resolution accepting the audit report and file a copy of the resolution with the Commissioner. The District will also file the audit report with the Commissioner for a specific school year by October 15 of the following school year. In addition to the annual audit, the District shall be subject to State audits conducted by the State Comptroller.

Request for Proposal Process

In accordance with law, no audit engagement shall be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

Education Law Sections 1709(20-a), 2110-a, 2116-a and 2854(c)
General Municipal Law Sections 33 and 104-b
8 New York Code of Rules and Regulations (NYCRR) Sections 170.2, 170.3
and 170.12

Last 5 edits: 11/16/2010 11:07 AM by Diane E Spacone/NFCSD
11/15/2010 12:46 PM by Diane E Spacone/NFCSD
11/15/2010 12:46 PM by Diane E Spacone/NFCSD
Created: 11/15/2010 12:45 PM by Diane E Spacone/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1335

Status ★ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title

APPOINTMENT AND DUTIES OF THE CLAIMS AUDITOR

Policy

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 of claims. The Board may require that the Claims Auditor report to the Clerk of the District or the Board, or to the 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. The Claims Auditor must be bonded prior to assuming his/her duties.

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 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 District or under the direct supervision of the 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 District. 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 District and shall be classified in the civil service exempt class.

The Board may delegate this claims audit function by using inter-municipal cooperative agreements, shared services through a Board of Cooperative Educational Services, 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 District:

a)Has no other responsibilities related to the business operations of the School District;

b)Has no interest in any other contracts with, and does not provide any goods or services to, the School District; and

c)Is not a close or immediate family member of anyone who has responsibilities related to business operations of the School District, or has an interest in any other contracts with the District. 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 District 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 District's 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: June 21, 2012

Last 5 edits:	07/17/2012 09:51 AM by Ruthel D Dumas/NFCSD
	07/17/2012 09:50 AM by Ruthel D Dumas/NFCSD
Created:	07/17/2012 09:44 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1336

Status ★ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title

DUTIES OF THE EXTRACLASROOM ACTIVITY FUND CENTRAL TREASURER AND FACULTY AUDITOR

Policy

Central Treasurer

The Extraclassroom Activity Fund Treasurer is appointed by the Board of Education and is responsible for the supervision of the extraclassroom activity fund.

The Treasurer's duties include the following:

- a)Countersigns all checks disbursing funds from the Extraclassroom Activity Account;
- b)Provides general supervision to ensure that all receipts are deposited and that disbursements are made by check only;
- c)Maintains records of all receipts and expenditures;
- d)Submits records and reports to the Board as required;
- e)Assumes other duties customary to the position.

Faculty Auditor

The Extraclassroom Activity Fund Faculty Auditor is appointed by the Board of Education and is responsible for auditing of all financial transactions of the fund.

The Auditor's duties include:

- a)Examine the statement of accounts from the Central Treasurer once each month;
- b)Audit the ledgers kept by student treasurers at least twice per year;

- c)Examine transactions and procedures to determine if correct;
- d)Certify the accuracy of entries posted and available balances listed;
- e)Investigate instances when Central Treasurer's report and club ledgers do not agree; and
- f)Prepare year end report summarizing the financial condition of each activity and submit to Principal and Board of Education.

8 New York Code of Rules and Regulations (NYCRR) Part 172

Adopted: June 21, 2012

Last 5 edits: 07/17/2012 09:54 AM by Ruthel D Dumas/NFCSD

Created: 07/17/2012 09:49 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1337

Status ★ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title

DUTIES OF THE SCHOOL ATTORNEY(S)

Policy

The Board of Education shall employ a school attorney who shall be responsible to the Board of Education for guidance on all affairs which are of a legal nature, including, but not limited to:

- a) Negotiation of all legal charges and processes for each bond issue and construction and/or reconstruction of new buildings;
- b) Legal counsel on matters referred to him/her to determine legality of procedure;
- c) Matters related to "due process" hearings or procedures.

Adopted: June 21, 2012

Last 5 edits: 07/17/2012 12:07 PM by Ruthel D Dumas/NFCSD
07/17/2012 10:04 AM by Ruthel D Dumas/NFCSD
Created: 07/17/2012 09:52 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1338

Status ★ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title

DUTIES OF THE SCHOOL PHYSICIAN/NURSE PRACTITIONER

Policy

The school physician/nurse practitioner shall be appointed by the Board of Education. The duties of the school physician/nurse practitioner shall include, but are not limited to, the following:

- a) Performs professional medical services in the examination and care of school children;
- b) Performs routine examinations of school children to detect the presence of contagious diseases and physical defects;
- c) Serves as an on call member on the Committee on Special Education;
- d) Reports to the Board on school health services;
- e) Coordinates scheduling for physical examinations to all students participating in interscholastic athletics;
- f) Develops the program of health service in accordance with policies approved by the Board and as directed by the Superintendent of Schools;
- g) Conducts physical exams for all bus drivers and substitutes prior to employment and annually thereafter;
- h) Conducts physical exams for all new employees (instructional and non-instructional);
- i) Conducts a medical evaluation on any employee at the request of the Board of Education.

Education Law Sections 902, 913 and 6902

Adopted: June 21, 2012

Last 5 edits: 07/17/2012 10:10 AM by Ruthel D Dumas/NFCSD

Created: 07/17/2012 10:02 AM by Ruthel D Dumas/NFCSD

Section/Classification ★ 1000 By-Laws

Policy Number ★ 1339

Status ★ ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title

DUTIES OF THE INTERNAL AUDITOR

Policy

The Internal Auditor reports directly to the Board of Education.

The District may use its employees, inter-municipal cooperative agreements, shared services to the extent authorized by Education Law Section 1950, or 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 District 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 District 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 District's 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 #5573 -- Internal Audit Function

Adopted: June 21, 2012

Last 5 edits:	07/17/2012 10:18 AM by Ruthel D Dumas/NFCSD
	07/17/2012 10:12 AM by Ruthel D Dumas/NFCSD
Created:	07/17/2012 10:08 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1410

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

POLICY AND ADMINISTRATIVE REGULATIONS

Policy

The Board of Education shall reserve to itself the function of providing guides for the discretionary action of those to whom it delegates authority. The Superintendent shall act as an advisor to the Board in the adoption and approval of written Board policies. The Board shall seek input from the staff and community where appropriate. These guides for discretionary action shall constitute the policies governing the operation of the School System.

The formulation and adoption of these written policies shall constitute the basic method by which the Board of Education shall exercise its leadership in the operation of the School System. The study and evaluation of reports concerning the execution of its written policies shall constitute the basic method by which the Board of Education shall exercise its control over the operation of the School System.

The adoption of a written policy shall occur only after the proposal has been moved, discussed and voted on affirmatively at two (2) separate meetings of the Board of Education (i.e., the "first reading" and the "second reading"). The policy draft may be amended at the second meeting. By a majority vote, the Board may waive the "second reading" and complete the adoption of the proposed policy at its "first reading."

The formal adoption of written Board policy shall be recorded in the official minutes of the Board. Such written Board policy shall govern the conduct and affairs of the District and shall be binding upon the members of the educational community in the District.

It shall be the Board's responsibility to keep its written policies up-to-date so that they may be used consistently as a basis for Board action and administrative decision.

The Superintendent is given the continuing commission of calling to the Board's attention all policies that are out-of-date or for other reasons

appear to need revision.

A copy of the District's Policy Manual will be maintained on the District website.

Execution of Policy: Administrative Regulations

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

Education Law Sections 1604(9), 1709(1), 1709(2) and 2503(2)

Adoption: 2/23/12

Last 5 edits:	02/28/2012 12:25 PM by Ruthel D Dumas/NFCSD
	02/28/2012 11:31 AM by Ruthel D Dumas/NFCSD
Created:	02/28/2012 11:26 AM by Ruthel D Dumas/NFCSD

Section/Classification ★ **1000 By-Laws**

Policy Number ★ **1420**

Status ★ **ACTIVE**

Adopted ★ **02/23/2012**

Last review date ★ **02/23/2012**

Next review date ★



Title **SUSPENSION OF POLICIES**

Policy The operation of any section or sections of Board policies not established by law or contract may be temporarily suspended to meet the needs of a particular instance, or to provide suitable action during the course of an emergency, by a two-thirds vote of the membership, at any regular or special meeting.

Adopted: 2/23/12

Last 5 edits: 02/28/2012 11:35 AM by Ruthel D Dumas/NFCSD

Created: 02/28/2012 11:30 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1510

Status ★ACTIVE

Adopted ★ 06/21/2012

Last review date ★ 06/21/2012

Next review date ★



Title **REGULAR BOARD MEETINGS AND RULES (QUORUM AND PARLIAMENTARY PROCEDURE)**

Policy All Board of Education 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 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.

If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, identify the locations for the meeting, and state that the public has the right to attend the meeting at any of the locations.

Regular meetings of the Board of Education of Niagara Falls City School District 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 regular meeting. Such notice, in writing, shall include an agenda and the time of the 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.

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.

The Board of Education reserves the right to enter into executive session as specified in Policy #1540 -- Executive Sessions.

Quorum

The quorum for any meeting of the Board shall be five (5) 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.

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(d) and 107

NOTE: Refer also to Policies #1520 -- Special Meetings of the Board of Education

#1540 -- Executive Sessions
#5410 -- Purchasing
#6211 -- Employment of Relatives of Board of Education Members
#8340 --
Textbooks/Workbooks/Calculators/Instructional Computer Hardware

Adopted: February 23, 2012
Revised: June 21, 2012

Last 5 edits: 07/17/2012 12:12 PM by Ruthel D Dumas/NFCSD
07/17/2012 12:11 PM by Ruthel D Dumas/NFCSD
07/17/2012 12:09 PM by Ruthel D Dumas/NFCSD
07/17/2012 11:47 AM by Ruthel D Dumas/NFCSD
07/17/2012 10:21 AM by Ruthel D Dumas/NFCSD
Created: 07/17/2012 10:16 AM by Ruthel D Dumas/NFCSD

Section/Classification ★1000 By-Laws

Policy Number ★1520

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

SPECIAL MEETINGS OF THE BOARD OF EDUCATION

Policy

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 Superintendent or the Board President, as the case may be, to give every member of the Board twenty-four (24) hours notice of the time, place and purpose of the meeting. All special meetings shall be held at a regular meeting place of the Board and/or in accordance with provisions of the Open Meetings Law as may be applicable.

In an emergency, the twenty-four (24) hour notice may be waived by having each Board member sign a waiver-of-notice form.

Public notice of the time and place shall be given, to the extent practicable, to the news media and shall be conspicuously posted in one (1) or more designated public locations at a reasonable time prior to the meeting.

Education Law Section 1606(3)
Public Officers Law Sections 103 and 104

NOTE:
Meetings

Refer also to Policy #1510 -- Regular Board

Adopted: 2/23/12

Section/Classification ★1000 By-Laws

Policy Number ★1530

Status ★ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

MINUTES

Policy

The minutes are a legal record of the activities of the School 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 Superintendent or his/her designee. The minutes shall be complete and accurate and stored in a minutes file. However, minutes of executive sessions need not include any matter which is not required to be made public by the Freedom of Information Law.

The minutes of each meeting of the Board of Education shall state:

- a) The type of meeting;
- b) The date, time of convening, and adjournment;
- c) Board members present and absent;
- d) Board members' arrival and departure time, if different from opening or adjournment times;
- e) All action taken by the Board, with evidence of those voting in the affirmative and the negative, and those abstaining;
- f) The nature of events that transpire, in general terms of reference.

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.

All Board minutes shall be signed by the District Clerk when approved and stored in a locked room or locked file cabinet. 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.

Minutes of Executive Sessions

Minutes shall be taken at executive sessions of any action that is taken by formal vote. The minutes shall consist of a record or summary of the final determination of such action, the date and the vote. However, such summary need not include any matter which is not required to be made public by the Freedom of Information Law (FOIL).

If action is taken by a formal vote in executive session (i.e., 3020-a action), minutes shall be available to the public within one (1) week of the date of the executive session.

Education Law Sections 2121 and 3020-a
Public Officers Law Section 106

Adopted: 2/23/12

Last 5 edits: 02/28/2012 11:57 AM by Ruthel D Dumas/NFCSD

Created: 02/28/2012 11:48 AM by Ruthel D Dumas/NFCSD

Section/Classification ★ 1000 By-Laws

Policy Number ★ 1540

Status ★ ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

EXECUTIVE SESSIONS

Policy

Upon a majority vote of its total membership, taken in an open meeting pursuant to a motion identifying the area or areas of the subject or subjects to be considered, the Board of Education 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 an Education Law Section 3020-a probable cause finding. For all other purposes, the action by formal vote shall be taken in open meeting and properly recorded in the minutes of the meeting.

- a) Matters that will imperil the public safety if disclosed;
- b) Any matter that 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 that would imperil effective law enforcement if disclosed;
- d) Discussions regarding proposed, pending or current litigation;
- e) Collective negotiations pursuant to Civil Service Law Article 14;
- f) 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) Preparation, grading or administration of examinations;
- h) 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.

Matters discussed in executive sessions must be treated as confidential; that is, never discussed outside of that executive session.

Education Law Section 3020-a
Public Officers Law Article 7

Adopted: 2/23/12

Last 5 edits:	02/28/2012 12:01 PM by Ruthel D Dumas/NFCSD
	02/28/2012 12:00 PM by Ruthel D Dumas/NFCSD
Created:	02/28/2012 11:55 AM by Ruthel D Dumas/NFCSD

Section/Classification ★ 1000 By-Laws

Policy Number ★ 1550

Status ★ ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★



Title

AGENDA

Policy

The superintendent of schools shall prepare or have prepared a statement of all matters to come before the Board of Education at any regular or special meeting and shall cause said statement to be delivered to all members of the Board prior to each meeting.

The format of the agenda shall be as follows:

- I. Call to Order
- II. Letters and Communications
 - A. Oral Communications
 - B. Written Communication
- III. Recommended Actions from the Superintendent of Schools
 - A. Routine Matters
 1. Minutes of the Regular/Special Meeting of (date of meeting)
 2. Minutes of the Executive Session of (date of meeting)
 3. Personnel Report for Instructional Staff
 4. Personnel Report for Non-instructional staff
 5. Award of Bids
 6. Treasurer's Report for (month and year)
 7. Extraclassroom Activities Fund Report for (month and year)
 8. Budget Status Report for (month and year)
 9. Budget Transfers
 10. Revenue Amendments
 11. Report from the Committee on the Handicapped
 - B. Unfinished Business
 - C. New Business
- IV. Review of Proposed Policies
- V. Information and Reports

- A. Reports and Questions from Board Members
- B. Reports from the Superintendent
- VI. Advanced Planning
 - A. Discussion of Items for Future Agenda
 - B. Future Meeting Dates
- VII. Adjournment

NOTE: Above Policy is current District policy entitled "Agenda"

Adopted: 2/23/12

Last 5 edits:	02/28/2012 12:37 PM by Ruthel D Dumas/NFCSD
	02/28/2012 12:35 PM by Ruthel D Dumas/NFCSD
	02/28/2012 12:33 PM by Ruthel D Dumas/NFCSD
	02/28/2012 12:30 PM by Ruthel D Dumas/NFCSD
	02/28/2012 12:26 PM by Ruthel D Dumas/NFCSD
Created:	02/28/2012 12:00 PM by Ruthel D Dumas/NFCSD

Section/Classification ★ 1000 By-Laws

Policy Number ★ 1620

Status ★ ACTIVE

Adopted ★ 02/23/2012

Last review date ★ 02/23/2012

Next review date ★

Title

ANNUAL ORGANIZATIONAL MEETING

Policy

The Annual Organizational Meeting of the Board of Education shall be held during the first week in July, at 4 p.m. in the afternoon or such other hour as the Board may determine, at which meeting the Board shall select a President for the ensuing year. At such meeting the Board may also select a Vice-President who shall be authorized to act for the President in case of the President's absence or inability to act during such year.

Officers

The meeting shall be called to order by the District Clerk, who shall act as a Temporary Chairperson. The Board shall proceed to the election of a President. The President shall then take the chair. The Board shall then elect a Vice President. Election shall be by a majority vote.

Oath of Office

The District Clerk shall administer the Oath of Office to the newly elected officers and new members of the Board.

Education Law Sections 1701, 1706, 1707, 1709, 2109, 2502(9) and 2504(1)

Adopted: 2/23/12

Last 5 edits: 02/28/2012 12:17 PM by Ruthel D Dumas/NFCSD

Created: 02/28/2012 12:13 PM by Ruthel D Dumas/NFCSD
