

ROCHESTER BOARD OF EDUCATION

# *Handbook*



Rochester City School District • Revised September 2017



# *Purpose*

The purpose of this handbook is to provide a useful tool for members of the Rochester Board of Education, staff, citizens and students regarding the manner by which the Board typically operates and carries out the authority delegated to it by law.

This handbook is not intended to mandate any process that is binding upon the Board unless that process is otherwise required by law. To that end, the particular laws that are applicable to the Board shall govern over the terms of this handbook.

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# *Authority & Responsibility of the Board of Education*

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## **Legal Status**

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 Legislature of the State has implemented this constitutional mandate through the creation of school districts of various types. The Rochester City School District is governed by the laws set forth for City School Districts in Article 52 of the Education Law.

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 in to 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 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 State Constitution, the New York Statutes and the regulations of the State Education Department and its Commissioner.

As a body created under the Education Law of New York State, the Board of Education of the Rochester 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, and as otherwise

directed by law the Board shall consider itself the agent responsible for establishing and appraising educational matters and activities.

### **Board Member Authority**

Members of the Board of Education have legal authority for the conduct of the school district only when acting as a body, by majority vote, in a properly convened session.

Board members acting as individuals have no authority over school affairs or school personnel. Since the Board is a corporate body, authority lies with the Board as a whole. Individual members or standing committees are not given representative authority of acting or speaking for the Board, unless the Board, through adopted policy or by majority vote, has delegated this authority to the individual member. Reports of special committees and reports of appointed representatives shall be subject to the approval of the entire Board.

Members of the Board are free to speak as individuals on issues related to school affairs, but when doing so are expected to communicate clearly that any such expression represents their own individual view and not the view of the Board.

## *Composition of the Board and Board Member Qualifications*

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A Board of Education member of the Rochester 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;
- e) Cannot be an employee of the Rochester City School District;
- f) The only member of his/her family (that is, cannot be a member of the same household) on the Board;
- g) No person shall hold at the same time the office of member of the Board of Education and any other elective office nor shall

he/she be a candidate for any other elective office at the same time

- h) He/She is a candidate for the office of member of the Rochester Board of Education;
- i) Must not have been removed from a school district office within one (1) year preceding the date of appointment or election to the Board;
- j) He/She is a qualified voter under Election Law §§5-102.

## *Student Representative*

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Except for the Annual Organizational Meeting, the Student Representative designated under the Student Advisory Board Rules and Regulations of 1997, as amended from time to time, may attend and participate in any regular business meeting, special meeting, study session, committee meeting, or other meeting required to be open to the public under Article 7 of the Public Officers Law, as amended. The Student Representative may attend but may not participate in the Annual Organizational Meeting. Participation by the Student Representative shall mean the right to address issues before the Board, the right to cast an advisory vote immediately prior to the formal vote on those issues, and the right to propose motions during committee meetings and study sessions. The Student Representative shall not formally move or second any motion.

The Student Representative may not attend any meeting not required to be open to the public, except that the Student Representative may attend meetings relating to the hiring of a Superintendent unless Legal Counsel to the District has issued a written opinion that the presence of the Student Representative could (a) jeopardize the rights or increase the obligations of the Rochester City School District or (b) require the meeting to be open to the public.

## *Elected Board Candidates and Members-Elect*

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The Board of Education of the Rochester City School District shall

consist of seven (7) members elected by the qualified voters of the School District at the annual election as prescribed by law. Each member of the Board serves for four (4) years. The terms of office of Board members shall not all expire in the same year. Board members are responsible for School District management and policy making.

The Board's practice is to use the following processes for Board member candidates:

1. Materials, except items of a confidential nature, for Board business meetings are available to candidates and the general public on the District's BoardDocs website at [www.boarddocs.com/ny/rochny/Board.nsf](http://www.boarddocs.com/ny/rochny/Board.nsf). BoardDocs is a cloud-based management system that provides a means of immediately publishing agenda items, supporting documents, minutes and policies and procedures via the internet.
2. Members-elect, including the student member-elect, receive all Board materials (excluding items of a confidential nature) that are provided to Board members and are invited to attend all meetings of the Board (except for closed sessions), but are not permitted to vote at those meetings.

## *New Board Member Orientation*

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Following the election of new members, the Board of Education officers provide for an orientation to the Board's operation and processes. Information is provided about the functions of the office of the Board of Education and the working relationships with the Superintendent and the staff of Rochester City School District. In addition, information is provided about the roles and responsibilities of Board members as well as the role and responsibilities of the Superintendent. New Board members are encouraged to attend the orientation sessions organized by the Monroe County School Boards Association (MCSBA) and the New York State School Boards Association (NYSSBA).

# *Resignation and Dismissal of Board Members*

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In the Rochester City School District, the terms of members of the Board of Education is four (4) years.

If a vacancy occurs other than by expiration of term in the office of a member of the Board of Education, such vacancy shall be filled by the President of the Board of Education by appointment of a nominee of the Board of the same political affiliation as the person who vacates the office and such nominee shall be elected by the majority vote of the Board.

If the Board shall not fill the vacancy within thirty (30) days from the date the vacancy occurred, the President of the Board shall fill the vacancy from the same political party as that of the person who vacated the office. However, if the vacancy shall occur in the office of member of the Board filled by an incumbent elected on a non-partisan or an independent basis, such vacancy shall be filled, after nomination of the President of the Board by majority vote of the remaining members of the Board.

A person appointed to fill a vacancy shall hold office to and including the thirty-first day of December next succeeding the first general election following such vacancy, at which a successor must be elected for the remainder of unexpired term, if any.

A member of the Board of Education who publicly declares that he/she will not accept or serve in the office of member of the Board, or refuses or neglects to attend three (3) successive meetings of the Board, of which he/she is duly notified, without rendering a good and valid excuse therefor to the other members of the Board, vacates the office by refusal to serve.

For cause shown, and after giving notice of the charge and opportunity of defense, the State Commissioner of Education may remove any member of the Board of Education. Willful disobedience of any lawful requirement of the Commissioner of Education, or a want of due diligence in obeying such requirement or willful violation or neglect of duty, is cause for removal.



# *Duties of Board Officers*

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## **President**

Unless another Board member has been designated by the Board at the beginning of any meeting, the President of the Board shall preside at meetings of the Board; shall sign documents authorized by the Board and requiring the President's signature; and shall enforce these rules and regulations governing the Board.

The President or his or her designate shall serve as the Board's official liaison to the Mayor, the President of the City Council, and the heads of other governmental bodies unless the Board has chosen another Board member to act as liaison.

The President shall provide all the members of the Board (including the Superintendent) copies of all correspondence received and sent by the President relating to the work of the Board and shall provide all members of the Board oral or written reports of all dealings with other elected officials.

When making public statements, either oral or written, on behalf of the Board, the President shall represent the position of the Board. Written public statements by the President shall be submitted to the Board in advance for review and approval by a majority of the Board.

The President shall appoint members of Standing Committees and Special Committees of the Board with the advice and consent of the Board, and representatives to organizations of which the Board is a member and for which Board representation is desirable or required. The President shall appoint a Board member mentor for the Student Representative.

The President shall convene the first meeting of each Board committee and shall preside over the committee until a chairperson is elected.

The President shall meet on a regular basis at mutually convenient times, with Board committee chairpersons and in consultation with the Superintendent to develop the work plan and to review progress of the work of each committee.

The President shall meet with the Superintendent on a regular basis at mutually convenient times to discuss and coordinate the presentation of resolutions for consideration by the Board at business meetings, and to review the implementation of Board directives and policies. The Board may designate other Board members to meet with the President and Superintendent on a regular basis. Minutes of the bi-monthly planning meetings with the Superintendent shall be provided to all members of the Board.

### **Vice President**

The Vice President shall act as President in the absence of the President, and shall serve as President if the office of President is vacated by the elected incumbent prior to the end of his or her term. If the office of the President or Vice President is vacated, the Board shall elect a new President for the balance of the term at a meeting held in accordance with the procedures set forth in Board Bylaws, Policy No. 2300, within thirty (30) calendar days of the effective date of the vacatur. The Vice President shall as the Chairperson of the Board Governance and Development Committee of the Board.

### **District Clerk**

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:

- Attends all meetings of the Board and keeps a record of its proceedings and records, by name, those in attendance;
- 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;
- Sends notices of special meetings to members of the Board; contacts and communicates with members as required;
- Sees that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;
- Maintains an up-to-date record of Board policies and by-laws;
- Delivers to, and collects from, the President (or Vice President) such papers for signature as may be necessary;

- 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;
- Administers oaths of office, as required by Public Officers Law Section 10;
- Gives written notice of appointment to persons appointed as inspectors of election;
- Calls all meetings to order in the absence of the President and Vice President;
- 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.

## *Campaign Finance*

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New York Education Law requires that school board candidates file campaign expenditure and contribution statements. State law (§§ 1528-1531) provides that if a school board candidate's campaign expenditures exceed \$500, the candidate must file a sworn statement with both the district clerk and the commissioner of education itemizing their expenditures and contributions received. If personal expenditures and contributions received are less than \$500 each, then only a sworn statement filed with the District Clerk stating that expenditures and contributions did not exceed \$500 each is required.

Further information and necessary forms on campaign finance reporting requirements for the primary and general elections are available on the District's website.

To file the necessary statements, complete and print the applicable statements and submit the completed statements to the clerk in one of two ways:

- Via email at: [board.of.education@rcsdk12.org](mailto:board.of.education@rcsdk12.org)
- Via mail at: District Clerk

Rochester Board of Education  
131 W. Broad Street  
Rochester, NY 14614

## *Overview of Board Meetings*

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All meetings of the Board of Education are open to the public, except for the portions of meetings that qualify as executive session (see below). The schedule of Board meetings (including Committee meetings) is posted on the home page of the District website at: [www.rcsdk12.org/calendar](http://www.rcsdk12.org/calendar). Board meetings (including Committee meetings) are typically held in the third-floor conference room of the Central Office Building. Meetings can only be held if a majority of Board members (or Committee members) are present. For Board meetings, a quorum of the Board or four (4) Board members must be present. For Committee meetings, a quorum of the Committee or two (2) committee members must be present.

### **Preparation of Meeting Materials**

Before every Business Meeting, packets of Board agenda materials are prepared for Board members and key staff. Board packet materials are not released to the public until Board members have received them. Board meeting packets are normally available on BoardDocs on the Fridays prior to regular Board meetings. Complex items which require extensive study should be distributed to Board members in advance of the regular distribution of Board materials to allow sufficient time for review and Board consideration.

### **Open Meetings Law**

All meetings and executive sessions of the Board, and all meetings of Standing Committees of the Board, shall be conducted in accordance with the provisions of the State Open Meetings Law (Public Officers Law Article 7), including the Law's requirements with respect to public notice and minutes.

### **Annual Organization Meeting**

On the first business day in January of each year, the Board shall hold its Annual Organizational Meeting, at which it shall select a president and vice president for a one-year term. The District Clerk shall serve as chairperson of the organizational meeting. All mem-

bers of the Board shall be eligible for election as president and vice president. The chairperson shall request nominations, which need not be seconded. When nominations are closed, the chairperson shall conduct a roll call vote. At the completion of each roll call vote, the chairperson shall announce the result(s). Voting shall continue until one nominee obtains four or more votes.

### **Regular Business Meetings**

Regular Business Meetings of the Board shall be held on the fourth Thursday of each month, or at such other day as the Board may select in its discretion, to commence at 6:30 p.m. When such Thursday falls on a legal holiday, such meeting shall be held on a date and at a time designated by the Board. Regular meetings shall be called in the manner and upon such notice as prescribed by subdivision one of Section 104 of the Public Officers Law.

### **Special Meetings and Board Study Sessions**

A Special Meeting of the Board or a Board Study Session may be called at the discretion of the President or upon request of a majority of the members of the Board. A Special Meeting or a Board Study Session shall be called solely for consideration of one or more purposes specified in the call of the meeting. A Special Meeting or a Board Study Session shall be called in the manner and upon such notice as prescribed by subdivisions one and two of Section 104 of the Public Officers Law. Notice to members of the Board shall be by email, telephone or personal delivery. A Special Meeting or a Board Study Session shall be held at a time and place that is reasonable under the circumstances prompting call of the meeting. Special Meetings and Board Study Sessions shall be open to the public. Individuals may address the Board at Special Meetings under the rules set forth in "Order of Business" of these By-Laws, except that no speaker may address an issue not specified in the call of the meeting. Individuals may not address the Board at study sessions.

### **Committee Meetings**

The following Committees shall be Standing Committees of the Board of Education:

- Audit
- Board Governance and Development
- Community and Intergovernmental Relations

- Excellence in Student Achievement
- Finance and Resource Allocation
- Policy Development and Review

Each Standing Committee shall number three (3) members of the Board, and a majority of its members shall constitute a quorum.

Promptly after the Annual Organizational Meeting of the Board, members will submit to the President, in writing, their preferences for Standing Committee assignments.

The President shall appoint members of Standing Committees with the advice and consent of the Board as soon as practicable after the Annual Organizational Meeting, but in no event later than February 1 thereafter.

Each Standing Committee shall meet at the call of its Chairperson or a majority of the members at a time and place to be designated in the call of the meeting.

### **Board Advisory Bodies**

The Board of Education recognizes that it can beneficially use the talents, resources, and interests available in the broader community to assist in developing the programs needed for the maintenance of a quality educational program in the schools of the district. To that end, the Board shall, at its discretion and in accordance with any applicable State law and regulation, appoint advisory bodies to advise and recommend courses of action to the Board for its consideration in resolving issues of significant impact.

These advisory bodies shall be appointed and discharged by official Board resolutions that shall state specifically the scope of the work. Appointments shall be made on the basis of interest, experience, expertise, and concern. No one shall be appointed as a representative of a specific area or group of areas, unless it is the express purpose of the Board to have all areas of the community represented. In this case, the Board will, at its discretion, appoint representative members of every such group or area.

The recommendations of advisory bodies will be made to the Board

and Superintendent prior to public release. Publicity or the release of information concerning committee findings shall be the responsibility and the prerogative of the Board. Final reports shall be delivered to the Board at a meeting scheduled by the Board to receive the report.

The Board may accept, reject, or return recommendations for further study. Any action stemming from the reports are the responsibility of the Board. Advisory bodies shall be discontinued upon completion of their assignment(s), and receive appropriate recognition or acknowledgment of services.

### **Public Hearings or Legally Required Meetings**

The Board of Education shall schedule public hearings in accordance with the law and on occasions when it wishes to gather information and seek opinions on important issues affecting the school district. The Board shall take no formal action at a public hearing.

The time and place of the hearings shall be designated in the notice of the hearing. All interested persons or their representatives shall have an opportunity to present facts, views, or arguments relative to ideas or proposals under consideration.

At the beginning of each hearing the Board may present information on the topic of the hearing. Speakers shall be required to give their name and address. Non-residents do not have the privilege of speaking at public hearings except when permission is granted by the chair.

Speakers at public meetings, generally, will be limited to three minutes for their presentation. However, this time limit may be adjusted by the chair if the size of the audience or the number of requests to speak is small and an increase in the time would not unduly extend the length of the hearing. Any adjustment in time shall apply to all speakers from the audience.

Any speaker who is out of order may be cautioned by the chair. If such remarks or behavior persists, the speaker's privilege to address the Board may be terminated.

## **Executive Sessions**

The Board may meet in executive session, at which only members of the Board, key staff members invited by the Superintendent, and such other individuals as the Board may choose may be present, during regular or special meetings upon the affirmative vote of four (4) or more members in favor of a motion to so meet, which also identifies the general area or areas of the subject or subjects to be considered.

## **Abstention**

No Board member shall abstain from voting on, or leave a meeting in order to avoid voting on, a resolution or motion unless to vote would, in the opinion of the Board member, violate the Rochester City School District Code of Ethics. Any member who wishes to abstain from voting shall make a brief statement of the reasons for abstaining when it is his or her turn to vote.

## **Quorum and Voting**

No official business shall be transacted at a meeting without a quorum, which requires four (4) of the seven (7) members of the Board to be present. A Board member may participate, vote, and otherwise transact business in the annual organizational, regular or special meetings of the Board using videoconferencing pursuant to Board policy 2350. Participation through the use of videoconferencing shall constitute presence for purposes of establishing a quorum.

An affirmative vote of four (4) or more members of the Board is required to enact any resolution. A majority of those members present (assuming a quorum) is required to adopt any parliamentary motion. Voting shall be by voice vote unless a roll call vote is mandated by law or requested by a member of the Board.

## **Place of Meetings**

All organization and business meetings of the Board shall be held at the official headquarters of the Board of Education, unless another place is designated by the Board in advance of the meeting. All reasonable efforts shall be made to ensure that any alternate place chosen for a meeting is equipped to permit barrier-free physical access to the physically handicapped.



## **Rules of Order for All Board Meetings**

Except for executive sessions, a Board member may speak on a topic under consideration when recognized by the Board President (or presiding officer). On each occasion in which the Board member is recognized, the Board member may speak for up to five minutes, unless a time extension is granted by the Board President (or presiding officer). A Board member may be recognized by the Board President (or presiding officer) any number of times to speak on a topic under consideration, after other Board members have had an opportunity to speak on the topic.

The rules contained in “Robert’s Rules of Order, Newly Revised” 10th Edition (2000) or a more recently published version, shall govern the Board in all parliamentary procedure, except where these By-Laws apply. The General Counsel to the Rochester Board of Education shall be the Board’s parliamentarian. The parliamentarian shall rule on all questions about the interpretation of these By-Laws and on all interpretations of Robert’s Rules of Order. The rulings of the parliamentarian shall be final.

## **Order of Business**

Unless another order of business has been established by the President or by a majority of the members of the Board for a specific meeting by notice given to each Board member at least seventy-two (72) hours prior to the Board meeting, the order of business for each Business meeting shall be as set forth below: Written materials to be considered by the Board at a regular business meeting shall be delivered to each Board member no later than forty-eight (48) hours prior to the meeting.

- I. Act of Reverence and Pledge of Allegiance to the Flag
- II. Acceptance of Minutes of previous meeting
- III. Speakers Addressing an Agenda Item and all Student Speakers
- IV. Speakers on other than Agenda Items
- V. A written report from Superintendent of Schools as well as brief oral summaries, if any, of the report
- VI. Reception of written Board Activity Reports, written Standing Committee Reports and written Reports of the Student Representative as well as brief oral summaries, if any of the reports.

- VII. Consideration of Resolutions
- VIII. Unfinished Business from previous meetings
- IX. New Business
- X. Adjournment

### **General Rules Applicable to Speakers**

Subject to the limitations contained in this section, individuals who have registered to speak by noon of the day of a business meeting may address the Board of Education. No speaker who has not registered may address the Board. No individual may speak on behalf of a registered speaker. Each registered speaker may address the Board for up to three (3) minutes regardless of the number of speakers.

Speakers who wish to register shall contact the Office of the Board of Education and shall furnish their names, addresses and affiliations, if any, with the Rochester City School District, as well as the topic on which they propose to speak. At the time of registration, the speaker shall be informed whether his or her topic relates to a resolution or other items on the agenda. Speakers whose topics relate to resolutions or other items on the agenda shall be “Speakers Addressing an Agenda Item”. Speakers whose topics do not relate to an agenda item shall be “Speakers on Unrelated Topics”. However, all Students wishing to address the Board shall be heard as “Speakers Addressing an Agenda Item” regardless of their topic to allow for greater participation by our students. Speakers shall be heard in the following order:

- a) Students
- b) Parents
- c) Community
- d) Staff

Within each speaking group, speakers shall be heard in order of their registration. The total time for all speakers in any Business Meeting shall not exceed sixty (60) minutes. The time limit will be strictly enforced by the President. Speakers who are unable to address the Board by reason of the time limit shall be heard at the next Business meeting of the Board.

## **Protocols for Absentee Participation**

The Board of Education recognizes that physical presence at Board of Education meetings is the best means for Board members to engage and collaborate with one another and the Rochester community. However, there are occasions when Board members cannot physically attend meetings of the Board, and advances in technology and the law now permit public entities to conduct meetings through the use of videoconferencing. As such, the Board adopted Videoconferencing Policy No. 2350 regarding the use of such technology at certain of its public meetings.

In the event that a member of the Board is unable to attend an Annual Organizational, Business, or Special Meeting, or Committee meeting of the whole, the Board member may request the opportunity to participate, vote, and otherwise transact all business by videoconferencing (including “Skype,” “FaceTime,” or any similar two-way video and audio transmission) at such meeting in the same manner as if the Board member were physically present at the meeting. Videoconferencing may be used when the Board member is unable to attend due to matters of personal or family health, death of a friend or relative, business travel out of town, or other exigent circumstance.

Except when authorized by the President of the Board, no more than one Board member may participate by videoconference at any meeting, and videoconferencing shall be available to Board members on a first-come, first-served basis upon notice to the District Clerk. It is strongly recommended that the Board member requesting participation by videoconference provide notice at least twenty-four (24) hours in advance of the meeting in order for appropriate arrangements to be made to facilitate and coordinate transmission.

## *Record of Board Meetings*

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The Board of Education maintains records of meetings as follows:

1. Records of the Board’s Business Meetings and Public Hearings are retained in the Board Office and on the District’s website. All Board Business Meetings are televised and are

available online via webcast.

2. Minutes of closed sessions include a list of each item considered, the action taken, and each recorded vote.
3. Recordings and minutes of meetings open to the public are available as a matter of public record on the Board's website, as well as in the Board Office.
4. If requested, specific action items may be transcribed on a case-by-case basis. The effects of transcribing action items on a case-by-case basis will be reviewed and evaluated after a year.

## *Public Participation*

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The members of the Board of Education desire to hear the views and have the advice of interested citizens. To help ensure effective public participation in the decision-making process, the Board does the following:

1. Advertises the agenda and supporting documents on the school system's website no later than the Friday before the business meeting.
2. Involves citizens and students on advisory committees.
3. Holds public hearings on the strategic plan, the operating and capital budgets, and issues of wide public interest.
4. Provides time at its business meetings for the public to comment on educational issues and other matters before the Board.
5. Encourages citizens to communicate with Board members by publishing public telephone numbers, mailing addresses, and e-mail addresses.
6. Widely circulates proposed policies for comment.

# *Policy Development and Adoption*

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The Board of Education recognizes that the adoption of written policies constitutes the basic method by which the Board exercises its leadership in the operation of the district. Policies may be proposed for adoption, change, or repeal at any regular or special Board meeting, by any member of the school community. The Board delegates to the Superintendent the responsibility and authority to establish any and all rules, regulations, and/or procedures necessary to implement and maintain its policies.

Accordingly, the Superintendent is directed to initiate a program of Board policy revision to include the following items:

1. Periodic review and evaluation of all current Board policy, pursuant to policy 2460, Policy Review and Evaluation;
2. Preparation of additional policies as needed;
3. Consultation with district staff and community members on an advisory basis; and
4. Presentation of a proposed policy in draft form to the Board for consideration prior to action.

Since policies often affect the students, employees and/or citizens of the district, the Board shall make a continuing effort to try to involve as many relevant groups as reasonable during policy development. To ensure these groups a reasonable opportunity to advise the Board of their reactions to and feelings about proposed policies, no official Board vote shall take place on a policy adoption, change, or repeal at the meeting during which it is first presented to the Board for consideration, unless a majority of the Board determines that it is necessary to do otherwise.

To adopt, change, or repeal a policy requires a majority vote of the entire Board. Such vote will be taken within four weeks after the initial proposal.

Rules and regulations are subject to modification by Board action at any meeting. The initiative for change normally comes from the Superintendent.

To permit time for study of all new policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments may be presented as an agenda item to the Board in the following sequence:

1. *Information item* - distribution with agenda (this may be an announcement that a policy is being developed in a particular area and that interested persons may submit suggestions)
2. *Discussion item* - first reading of proposed a policy or policies; response from Superintendent; report from any Board or advisory committee assigned responsibility in the area; Board discussion and directions for any redrafting
3. *Action item* - discussion, adoption, or rejection, four weeks following the initial proposal

The formal adoption of policies shall be recorded in Board minutes. Only those written statements so adopted and so recorded shall be regarded as official Board policy. Every Board and staff member shall have access to the Board Policy Manual which is available on the District's website.

## *Budget and Capital Improvement Program Process*

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Two major issues that come before the Board of Education each year are the operating budget and the long-range educational facilities plan, which includes action on the capital budget.

The operating budget includes salaries, contractual services, supplies and materials, furniture and equipment, and other funds necessary for the daily operation of the school system. The operating budget is developed under the direction of the Superintendent, who receives a wide range of input. The Superintendent recommends the budget's adoption to the members of the Board. The Board holds several work sessions and public hearings prior to adoption of the budget to secure additional information on the recommendations of the Superintendent.

The date for submission of the operating budget to the Rochester City Council is established by Rochester's City Council. The budget must be submitted to the city thirty-three (33) days in advance of adoption by City Council.

The capital budget, as detailed in the Capital Improvement Program plan document, includes construction and planning funds for new facilities, modernizations and renovations, furniture and equipment associated with these projects, and Districtwide maintenance efforts. Facilities issues include building utilization, educational program capacity, enrollment projections, boundary changes, and school closings/consolidation. The Board adopts a multi-year Capital Improvement Program plan annually.

## *Appeals of Long-term Suspensions*

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An appeal of the Superintendent's decision regarding a long-term suspension may be made to the Board of Education. The Board will make its decision based solely upon the record before it. All appeals to the Board must be made in writing and submitted to the District Clerk within 20 business days of the date of the Superintendent's decision, unless the parents can show that extraordinary circumstances precluded them from doing so.

Generally, appeals will be determined in less than 15 school days. The Board will render the Suspension Appeal Decision in writing. When the Board of Education hears an appeal, they may only review the written documents submitted by the parents and the District, as well as the electronic record of the hearing. The Board may adopt in whole or in part, the decision of the Superintendent. Final decisions of the Board may be appealed to the Commissioner of Education within 30 days of the decision.

## *Staff to the Board of Education*

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### **Office of the Board's Administration**

Acting under the supervision of the District Clerk and Senior Executive Assistant to the Board, the Board of Education's administrative staff shall provide general support to the Board of Education and its

members to facilitate the discharge of their statutory responsibilities and coordinate with the Superintendent. Specifically, the Board Office:

- Responds to requests from members of the Board of Education, the Superintendent, staff, public, and other governmental agencies for information on past or pending Board business;
- Provides legislative and intergovernmental information and support, including representation of the Board of Education's interests before appropriate legislative bodies;
- Provides research assistance and analysis to members of the Board of Education;
- Provides assistance and support to the Board in the selection of a Superintendent;
- Keeps official records of Board of Education business and attends all Board of Education meetings when permitted;
- Provides staff support, minutes, and follow-ups to Board of Education committees;
- Coordinates the process of recruitment of nominations for appointment to Board of Education advisory committees;
- Directs all appeal matters before the Board of Education, in consultation with legal counsel to the Board;
- Carries out the responsibility of the administration of the office of the members of the Board of Education, which includes various logistical and administrative functions such as those related to correspondence, scheduling, general staff support, ethics panel matters, financial disclosure process, travel expenses, use of technology, and Board member orientation;
- Provides timely reports on meetings attended by Board staff and reports and analysis on Board functions such as ombudsman activities, ethics work, legislative work and development of a legislative platform, and appeals; and
- Attends meetings of public committees and other school-community organizations at the direction of the Board, in the capacity of an observer.



## **Office of the Auditor General**

The Office of the Auditor General conducts financial and performance audits to provide independent and reliable information to the Board of Education. The audits provide valuable recommendations to help improve District operations, enhance program controls, and provide services efficiently. Under the direction of the Auditor General, staff of this office are responsible for:

- Assisting the Board in fulfilling its oversight responsibilities for audit, internal control, financial reporting and compliance;
- Performing an annual risk assessment;
- Preparing an audit work plan for Board approval;
- Executing the approved audit plan;
- Performing special project and investigations, as needed;
- Communicating key audit findings, recommendations, and corrective actions to the Audit committee; and
- Determining compliance with recommendations of the Office of Auditor General.

## **Office of the Claims Auditor**

The Claims Auditor is responsible for ensuring that only legitimate claims against the District are paid. In general, the Claims Auditor must ensure that proper documentation and itemization are provided, the payment is for a legal purpose, and the transaction was properly authorized prior to approving the voucher or invoice for payment. In accordance with Section 2554.2(a) of the NYS Education Law, the Claims Auditor has the sole responsibility for audit and approval of all claims submitted to the District (except for contracted wages and debt service). The Office of the Claims Auditor works independent of all other business functions of the District and reports directly to the elected members of the Board of Education. In doing so, staff of this office are responsible for:

- Preparing a schedule of claims that includes the name of claimant, the amount allowed, and the fund function and object account codes to be charged;
- Determining the validity and legality of the proposed payment;
- Verifying charges, assuring that no other payments have been made;

- Reviewing and verifying that the claims voucher and purchase order are in agreement (if used for the claim);
- Assuring receipt of goods/services in accordance with the original request;
- Calculating for accuracy, any and all applicable price discounts;
- Checking on State sales tax;
- Verifying that requests and claims for goods, services, personnel travel and attendance at intended destinations (conferences/conventions, etc.) were approved by proper authority and that claims are properly documented;
- Reviewing for accuracy all mathematical computations on claims;
- Performing any and all other duties as required by the Board.

## *Board of Education Correspondence*

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Incoming correspondence is distributed to members of the Board of Education as addressed, and appropriate staff. Individual Board members have the option of responding directly to correspondence addressed to the Board or the individual member; however, that correspondence must clearly reflect that the views expressed therein are those of the individual member and not necessarily those of the entire Board. Board Office staff can prepare responses for the signature of the Board President and/or individual Board members.

Board members and staff are expected to maintain the confidentiality of internal and external memoranda.

## *Association Memberships*

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The Board of Education maintains membership in local, state and national school board associations, as well as other advocacy organizations. The Board determines which, if any, local, state and/or national affiliations it wishes to add or maintain. Current organizational memberships include the Monroe County School Boards Association, New York State School Boards Association, Conference of Big Five School District, Council of the Great City Schools, and the National School Boards Association.

# *Board Member Compensation and Expense Standards*

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The annual compensation of members of the Board of Education is set to an amount equal to seventy-five percent (75%) of the salary amount set by the City Charter for members of the City Council per Resolution No. 2005-06: 420. For the 2017-18 fiscal year, the Board President will receive an annual compensation of \$33,745 and Board members will receive an annual compensation of \$26,245.

All Board members traveling on official business must exercise due care and prudence in incurring expenses. The expenses directly related to Board business for which a Board member may be reimbursed are as follows:

1. Automobile mileage (except for attendance at Board Business, Special, and Committee Meetings, Hearings, Work Sessions, and Retreats) for travel related to Board business or their responsibilities as Board members.
2. Parking, tolls, taxis, rail, bus, or air fare at a reasonable coach class rate.
3. Transportation, meals, registration fees, and incidental expenses or nonlocal travel to meetings and conferences. All Board members are encouraged to attend conferences sponsored by the Monroe County School Boards Association, New York State School Boards Association, Conference of Big Five School District, and the National School Boards Association as part of their professional development.
4. All expenditures must be clearly documented with an original itemized receipt. All restaurant receipts should be annotated with the names of the meeting participants and purpose of the meeting.
5. Board members may not be reimbursed for the purchase of alcohol or cigarettes. No travel expenses will be paid or reimbursed for spouses and/or family members who accompany Board members.

Board members will be provided with computer equipment. If equipment is purchased by the Rochester City School District for the use of a Board member, that equipment is the property of the District and reverts to the District at the conclusion of the Board member's term of office.



Rochester City School District  
131 West Broad Street  
Rochester, NY 14614

[www.rcsdk12.org/BOE](http://www.rcsdk12.org/BOE)