

In Board Briefs, we summarize key agenda items and discussion topics from previous Board of Education meetings. Full meeting minutes are usually not available until approved by the Board at a subsequent meeting. The community is encouraged to attend each meeting, and the Board welcomes questions and comments. Previous Board Briefs can be found on the district website [here](#).

### **October 29, 2018 Board of Education Special Meeting**

After an executive session, the Pledge of Allegiance, and a moment of silence observed for the victims at Tree of Life Synagogue in Pittsburgh, the special public meeting was called to order.

The Oath of Office was administered to Ms. Tracy Frankel, who assumed the Presidency following the resignation of Board Trustee and President Dr. Michael Cohen.

The Board thanked Dr. Cohen for his service to the community and his steady, thoughtful leadership over the past 13 years.

A vote on suspending the policy on the election of Vice President at the annual meeting in July was held in order to fill the vacancy at this time.

Board President Ms. Tracy Frankel called for nominations for the Office of Vice President of the Board of Education to be held until the reorganization meeting in July 2019. Nominations were received for Mr. Rob Gershon and Mr. Christopher DiFilippo, and Mr. Rob Gershon was elected as Vice President, Syosset Central School District Board of Education. The Oath of Office was administered to Mr. Gershon.

#### *Superintendent's Report*

Dr. Rogers introduced Mr. Neil Block, an attorney and election law expert with Syosset Central School District's legal counsel, Ingerman Smith, LLP. Mr. Block provided an explanation to the community of the options a Board of Education has when faced with a vacancy on the Board:

- State Law provides for the Board to hold a special election to fill the vacancy. Due to statutory notice requirements, the first viable date for such an election would be after the new year. An elected Trustee would serve out the balance of the vacant term (until June 2020).
- State law also permits the Board to fill the position by appointing a Trustee. An appointed Trustee would serve until the next regular school Board election (May 2019).
- Should the Board choose not to exercise either of these options, the seat would remain vacant until the next regular school board election (May 2019).

#### *Audience to the Public*

Several community members voiced support for the Board not holding a special election or appointing a Trustee, but rather functioning as an eight-member Board until the next school board election to be held in May 2019. Some reasons cited were the cost of the special election, the past practice of operating with a vacancy when a Trustee has resigned, an unfair advantage to prior candidates as a result of the short timeframe of a special election and low voter turnout of an election to be held in the month of January.

Mr. Block was asked what would happen in the event of a 4 – 4 vote while the Board operates with a vacant seat. Mr. Block explained that a vote of the majority of the board membership is required to adopt a resolution. Thus, there is no difference in the number of votes needed to adopt a resolution from a 9 member Board or an 8 member Board. In both scenarios, five votes are required to pass a resolution, no matter how many members of the Board may be present. Therefore, in the case of a 4-4 tie, the vote would not pass, or if a member of the 8 person board were absent, a 4-3 vote would still not result in the adoption of a resolution.

A resident requested the District investigate improving the audio system in the auditorium for people with hearing disabilities.

### *Board Discussion*

The Board discussed each of the options related to filling the vacancy and considered the feedback received from the community. Although several members expressed reasons to seriously consider filling the vacancy in a timely fashion, the Board ultimately did not choose to pursue either option for filling the position..

Thus, the seat shall remain vacant until the election in May 2019. At that time, four positions will be available; three of which will be for three-year terms and one of which will be for the balance of the unexpired term of the vacant seat. The 4<sup>th</sup>-highest vote getter (whether or not that person is an incumbent) would assume this term and would have to stand for reelection in 2020 in order to seek to remain on the Board.