

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK

REGULAR MEETING

BOARD OF EDUCATION
BOARD ROOM - ADMINISTRATION BUILDING

TUESDAY – SEPTEMBER 13, 2016

AGENDA

The order of business at all regular meetings shall be as follows:

1. Call to order by presiding officer
 2. Pledge of Allegiance to the Flag
[6:00 P.M. - Meeting Convenes Followed by Student Presentation and/or Executive Session]

[7:00 P.M. - Public Session Resumes Beginning with Item #3]
 3. Approval of minutes of previous meeting(s):
Regular Meeting: August 23, 2016
Special Meeting: August 31, 2016
 4. Statement of the Board and/or Superintendent
 5. Statement of West Babylon Teachers' Association Representatives
 6. Statement of School Administrators' Association Representatives
 7. Statement of C.S.E.A. Representatives
 8. Statement of Student Association Representatives
 9. Statement of PTA Council Representatives
 10. Statement of Residents re: agenda items [15 minutes-limited to 3 minutes per speaker]*
 11. Report of the Superintendent and/or Educational Presentation
 12. Business Agenda [****Consent Agenda Items**]
- A. BOARD OF EDUCATION**
 - ** (R) Authorization for the Board of Education President and the Superintendent of Schools to Sign an Employment Agreement with the Curriculum Specialist (Res. #BE-1)
 - B. PERSONNEL**
 - ** (R) 16-P-5 Professional Personnel
 - ** (R) 16-C-5 Civil Service Personnel (Res. #PE-1)
 - C. FINANCE**
 - ** (R) Acceptance of Donation (Res. #FI-1)
 - D. FACILITIES**
 - ** (R) Acceptance of Donation (Res. #FA-1)

13. Policy Review:
 - A. Board Review: Annual District Election and Budget Vote (First Time Reading) (File:1050)
 - B. Board Review: Homeless Children (Third Time Adoption) (File:5151)
 - C. Board Review: Board Operational Goals (Review) (File:2000)
 - D. Board Review: School Board Legal Status (Review) (File:2100)
 - E. Board Review: Candidates and Campaigning (Review) (File:2120.1)
 - F. Board Review: Voting Procedures (Review) (File:2120.2)
 - G. Board Review: Filling Board Vacancies (Review) (File:2150)
14. Board of Education Committee Reports
15. Old Business
16. New Business
17. Follow-Up to Residents' Statements
18. Statements of Residents re: other district items [15 minutes-limited to 3 minutes per speaker]*
19. Adjournment [This should take place by 10:00 P.M.]

*Per Board Policy 1230: The Board of Education encourages participation of residents at open Board meetings. The President of the Board shall ask for brief statements from residents and set a time limit (three minutes per resident) on such statements. To allow for public participation, a period not to exceed 15 minutes shall be set aside during the first and last part of each Board meeting. The President shall be responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion and the appropriateness of the subject being presented. The President shall have the right to discontinue any presentation which violates this policy. Residents wishing to speak should identify themselves, their address, any organization they may be representing at the meeting, and the topic they wish to discuss. Statements during the first part of the meeting will relate to agenda items. Statements during the second part of the meeting will relate to other district matters.

Follow-Up to Residents' Unanswered Questions

Date	Residents' Questions	Responses
August 23, 2016	A Forest Avenue parent raised a question regarding the change to the walking procedures for students entering the back entrance of the school.	Dr. Farrelly looked into the matter. There will be no change to the walking procedures at Forest Avenue School.
August 2, 2016	-----	-----
July 5, 2016	-----	-----

WEST BABYLON UNION FREE SCHOOL DISTRICT
WEST BABYLON, NEW YORK

REGULAR MEETING
BOARD OF EDUCATION

BOARD ROOM - ADMINISTRATION BUILDING

TUESDAY – SEPTEMBER 13, 2016

RESOLUTIONS

BOARD OF EDUCATION

***BE-1

RESOLVED: that the West Babylon Board of Education authorizes the Board President and the Superintendent of Schools to sign an Employment Agreement, with Ms. Theresa Taplin, Curriculum Specialist, commencing on or before October 5, 2016 through June 30, 2019.

PERSONNEL

**#PE-1

RESOLVED: that the following schedules, as attached, are approved:

<u>16-P-5</u>	Professional Personnel
<u>16-C-5</u>	Civil Service Personnel

FINANCE

****#FI-1**

RESOLVED: that the West Babylon Board of Education gratefully accepts a donation, in the amount of \$90,000.00, from the estate of Colonel Marjorie A. Ferrandino-Class of 1960. The scholarship will be named as follows to honor Colonel Ferrandino and her mother, Mary (Magri) Ferrandino:

“The Colonel Marjorie A. Ferrandino and Mary (Magri) Ferrandino Scholarship Fund”

FACILITIES

**#FA-1

RESOLVED: that the West Babylon Board of Education accepts the following donation from Mr. William Doran, Art & Music K-8 Chairperson:

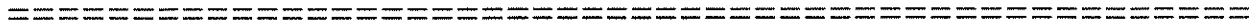
1 (one) Samsung LED TV
Model #UN40H50003A
Serial #03803C4H700258

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - TUESDAY - SEPTEMBER 13, 2016

PERSONNEL

(R) Schedules: 16-P-5 Professional Personnel
 16-C-5 Civil Service Personnel (**#PE-1)



PROFESSIONAL PERSONNEL SCHEDULE

I. Professional Personnel Schedule 16-P-5

- A. Family Medical Leave
- B. Leave of Absence Request
- C. Tenure Recommendation
- D. Probationary Appointment
- E. 2016-2017 Elementary Club & Advisor
- F. Chairperson Stipend Adjustment
- G. Fall, 2016-2017 Coaching
- H. Fall, 2016 Student Teacher/Observer/Intern
- I. 2016-2017 Per Diem Substitutes

CIVIL SERVICE PERSONNEL SCHEDULE

II. Civil Service Personnel Schedule 16-C-5

- A. Retirement
- B. Prior Service Credit
- C. Probationary Appointments
- D. 2016-2017 Per Diem Substitutes

SCHEDULE 16-P-5 Professional Personnel Schedule

Date of Meeting: September 13, 2016

Page 1 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Jonasson, Christopher	Social Studies Tchr.	HS/JH		9/6/16 -	Family Medical Leave
Payne, Scott	Principal	JH		10/6/16 - 10/6/17	Leave of Absence

Upon the recommendation of the Superintendent of Schools, the following professional personnel who has successfully completed her annual review is appointed to tenure as listed below:

Muzio, Christine	Special Education Teacher			12/11/16	Tenure
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Pursuant to NYSED Regulations, Section 3012-c and/or 3012-d of the Education Law, all teaching and supervisory staff appointed on or after July 1, 2015 must receive three (3) annual APPR composite ratings of Effective or Highly Effective in at least three (3) of the preceding four (4) years and cannot have an APPR composite rating of Ineffective in the last year of his/her probationary appointment to be granted or considered for tenure. Expected date of tenure 10/14/20. This applies to the following teacher:

Napolitano, Cody	Foreign Language Tchr.	HS/JH	Step A-1-1/ \$48,759. (prorate)	10/14/16, or sooner	Probationary Appt. [cert: Spanish 7-12]
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SCHEDULE 16-P-5 Professional Personnel Schedule

Date of Meeting: September 13, 2016

Page 2 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
<u>Elementary Club & Advisor:</u>					
Christiansen, Debra	Technology Advisor	TA	\$1,476.	2016 - 2017	[repl. L. Granieri]
<u>Chairperson:</u>					
Granieri, Lisa	6-8 ELA	JH	\$5,230.	2016-2017	[from \$4,721.]
<u>Coach:</u>					
Kleeman, Ellen	JV Head	Volleyball (G)	\$5,189.	Fall, 2016 - 2017	
<u>Student Teacher/Observer/Intern:</u>					
Hearney, Joanna	Special Ed/Elem.	SA		2016-2017 Fall, 2016	
<u>Per Diem Substitutes:</u>					
Balducci, Laura		DW	\$110./day	2016 - 2017	[certs: Italian 7-12, Spanish 7-12]
Goldman, Lee					[2 days/week]
Pafundi, Cathleen					[cert: ELA 7-12]
Ryan, William					
<u>Per Diem Substitutes:</u>					
Klein, Brendan		JH	\$66./day	2016 - 2017	[1 day/week]
Ritacco, Joseph			\$88./day		[2 days/week]

SCHEDULE 16-C-5 Civil Service Personnel Schedule

Date of Meeting: September 13, 2016

Page 3 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Carroll, Diana	Principal Clerk	B.O.		12/30/16	Resignation to Retire [eff. 12/31/16]
Hart, James	Custodial Wrkr. I	HS	Step 2/ \$39,998. (prorate)	7/13/16	Prior Service Credit [experience verified]
Pastore, Terri	Senior Clerk Typist	JH	Step 5/ \$42,499. (prorate)	9/14/16	Probationary Appt. [C.S. Prom. List of Eligibles #16SR323]
Pastore, Terri	Clerk Typist	HS		9/14/16 -12/14/16	Leave of Absence
DiGangi, Charisse	Paraprofessional (special ed. aide)	JH	Step 1/ \$13.78/hr.	9/14/16	Probationary Appt.
Luciani, Anthony	Paraprofessional (special ed. aide)	SA	Step 1/ \$13.78/hr.	9/14/16	Probationary Appt.
*O'Connell, Christen	Paraprofessional (school monitor)	SB	Step 1/ \$13.78/hr.	9/14/16	Probationary Appt.
Colligan, Christine	Paraprofessional (special ed. aide)	SA	Step 1/ \$13.78/hr.	9/14/16	Probationary Appt.

*Emergency Conditional Appointment

SCHEDULE 16-C-5 Civil Service Personnel Schedule

Date of Meeting: September 13, 2016

Page 4 of 4 pages.

NAME	POSITION	SCHOOL/ AREA	STEP/ SALARY	BEG/END APPT.	COMMENTS
Noecker, Joan Ellen	Paraprofessional (special ed. aide)	SA	Step 1/ \$13.78/hr.	9/14/16	Probationary Appt.
Ferreri, Maria	Paraprofessional (school monitor)	FA	Step 1/ \$13.78/hr.	9/14/16	Probationary Appt.
<u>Guards:</u>			\$16.75/hr.	2016 - 2017	
*Holley, Ahmad		DW			[substitute]
*Pina, Felix		DW			[substitute]
<u>Per Diem Substitutes:</u>		DW	\$9./hr.	2016 - 2017	
Cascio Plezia, Deborah					Clerical/Paraprofessional
Morrison, Adrienne					Food Service Worker

*Emergency Conditional Appointment

WEST BABYLON UNION FREE SCHOOL DISTRICT

REGULAR MEETING - BOARD OF EDUCATION - TUESDAY - SEPTEMBER 13, 2016

POLICY

- A. Board Review-Annual District Election and Budget Vote (First Time Reading)
(File:1050)
- B. Board Review-Homeless Children (Third Time Adoption) (File:5151)
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ANNUAL DISTRICT ELECTION AND BUDGET VOTE

The district shall hold an annual meeting and election at which the district's authorized voters will elect members of the Board of Education and vote on the district budget for the coming school year. The annual district meeting and election will be held on the third Tuesday in May, unless due to a conflict with religious observance, the Board requests that the Commissioner approve changing the election date to the second Tuesday in May. The request is due to the Commissioner by March 1st. The school district shall be divided into two election districts with voting machines to be used in each district. The vote on the budget or any other proposition shall take place in accordance with law.

The [District Clerk] *School Attorney* shall publish a notice of the time and place of the annual meeting and election at least four times within the seven weeks prior to the meeting, in two newspapers having general circulation within the district. The first publication of the notice shall be at least 45 days prior to the meeting. The notice shall also contain notice of any other matter required by law.

Copies of the budget to be voted upon at the annual meeting election will be available in each district school building for district residents upon request at the time of the annual meeting and election and 14 days (other than Saturday, Sunday and holidays) as well as on the school district's website www.wbschools.org prior to the meeting.

The Board shall appoint assistant clerks and election inspectors necessary for the annual meeting and election at a Board meeting held before the annual meeting and election.

Propositions

The Board has the authority, under the Education Law, to adopt reasonable rules and regulations concerning the submission of petitions to the Board to place propositions on the ballot which may amend the budget. Pursuant to those provisions, the Board establishes the following guidelines:

1. Unless otherwise provided by the Education Law, petitions for the submission of a proposition must contain a minimum 25 signatures of qualified voters of the district or 2 percent of the eligible voters who voted in the previous annual election of the members of the Board of Education, whichever is greater.
2. Petitions must be filed with the District Clerk at least 30 days prior to the annual meeting, except for petitions relating to a proposition which must be included in the notice of the annual meeting (e.g., changing the number of board members). Such petitions must be submitted 60 days in advance of the annual meeting to facilitate the preparation and printing of the ballots.
3. Propositions must include the specific appropriations necessary for the purposes listed.
4. Wording of a petition must comply with legal requirements. If the wording does not comply, it may be changed or altered by the Board, or the Board may reject a petition for failure to comply.

Propositions received in accordance with these specifications will be placed on the ballot as amendments and will be voted upon by the voters in the same manner as the proposed budget, except that the Board shall not be required to place any proposition on the ballot which is within the exclusive province of the Board, or otherwise forbidden by law. No proposition involving the budget may be submitted to the voters more than twice.

The Board may also, on its own motion, submit propositions.

Ref: Education Law §§416(3); 1608(2); 1716(2) 1804(4); 1906(1); 2002(1); 2003(1)(2); 2004(1)-(7); 2009; 2021;2022(1), (4)-(5); 2035(2); 2601-a(2)
General Construction Law §60
Matter of Hebel, 34 EDR 319 (1994)
Matter of Martin, 32 EDR 567 (1993)
Matter of Como, 30 EDR 214 (1990)

Adoption date: 12/08/2009

Revised: 7/10/12

HOMELESS CHILDREN**5151**

The Board of Education recognizes its responsibility to identify homeless children within the district, encourage their enrollment and eliminate existing barriers to their education which may exist in district practices. The Board will provide that homeless children attending the district's schools access to the same free and appropriate public education, including preschool education, as other children.

A homeless child is a child who lacks a fixed, regular, and adequate nighttime residence or who has a primary nighttime location in a public or private shelter designed to provide temporary living accommodations, or a place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition also includes a child who shares the housing of others due to loss of housing, economic hardship, or similar reason; lives in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; lives in a car, park, public space or abandoned building, substandard housing, bus or train station or similar setting; has been abandoned in a hospital or is awaiting foster care placement; or is a migratory child who qualifies as homeless.

A homeless child has the right to attend school in either the school of origin (i.e., where he/she resided before becoming homeless or the school he/she was last enrolled), the school in the district of current location (i.e., where he/she currently resides as a result of his/her homelessness) that he/she is entitled to attend based on attendance zone or general eligibility, or a school in a district participating in a regional placement plan. Such schools include preschools. The homeless child is entitled to attend the designated school on a tuition-free basis for the duration of his/her homelessness. If the child becomes permanently housed, the child is entitled to continue attendance in the same school building until the end of the school year and for one additional year if that year constitutes the child's terminal year in such building. If a homeless child completes the final grade level in his/her school of origin, the child may also attend the designated receiving school at the next grade level.

The Superintendent of Schools shall develop procedures necessary to expedite the homeless child's access to the designated school. Such procedures shall include:

1. **Admission:** Upon designation, the district shall immediately admit the homeless child to school, even if the child is unable to produce records normally required for enrollment, such as previous academic records, medical or immunization records, proof of age or residency or other documentation and even if there is a dispute with the child's parents regarding school selection or enrollment. During a dispute, the student may continue attending the school until final resolution of the dispute, including all available appeals.

Homeless children will have the same opportunity as other children to enroll in and succeed in the district's schools. They will not be placed in separate schools or programs based on their status as homeless. The district shall eliminate barriers to identification, enrollment and retention of homeless children, including barriers to enrollment and retention due to outstanding fees, fines and absences.

2. **Transportation:** The district shall provide transportation for homeless students currently residing within the district as required by applicable law, as described in the accompanying regulation.
3. **School Records:** For homeless students attending school out of the district, the district shall, within five days of receipt of a request for records, forward a complete copy of the homeless child's records including proof of age, academic records, evaluation, immunization records and guardianship paper, if applicable. For homeless students attending school in the district, the district shall request the student's records (academic, medical, etc.) from the school the student last attended.
4. **Coordination:** The district shall coordinate with local social service agencies and other entities providing services to homeless children and their families for the provision of services to homeless children, and shall coordinate with other school districts on issues of prompt identification, transportation, transfer of records, and other inter-district activities. This shall include ensuring the provision of appropriate services to homeless students with disabilities who are eligible for service under either Section 504 or IDEA.

Information about a homeless child's living situation shall be treated as a student education record, and shall not be deemed to be directory information under FERPA (see policy 5500).

The Superintendent shall also designate a liaison for homeless children and ensure that this person is aware of his or her responsibilities under the law. The Superintendent shall ensure that the liaison receives appropriate professional development on identifying and meeting the needs of homeless students, including the definitions of terms related to homelessness. The liaison's responsibilities shall include, but not be limited to, ensuring that:

1. parents of homeless children are informed of the educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
2. parents and guardians and unaccompanied youth are fully informed of all transportation services available to them;
3. enrollment disputes involving homeless children are promptly mediated and resolved;
4. school personnel through outreach and in coordination with shelters and social service agencies and other appropriate entities identify homeless children, including homeless preschoolers;
5. homeless children receive educational services, including Head Start and preschool services to which they are eligible, as well as referrals to health care and other appropriate services for homeless children and their families;
6. public notice of the educational rights of homeless children is disseminated in locations frequented by homeless unaccompanied youth and parents/guardians of homeless children, in a manner and form understandable to them.
7. staff who provide services to homeless students receive required professional development and support for identifying and meeting the needs of homeless students;
8. homeless unaccompanied youth are informed of their rights, are enrolled in school, and have opportunities to meet the same state standards set for all students, including receiving credit for full or partial coursework earned in a prior school pursuant to Commissioner's regulations.

In accordance with law and regulation, the district will offer a prompt dispute resolution process (described in more detail in the accompanying regulation).

In accordance with Commissioner's regulations, the district shall collect and transmit to the Commissioner information necessary to assess the educational needs of homeless children within the State.

Ref: 42 USC §§11431, et seq.
School Enrollment Guidelines on the McKinney-Vento Act, 67 Fed. Reg. 10,697-10,701 (March 8, 2002)
Education Law §§207; 305; 3202; 3205; 3209
Executive Law §§532-b; 532-e
Social Services Law §§17; 62; 397
8 NYCRR §§100.2; 175.6

Adoption date: April 12, 2011

Revised: September 13, 2016

BOARD OPERATIONAL GOALS

The Board of Education, as a legally constituted body of elected representatives, bears the responsibility of setting policy for the school district. The Board acts in accordance with authority and responsibility vested in it by federal and state laws, rules, and regulations on behalf of the district's citizens.

In order to ensure that its educational programs provide all students with a high-quality education, the Board hereby establishes as its goals:

1. to work closely with the community to ensure that Board actions and performance take into consideration the concerns and aspirations of the community;
2. to identify the educational and technological needs of the community and industry, and to transform such needs into programs aimed at stimulating students and preparing them for future careers;
3. to employ a Superintendent of Schools capable of ensuring that the district maintains its position as an outstanding school system, and that school personnel carry out the policies of the Board with energy and dedication;
4. to provide leadership in order that goals and objectives of the district, as set forth by the Board, can be effectively carried out. Board action should be confined to policy-making, planning and appraisal with the Board delegating authority to the Superintendent for the implementation of policies; and
5. to evaluate the Board's performance in relation to these goals, and to establish and clarify policies based upon the results of such evaluation.

The Board shall set annual goals in addition to the aforementioned goals.

Adoption date: December 13, 2011

SCHOOL BOARD LEGAL STATUS

2100

The Board of Education is a nine-member Board elected at large by district residents. Each member of the Board serves for three 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 legal status of the Board is that of a corporate body established pursuant to the laws of New York State. Any liability of the district is a liability of the Board of Education as a corporation and not that of the members of the Board as individuals.

Members of the Board of Education have legal authority for the conduct of the district schools only when acting as a body in a properly convened session. Board members acting as individuals have no authority over personnel or school affairs.

The Board will not be bound in any way by any individual's statement or action unless the Board, through an adopted policy or by a majority vote of Board membership, has delegated this authority to the individual member.

The Board is entrusted with the responsibility of developing policies under which the district is managed. In addition, the Board has all the powers and duties stated in the Education Law and other applicable New York State law.

Complete and final authority on all district educational matters, except as restricted by law, will be vested in the Board.

Replaces former policies AA & BB

Ref:

Education Law §§1604; 1604-a; 1701; 1702; 1703; 1708; 1709; 1710;1804(1); 2101(2); 2105

Adoption date: December 13, 2011

CANDIDATES AND CAMPAIGNING

Nomination

Three Board members' terms of office expire each year. In accordance with section 2019(b) of the Education Law, the electors of the district adopted a proposition providing that in all elections, vacancies upon the Board shall not be considered separate, specific offices and that the nominating petitions shall not describe any specific vacancy upon the Board for which the candidate is nominated.

Candidates for the office of member of the Board of Education shall be nominated by petition. Such petition shall be directed to the District Clerk, and shall contain the signatures and addresses of at least 25 qualified voters of the district or two (2) percent of the number of voters who voted in the previous annual election of the members of the board, whichever is greater. Such petition must state the name and residence of the candidate. Each petition shall be filed with the District Clerk not later than thirty (30) days preceding the annual or special district meeting at which the school board election will occur, between 9:00 a.m. and 5:00 p.m. If the deadline for filing nominating petitions falls on "a Saturday, Sunday or public holiday, the filing may be performed on the next succeeding business day".

The order of names on the ballot will be determined the day after the petitions are due and the order will be determined by a drawing to be held at 9:00 am in the Administration Building. The Board may reject nominations if the candidate is ineligible or has declared an unwillingness to serve. Candidates for the Board of Education run at large, not for a particular seat.

Electioneering

Electioneering during the hours of any vote is prohibited within the polling place or within 100 feet of any such polling place. Displays or handout items of any political nature, except those provided by law, shall be prohibited by any individual, group or organization in any school building on those days when the polls are open for voting on school district matters, including, but not limited to, the annual school budget, candidates for the Board of Education, special propositions, etc.

Campaign Expenditure Statements

If a school board candidate's campaign expenditures exceed five hundred dollars (\$500), the candidate must file a sworn statement with both the District Clerk and the Commissioner of Education itemizing their expenditures and contributions received.

A candidate who spends five hundred dollars (\$500) or less is only required to file a sworn statement with the District Clerk indicating this to be the case. No other campaign expenditure statement is required. An initial statement must be filed at least 30 days before the election, a second statement must be filed on or before the fifth day preceding the election and a final statement must be filed within 20 days after the election.

Ref: Education Law §§1528-1531; 2018(a); 2019(b); 2608(a); 2013-a;
2609 (4-a)
General Construction Law §25-a(1)
Appeal of Williams, 36 EDR 270 (1996)
Appeal of Johnson, 45 EDR 320 (2005)

Adoption date: 12/08/2009

VOTING PROCEDURES

Eligibility to Vote:

A person shall be entitled to vote in any school district election and in all matters placed upon the official ballot, if such person is:

1. a citizen of the United States;
2. at least 18 years of age;
3. a resident within the school district for a period of 30 days next preceding the election at which such person desires to vote;
4. qualified to register or is registered to vote in accord with section 5-106 of the Election Law which excludes:
 - a) those convicted felons who have not been pardoned or had their rights of citizenship restored, those whose maximum sentence of imprisonment has not expired; and/or those who have not been discharged from parole;
 - b) persons adjudged mentally incompetent by a court

Challenges to voters believed unqualified to vote may be undertaken pursuant to Education Law provisions. Each annual or special election or meeting shall have a presiding chairman appointed by the Board. Such chairman shall have the responsibility of properly handling any challenges to the qualification of any voter.

Voting

Voting machines shall be used for recording the votes on all elections, budget votes, and votes on special propositions. The only exception to the use of voting machines shall be an emergency situation whereby the machines are unavailable due to a mechanical failure or state or local law prohibiting their use. If this should arise, paper ballots will be used.

Each voting machine shall have at least two election inspectors appointed by the Board in attendance during all voting hours. It shall be the duty of the District Clerk and assistant clerk or clerks to keep a poll list containing the name and legal residence of each person before such person is permitted to vote.

Entering a voting machine with another person is prohibited, except upon request from a voter, in which case an election inspector shall be allowed to enter the voting machine with that voter for the sole purpose of assisting that person in the actual manipulation of the voting machine. The election inspector shall not advise or induce such voter to vote on any proposition or candidate, and the election inspector shall never reveal the vote(s) recorded by the voter to any other person at any time.

Write-in ballot slots are required. Ballots containing the names of nominated candidates will be provided by the Board. On a paper ballot, one blank space will be provided under the name of the last candidate for each office so that voters may vote for candidates who have not been nominated for the offices to be filled at the election. There will be as many write-in slots as there are vacancies at the time of election.

The writing in of a name in the blank space so provided, will sufficiently indicate a vote. The district cannot require a voter to place any other mark beside the name of a write-in candidate.

Absentee Ballots

The Board provides for the use of absentee ballots for voting. Such ballots shall be available for the election of members of the Board of Education, the adoption of the school district budget and on questions and propositions submitted to the voters of the district. The application must be received by the District Clerk at least seven days prior to the election, if the ballot is to be mailed to the voter; or the application must be received by the day before the election, if the ballot is to be personally delivered. The application must be completed and returned, and the individual must verify therein that he/she meets all voting requirements, and explain the reason for his/her inability to appear in person to vote.

In particular, the individual must explain that he/she will be unable to appear to vote in person on the day of the school district election because:

1. he/she will be a patient in a hospital, or unable to appear personally at the polling place on such day because of illness or physical disability;
2. his/her duties, occupation, business, or studies will require him/her to be outside of the county or city of his/her residence on such day;
3. he/she will be on vacation outside the county or city of his/her residence on such day; or
4. he/she will be detained in jail awaiting action by a grand jury; awaiting trial; or is confined in prison after conviction for an offense other than a felony.

The district shall request registration lists from the Board of Elections for those voters whose registration record has been marked “permanently disabled” and shall automatically mail absentee ballots to such voters in advance of each district vote or election.

Ref: Education Law §§2012; 2014; 2018; 2018-a; 2018-b; 2018-c; 2019; 2019-a; 2020; 2025; 2032(2)(e); 2035; 2037; 2603; 2607; 2610; 2613
Election Law §§3-224; 5-106; 5-612; 5-400; 5-406
Matter of Rodriguez, 31 EDR 471 (1992)
Matter of Gresty, 31 EDR 90 (1991)
Matter of Ferro, 25 EDR 175 (1985)
Matter of Manno and Maloney, 23 EDR 172 (1983)
Matter of Yost, 21 EDR 140 (1981)
Matter of Alpert and Helmer, 20 EDR 281 (1980)
Matter of Reigler and Barton, 16 EDR 256 (1977)

Adoption date: 12/08/2009

Filling Board Vacancies

File: 2150

A vacancy on the Board of Education may be filled by any of the following methods:

1. The Board of Education has the power to fill any vacancy, by a majority vote, which may occur on the Board by reason of death, resignation, removal from office or from the school district, or refusal to serve, of any member or officer of the Board. The person so appointed in the place of any such member of the Board shall hold his/her office until the next annual election of Board members. The unexpired term of the office will then be filled by election.
2. The Board of Education may call a special district meeting, to be held within 90 days after the occurrence of the vacancy, to fill the unexpired term of the vacant position.
3. At the expiration of 90 days from the occurrence of the vacancy, the district superintendent of the supervising district in which the school district is located may appoint a competent person to fill the vacancy until the next regular school district election.

The person elected or appointed to fill a vacancy shall take office immediately upon filing his/her official oath of office with the District Clerk.

Legal References:

Education Law § 1709, 2113 (1)(2)(3)

Adopted: 12/08/2009

Legal References:

Education Law § 1709, 2113 (1)(2)(3)