

# ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION  
BOICEVILLE, NEW YORK 12412

## REGULAR MEETING

6:00 p.m.

**TUESDAY, OCTOBER 7, 2014**

Phoenicia School

## MINUTES

### 1. Opening Items

- 1.01 Call to Order 6:00
- 1.02 Tobacco Policy Statement
- 1.03 Pledge of Allegiance
- 1.04 Roll Call

Present: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond,  
Trustee Moor, Trustee Davis

### 2. Acceptance of Minutes

- 2.01 Acceptance of Minutes

*Recommended Action:* The Board of Education hereby accepts the minutes of the  
9/23/14 BOE meeting

Motioned: Trustee Osmond

Seconded: Trustee Davis

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond,  
Trustee Moor, Trustee Davis

### 3. Welcome

- 3.01 Phoenicia Principal, Linda Sella will welcome the Board (proposed 6:05 duration 10  
min)

6:10

- Follow up on the 50<sup>th</sup> Anniversary
  - New time capsule and 2008 time capsule will be buried
  - Read 1 of many letters received about the 50<sup>th</sup> anniversary celebration
    - Linda Wells was a long standing teacher at Phoenicia and 2 of  
her former students are teachers there
  - Presented a “family” photo of the present faculty of Phoenicia under the  
50<sup>th</sup> anniversary banner to the District
- PBIS Kick Off (Positive behavior system)
  - Whole school forward thinking, proactive behavior system with a  
framework for expectations in school
- Chefs in the garden come to cook with children in the garden – whole school  
event
  - Grown to other chefs, but Devin Mills has been most often
  - Registered another family who opened another restaurant – trying to  
make connection

### 4. Presentations

- 4.01 Michael Rossi, West and Company, will present the External Audit Results (proposed  
6:15 duration 25 min- 15 present, 10 Q & A)

6:15

- Audit is due to NYS by 10/15/14
- Funds in report:
  - General fund – all activity in school district – adequate amount
  - Repair reserve – public hearing or replace in 2 years
  - Employee retirement to offset ERS expenditures
  - Unemployment Insurance District is self-insured need to pay back NYS
  - Tax certiorari – for judgments and claims for property
  - Debt reserve – offset principal interest payments on bonds
  - Post employee benefits accrual liability- offset sick or vacation time available in retirement
    - Will continue to increase need to budget each year for retirees
  - Assigned – amount of money giving back to taxpayers against the budget
    - balances the budget and amount of encumbrances
  - Unassigned: 4% of next year's budget
  - Special Aid fund – grants received – no balance because you have to expend money first and then ask for money back
  - Capital fund assigned to ongoing capital projects
  - Restricted/assigned/unassigned – allowed categories
- Revenue and Expense:
  - Large deficit of expense over revenue due to capital project
  - School lunch fund small profit with sizable money given from general fund
- Management letter will generate a corrective action plan for the Audit Committee
- District is well managed and audit shows it performs well financially

#### Discussion

- School lunch program is a very difficult to manage financially
- TRS and ERDS are going down
- Instruction accounts for 73% of expenses, which includes salaries and benefits
  - 25% of budget is benefits, much of that is retirement benefits
  - ERS and TRS and health insurance make up the bulk of instructional budget

4.02 MS/HS Library Media Specialist Amy Weisz will present the Library program for the Secondary grades (proposed 6:40 duration 25 min - 15 present, 10 Q & A)

6:45

- Jr/Sr high worked to become a Library Media center for the 21<sup>st</sup> century
- Students are learning communication, collaboration and creativity which gives a social context to learning
  - Students are content creators- they do not use or regurgitate information
- Technology is changing need to teach students to be flexible
- Process of inquiry-based learning is more than learning a computer program or doing keyboarding – uses technology as a tool – make it more content based
- Library website has information and resources available for students and staff

for homework help, research , etc.

- E-book collection
  - Can now can be downloaded to students' I-pads
  - Collection is meant for Reading for pleasure as well as informational
- Replaced VHS with DVD and video streaming for more accurate information for teachers
- Pew Research Study said that Millennials (ages 16-29) are reading more, but do not appreciate libraries – not true in Onteora

#### Discussion:

- In classes, Ms. Weisz teaches inquiry process and how to evaluate information on the web to for validity
  - Also pushes into classes to integrate into content area
- Encourages teachers to use technological choices for evaluative tools
- Offers Professional Development for teachers and specific training to students about I-pads
  - During lunch, students can come in and learn about specific tools
- Coding: there is a class at the Middle school and in the robotics class
- Students are more excited about E-books because they have an I-pad
  - Get statistics in a few months on the I-pads
  - Students who came often to the library had always wanted physical books, but now they all have I-pads so they are more willing to try them
    - Need to be cautious about E-Books for students who have not mastered reading, as skim reading is done on electronic devices
    - There are tools electronically to highlight and put notes for “close” reading but best to introduce students to both worlds

## 5. Board District News

5.01 The Board will announce District news (proposed 7:05)  
7:10

Trustee McGillicuddy reported:

- Red Dress Run on Homecoming and Boys JV Soccer match
- Invited to Phoenicia PTA meeting for their discussion about testing and the Bennett PTA ROOT initiative (refusal of tests every other year)
- Parents have concerns and questions about APPR and Common Core
  - Told them that board is discussing having a forum
  - Appreciative that Board was present
- First UCSBA meeting of the year is Thursday
  - UCSBA legislative priorities – unified across county is to decrease high stakes tests
  - Administer the tests in alternate years

Trustee Fletcher reported:

- Bennett Welcome Back Picnic was a beautiful evening
- Bennett PTA asked for Board member presence at their meeting, will attend tomorrow
- Attended School Safety Team Meeting as Board Representative
  - Ties into Board Goals

- UCSBA meeting – Bob Curran is President and our rep
  - Thursday meeting will be a presentation from 2020 group about their work
  - Some Board members spoke to Bob about making UCSBA more active
- NYSSBA Convention is coming up
  - NYSSBA set up Board presidents forum – presidents can learn from each other and ask questions

## 6. Superintendent District News

6.01 The Superintendent will report on her goals and announce District news (proposed 7:10)

7:15

Superintendent Phyllis McGill reported:

- On agenda is new Athletic Director and Director of Health Mike Carney
- Superintendent Goals:
  - Meeting with PTAs, PTSO, HS Alliance and faculty meetings to share Superintendent and Board Goals
    - Faculty and parents had concerns about new MS/HS start time
  - ECC Technology Audit Update did follow-up meeting and met with focus groups
    - Looking at internet access, what technologies teachers are using
    - Ready with preliminary presentation on 10/21/14 on what they have done and their plans
  - Looking at school climate beyond PBIS- at NYSCOSS (NYS Council of Superintendents) conference went to a session on the National School Climate Center – will be in touch with them

## 7. Acknowledge Public Be Heard Comments

7.01 The Board will acknowledge the public be heard comments from the last meeting letter from Veronica Rowe, Jenna Rodgers and Heather Roberts, Victoria Becker , Mark Willens

## 8. Public/Student Comment

8.01 The public and students may comment on any agenda or non agenda item. Please limit comments to 3 minutes (proposed 7:15 duration 10 min or more)

7:25

Letter was read on behalf of Maxanne Resnick regarding a community wide forum on changing the start times

## 9. Adoption of Policies (proposed 7:25 duration 10 min)

9.01 Committee Meeting Minutes

Summary of the policies below

9.02 Second Reading and adoption of Policy 5323 Meals and Refreshments

*Recommended Action:* The Board of Education hereby adopts Policy 5323 as written.

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

2006— 2014 5323 Non-Instructional/Business Operations

**SUBJECT: MEALS AND REFRESHMENTS**

The Board of Education recognizes that, occasionally, it may be appropriate to provide refreshments and/or meals at District meetings or events, which are being held for a District or educational purpose.

Any expenditure on such refreshments and/or meals must be approved in advance.

Refreshment and/or meal requests may be approved when:

- a) Officers and/or employees of the District will be prevented from taking time off for a meal due to a pressing need to complete the business at hand; or
- b) It is strictly necessary that a meeting be held during a mealtime and then only if and when the dinner is actually held to discuss District business; or
- c) The District wishes to recognize the services provided by volunteers or other unsalaried members of the District (in such cases, however, only the meals of those being recognized may be reimbursed and the cost of the meals must be reasonable).

Refreshments and/or meal requests may not include the expenditure for alcoholic beverages.

All expenses must be properly documented, including the date, purpose of the meeting and the group in attendance, and submitted to the Business Office for the purpose of audit and possible reimbursement.

Meals served to adults who are directly involved in the operation and maintenance of the school nutrition program may be furnished at no charge. The meal provided must be eaten during the workday. No District food shall be provided to an employee to be taken off District grounds for personal consumption.

Note: Meals incurred as part of travel and conference attendance as approved by the District, are governed by other District policies.

~~The Superintendent of Schools shall establish regulations to implement this policy.~~

NY Constitution, Article VIII, Section I

Education Law Section 2118

Ops. St. Compt. 98-2, 83-57, 82-298, 82-213, 82-66, 79-522, 77-667

## 9.03 Second Reading and adoption of Policy 6121 Sexual Harassment of District

### Personnel

*Recommended Action:* The Board of Education hereby adopts Policy 6121 as written.

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

2014 2014 6121 Personnel **SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District employees an environment that is free of sexual harassment, including sexual violence. Sexual harassment including sexual violence is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place at locations off school premises and in another state. Since sexual violence is a form of sexual harassment, the term "sexual harassment" as used in this policy will implicitly include sexual violence even if it not explicitly stated.

Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a) Submission of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;

- b) Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; and
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual violence is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence as defined by New York Penal Law includes but is not limited to acts such as:

- a) Rape;
- b) Sexual assault;
- c) Sexual battery;
- d) Sexual coercion.

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances should be evaluated. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from co-workers as well as supervisors, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. The District will designate, at a minimum, two (2) Compliance Officers, one (1) of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee who believes he/she has been a victim of sexual harassment in the work environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report such alleged harassment to the District's designated Compliance Officers through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly, thoroughly and equitably investigated in accordance with the terms of this policy. In the event that the Compliance Officer is the alleged offender, the employee should report his/her complaint to the next level of supervisory authority.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a thorough, prompt and equitable investigation of the charges. However, even in the absence of a complaint, if the District has knowledge of or reasonably should know of or suspect any occurrence of sexual harassment, the District will investigate such conduct promptly, equitably, and thoroughly. All procedures developed by the District will provide for the prompt and equitable resolution of the sexual harassment.

To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis. The Superintendent will inform the Board of Education of investigations involving findings of harassment.

Based upon the results of the investigation, if the District determines that an employee has violated the terms of this policy and/or Regulation 1400P, immediate corrective action will be taken, as warranted, up to and including termination of the offender's employment in accordance with legal guidelines, District policy and regulation, the District's Code of Conduct, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or Regulation 1400P will be subject to appropriate sanctions as warranted and in compliance with law.

#### **Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Follow-up inquiries shall be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of the sexual harassment complaint have not suffered retaliation.

#### **Finding That Harassment Did Not Occur**

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or Regulation 1400P and/or pursuing other legal avenues of recourse.

However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that sexual harassment did not occur.

**Knowingly Makes False Accusations**

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

**Privacy Rights**

As part of the investigation, the District has the right to search all school property and equipment including District computers. Although rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of students and staff, the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

**Development and Dissemination of Administrative Regulations**

~~Regulations will be developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable Compliance Officer(s).~~

~~Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).~~

The Superintendent/designee(s) will affirmatively discuss the topic of sexual harassment with all employees, express the District's condemnation of such conduct, and explain the sanctions for harassment. Training programs will be established for employees to help ensure awareness of the issues pertaining to sexual harassment in the workplace, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for training in the investigation of sexual harassment complaints.

A copy of this policy and ~~its accompanying~~ Regulation 1400P will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on sexual harassment will be published in appropriate school publications such as teacher/employee handbooks and/or school calendars.

Civil Rights Act of 1991, 42 United States Code (USC) Section 1981(a)

29 Code of Federal Regulations (CFR) Section 1604.11(a)

Civil Service Law Section 75-B

Education Law Section 2801(1)

Executive Law Sections 296 and 297

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

34 Code of Federal Regulations (CFR) Section 100 et seq.

Onteora Regulation 1400P

**9.04 Second Reading and adoption of Policy 6122 Complaints and Grievances by Employees**

*Recommended Action:* The Board of Education hereby adopts Policy 6122 as written.

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

2009 2014 6122 Personnel **SUBJECT: COMPLAINTS AND GRIEVANCES BY EMPLOYEES**

In accordance with the provisions of General Municipal Law and the collective bargaining agreements, all District personnel shall have the opportunity to present their complaints or grievances free from interference, coercion, restraint, discrimination or reprisal. The District shall provide at least two (2) procedural stages and an appellate stage for the settlement of any grievance.

Complaints or grievances not covered under employee contracts shall be handled and resolved, whenever possible, as close to their origin as possible. The Superintendent is responsible for implementing regulations for the redress of complaints or grievances through proper administrative channels.

**Prohibition of Retaliatory Behavior**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-

up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

**Complaints and Grievances Coordinator**

Additionally, the Board shall ensure compliance with Title IX of the Educational Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans With Disabilities Act (ADA). The Superintendent shall designate a District employee as the Title IX/Section 504/ADA Coordinator; and regulations and procedures shall be implemented to resolve complaints of discrimination **and harassment** based on sex or disability.

Prior to the beginning of each school year, the District shall issue an appropriate public announcement which advises students, parents/guardians, employees and the general public of the District's established grievance procedures for resolving complaints of discrimination **and harassment** based on sex or disability. Included in such announcement will be the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

The Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination **and harassment** based on race, color, creed, religion, national origin, political affiliation, age, military status, veteran status, marital status, predisposing genetic characteristics, ~~or~~ use of a recognized guide dog, hearing dog, or service dog **or other protected classes under federal or state law.**

**Complaints or grievances regarding discrimination and/or harassment, including sexual harassment, shall be handled in accordance with District Regulation 1400P.**

Age Discrimination in Employment Act, 29 United States Code (USC) Section 621 Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq. Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq. Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq. Prohibits discrimination on the basis of race, color or national origin. Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq. Prohibits discrimination on the basis of race, color, religion, sex or national origin. Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq. Prohibits discrimination on the basis of sex. Civil Rights Law Section 40-c Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability. Executive Law Section 290 et seq. Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, predisposing genetic characteristics, marital status, or use of a recognized guide dog, hearing dog or service dog. Military Law Sections 242 and 243

NOTE: Refer also to Policy #3420 -- Anti-Harassment in the School District and Regulation 1400P – Title IX and Section 504 of the Rehabilitation Act Of 1973 Discrimination Grievance Procedure

9.05 Second Reading and adoption of Policy 6551 Family and Medical Leave Act

*Recommended Action:* The Board of Education hereby adopts Policy 6551 as written.

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

2013 2014 6551 Personnel

**SUBJECT: FAMILY AND MEDICAL LEAVE ACT**

The Board of Education, in accordance with the Family and Medical Leave Act of 1993 (FMLA), gives "eligible" employees of the District the right to take unpaid leave for a period of up to twelve (12) workweeks in a twelve-month period as determined by the District. The District will compute the twelve-month period according to the following time frame: a "rolling" twelve-month period will be used that is measured backward from the date an employee uses any FMLA leave.

Employees are "eligible" if they have been employed by the District for at least twelve (12) months and for at least 1,250 hours of service during the previous twelve-month period. Full-time teachers are deemed to meet the 1,250 hour test. The law covers both full-time and part-time employees.

Qualified employees may be granted leave for one (1) or more of the following reasons:

a) The birth of a child and care for the infant;



- b) Adoption of a child and care for the infant;
- c) The placement with the employee of a child in foster care;
- d) To care for a spouse, child or parent who has a serious health condition as defined by the FMLA;
- e) To care for an adult child who is incapable of self-care due to a disability (regardless of the date of the onset of disability) and has a "serious health condition" as defined by FMLA;
- f) A serious health condition of the employee, as defined by the FMLA, that prevents the employee from performing his/her job; and/or
- g) Because of "any qualifying exigency" (such term to be defined by regulations issued by the Secretary of Labor) or to care for a covered servicemember, as is more fully described below.

#### Military Caregiver Leave

The FMLA provides an employee who is the spouse, child, parent or next of kin of a covered servicemember up to twenty-six weeks of unpaid leave to care for the covered servicemember who is undergoing medical treatment, recuperation or therapy for a serious illness or injury. This includes caring for a covered veteran who is receiving medical treatment for a serious injury or illness that he/she either incurred, or that was aggravated, in the line of duty, whether it manifested before or after the veteran ceased his/her active duty. A covered veteran is defined as any veteran who was discharged for any reason other than dishonorably in the last five years.

#### Qualifying Exigency Leave

Up to twelve weeks of qualifying exigency leave will be provided to eligible employees whose spouse, child or parent serves in the Regular Armed Forces and is deployed to a foreign country, so that the employee can take care of various issues which may arise as a result of the deployment, such as making child care arrangements, or attending deployment ceremonies. In addition, an eligible employee can take leave to care for the servicemember's parent who is incapable of self-care where those activities arise from the servicemember's deployment or impending deployment, such as transferring the parent to a care facility.

An eligible employee can also take up to fifteen days of unpaid leave while their family member is on Rest and Recuperation leave from the military.

#### **Implementation/Benefits**

At the Board of Education's or employee's option, certain types of paid leave may be substituted for unpaid leave.

An employee on FMLA leave is also entitled to have health benefits maintained while on leave. If an employee was paying all or part of the premium payments prior to leave, the employee will continue to pay his/her share during the leave period.

In most instances, an employee has a right to return to the same position or an equivalent position with equivalent pay, benefits and working conditions at the conclusion of the leave.

The Board of Education has a right to thirty (30) days advance notice from the employee where practicable. In addition, the Board may require an employee to submit certification from a health care provider to substantiate that the leave is due to the serious health condition of the employee or the employee's immediate family member. Failure to comply with these requirements may result in the denial of FMLA leave. The Board may also require that an employee present a certification of fitness to return to work when the absence was caused by the employee's serious health condition. The Board of Education has the right to deny restoration to employment if the employee does not furnish the certificate of fitness.

#### **Notice for Leave Due to Active Duty of Family Member**

In any case in which the necessity for leave due to any qualifying exigency is foreseeable, whether because the spouse, or a son, daughter, or parent of the employee is on active duty, or because of notification of an impending call or order to active duty in support of a contingency operation, the employee shall provide such notice to the employer as is reasonable and practicable.

#### **FMLA Notice**

A notice which explains the FMLA's provisions and provides information concerning the procedures for filing complaints of violations of the FMLA shall be posted in each school building.

~~Administration is directed to develop regulations to implement this policy, informing employees of their rights and responsibilities under the FMLA.~~

Family and Medical Leave Act of 1993, Public Law 103-3

## 29 Code of Federal Regulations (CFR) Part 825

## 9.06 Second Reading and adoption of Policy 7242 Student Directory Information

*Recommended Action:* The Board of Education hereby adopts Policy 7242 as written.

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

~~2012~~ 2014 7242 Students **SUBJECT: STUDENT DIRECTORY INFORMATION**

The District shall inform parents/guardians or eligible students (i.e., a student eighteen [18] years of age or older or who is attending an institution of post-secondary education) with a letter of the District's definition of directory information, the parent/eligible student's right to refuse the release of student directory information and indicate a time period for their response. (Directory information is information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed.) Following such public notice and a reasonable response period, the District may release such information to an outside group without individual consent.

The Family Education Rights and Privacy Act (FERPA) defines student directory information as any of the following: name; address; telephone listing; date and place of birth, major field of study; grade level; student identification number; participation in officially recognized activities and sports; weight and height (if members of athletic teams); dates of attendance; honors, degrees and awards received; electronic mail address; photograph; and the name of the educational agency or institution most recently previously attended by the student. The District will not release the following:

a) A student's social security number

The release of student directory information is not to be confused with the release of names, addresses and telephone listings of eligible students (i.e., a student seventeen [17] years of age or older or in the eleventh grade [or its equivalent] or higher) to Military Recruiters. In compliance with the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act of 2001 (NCLB), and the National Defense Authorization Act, the School District shall notify parents/guardians with a letter that by law it routinely releases this information to Military Recruiters upon request subject to a parent's/eligible student's request not to disclose such information with written parental verification of such request.

20 United States Code (USC) 1232(g)

Family Educational Rights and Privacy Act of 1974

34 Code of Federal Regulations (CFR) Part 99

NOTE: Refer also to Policy #7413 -- Distribution of Materials and Information by Students and Recruitment of Students

## 9.07 Second Reading and adoption of Policy 7413 Distribution of Materials and Information

*Recommended Action:* The Board of Education hereby adopts Policy 7413 as written.

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

~~2006~~ 2014 7413 Students

**SUBJECT: DISTRIBUTION OF MATERIALS AND INFORMATION TO/BY STUDENTS AND RECRUITMENT OF STUDENTS**

**Introduction**

The Board encourages non-school organizations whose goals ~~forward~~ advance the mission of the District, to support all District students in achieving their very highest educational and personal potential. However, to minimize any disruption to school programs, this policy defines the circumstances under which materials and/or information concerning such organizations may be distributed to or by District students on school grounds or at District sponsored events.

**Definitions**

For the purposes of this policy, the following terms are defined as:

- a) Community Information Display Area means a designated area in the school where there is a table and/or bulletin board on which community organization materials may be placed.
- b) Non-Profit Organization means a not-for-profit, civic or government entity that provides educational, athletic or training services or opportunities for students. Examples include: Town Recreation Programs, Little League, Pop Warner Football, and individual school foundations.
- c) Organizations that Exist Solely to Support the District (i.e., the sole purpose and mission of the organizations are to support District program) and are directly tied to the District's pursuit of its educational mission, such as parent teacher organizations and booster clubs, are not subject to the terms of this policy. However, if material or information from these organizations contains an advertisement from a non-school group, then that material or information is subject to this policy.
- d) Non-School Groups are organizations which are not directly affiliated with the District, including but not limited to: Non-Profit Organizations, Military, Post-Secondary Educational Institutions, Job Recruiters or Anti-Military Groups in accordance with this policy. ~~and administrative regulation.~~
- e) School Hours include the entire school day, including non-instructional time and the time waiting on school grounds for transportation before and after school.
- f) Student means any student grades Pre-K through 12 enrolled in the Onteora Central School District.

**Distribution of Materials or Information by Non-school Groups**

- a) Information from non-school groups may be distributed to students during the school day only in the manner described below:

<b>Distribution Method or Activity</b>	<b>Organization(s)</b>
Materials or information placed in Guidance Office or the designated Community Information Display Area in a school facility.	Non-profit organizations, Post-Secondary Educational Institutions, Job Recruiters, Military, or Anti-Military Groups in accordance with this policy. <del>and administrative regulation.</del>
Materials or information handed out to students by school staff for students to take home.	Non-profit organizations.
Presentations, material or information distribution after school-hours at school-sponsored activities designed primarily for adults to attend, i.e., open house, back to school night, and kindergarten round up.	If the Principal determines that any non-school organization shall be permitted at such events, then non-profit organizations may distribute materials, but no recruiting activities designed specifically to engage the students that may attend such events shall be permitted.
Direct access to students for the purpose of recruiting and/or distributing materials or information during school hours shall be limited to school-sponsored events for the purpose of post-secondary, career, or employment fairs or by appointment only when such appointment has been initiated by the student.	Post-Secondary Educational Institutions, Job Recruiters, Military, or Anti-Military Groups in accordance with this policy. <del>and administrative regulation.</del>

- b) Limitations to distribution:
  - 1. Except as described above, the District shall not permit non-school groups to hold information sessions or distribute materials or information to students on school grounds or at a District sponsored event.
  - 2. The materials or information distributed by non-school organizations under this policy must pertain to the opportunities available for students and cannot solely be general information about the organization.
  - 3. No organization shall be permitted to distribute commercial or fundraising materials.
  - 4. Organizations whose primary purpose is to provide basic and/or comprehensive education to K through 12 students during the school day shall not be permitted to distribute recruiting information under this policy. ~~and administrative regulation.~~
  - 5. There shall be no distribution of material or information that:
    - (a) Is libelous;

- (b) Is vulgar, lewd, obscene or plainly offensive;
- (c) Advocates or promotes illegal actions;
- (d) Is likely to cause material and substantial interference with discipline or program in the school in which the material is posted or distributed;
- (e) Promotes, favors or opposes a candidate for elected office or a ballot measure.

6. Students shall not be required to take home or read any non-school related literature.

7. Service learning opportunities or curriculum-related opportunities, as recognized by the Principal or designee, may, in some instances, be provided by non-school groups. Examples include, but are not limited to community service presentations, internship offerings, and job shadowing opportunities. This policy does not apply to distribution of materials regarding such curriculum related opportunities.

#### **Distribution of Materials or Information by Students**

Student distribution of materials shall have the following restrictions:

- a) Students wishing to distribute materials or information must notify the Principal and submit the material or information in advance for review to determine compliance with this policy ~~and implementing regulation~~;
- b) Materials or information may not be distributed in hallways or other thoroughfares or on school busses;
- c) Materials may be distributed before or after the regular school hours as defined by this policy;
- d) Materials may be placed on Designated Community Information Display Areas within the school building
- e) Students must clean up materials left on school grounds; and
- f) Materials distributed by students must bear a prominent disclaimer of non-school endorsement or sponsorship, acknowledging that the material is not endorsed or sponsored by Onteora Central School District and that Onteora Central School District has a strong policy of non-discrimination.

#### **Notice/Disclaimer/Distribution Powers**

- a) Disclaimer: All Community Information Display Areas shall have a statement in full view acknowledging that the material is not endorsed or sponsored by Onteora Central School District and that Onteora Central School District has a strong policy of non-discrimination. All materials for distribution must bear a prominent disclaimer of non-school endorsement or sponsorship.
- b) Notice to Families: Upon adoption and at the beginning of each school year, the District shall send home a notice to families informing them that they may receive information during the school year from community organizations and explaining the District's policy regarding non-discrimination. ~~The specific wording of the notice shall be set forth in the administrative regulation to be developed by the Superintendent to implement this policy.~~

#### **Electronic Distribution**

Non-school groups are prohibited from using any District electronic medium to disseminate information.

#### **Implementation**

~~—The Superintendent shall develop an administrative regulation that details the procedures for the implementation of this policy.~~

9.08 Second Reading and adoption of Policy 7530 Child Abuse and Neglect/Maltreatment  
*Recommended Action*: The Board of Education hereby adopts Policy 7530 as written.

Motioned: Trustee McGillicuddy

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

2009 2014 7530 Students

**SUBJECT: CHILD ABUSE AND NEGLECT/MALTREATMENT**

**Familial Child Abuse**

The School District subscribes to all of the provisions of Title 6 - Child Protective Services of the Social Services Law Sections 411-428. Our purpose is to provide protective services to abused and

neglected/maltreated children as described by the law, and to make all school personnel within the District aware of our legal responsibilities under this law.

Regulations shall be developed, maintained and disseminated by administration regarding the:

- a) Mandatory reporting of suspected child abuse or neglect/maltreatment;
  - b) Reporting procedures and obligations of persons required to report;
  - c) Provisions for taking a child into protective custody;
  - d) Mandatory reporting of deaths;
  - e) Immunity from liability and penalties for failure to report;
  - f) Obligations for provision of services and procedures necessary to safeguard the life of a child;
- and
- g) Provision of information in recognizing signs of unlawful methamphetamine laboratories for all current and new school officials (i.e., "mandated reporters") who, as part of their usual responsibilities, visit children's homes.

Additionally, an ongoing training program for all current and new school officials shall be established and implemented to enable such staff to carry out their reporting responsibilities.

#### School Officials Required to Report

The definition of a "school official" who is mandated to report cases of child abuse or neglect/maltreatment to the State Central Register (SCR) pursuant to Social Services Law Section 413(1) includes, but is not limited to, school teachers, school guidance counselors, school psychologists, school social workers, school nurses, school administrators ~~or other school personnel required to hold a teaching or administrative license or certificate~~, full or part-time compensated school employees required to hold a temporary coaching license or professional coaching certificate, or other school personnel required to hold a teaching or administrative license or certificate.

All mandated reporters shall make the report themselves and then immediately notify the Building Principal or his/her designee. The Building Principal or his/her designee shall be responsible for all subsequent administration necessitated by the report.

Any report shall include the name, title and contact information for every staff member who is believed to have direct knowledge of the allegations in the report.

#### Prohibition of Retaliatory Personnel Action

Social Services Law Section 413(1) also prohibits a school from taking any retaliatory personnel action against an employee because such employee believes that he/she has reasonable cause to suspect that a child is an abused or neglected/maltreated child and that employee makes a report to SCR pursuant to Social Services Law. Further, no school or school official shall impose any conditions, including prior approval or prior notification, upon any staff member specifically designated a mandated reporter.

Pursuant to Labor Law Section 740(1)(e), "retaliatory personnel action" means the discharge, suspension or demotion of an employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

#### Report Form

The Revised May 2007 New York State Office of Children and Family Services **"Report of Suspected Child Abuse or Maltreatment"** Form LDSS-2221A may be accessed at website:

<http://www.ocfs.state.ny.us/main/cps/>

Education Law Section 3209-a

Family Court Act Section 1012

Labor Law Section 740(1)(e)

Social Services Law Sections 411-428

#### **Child Abuse in an Educational Setting**

The School District is committed to the protection of students in educational settings from abuse and maltreatment by employees or volunteers as enumerated in law.

"Child abuse" shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child:

- a) Intentionally or recklessly inflicting physical injury, serious physical injury or death; or
- b) Intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death; or

- c) Any child sexual abuse, defined as conduct prohibited by Penal Law Articles 130 or 263; or
- d) The commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Penal Law Article 235.

"Educational setting" shall mean the building(s) and grounds of the School District; the vehicles provided by the School District for the transportation of students to and from school buildings, field trips, co-curricular and extracurricular activities both on and off School District grounds; all co-curricular and extracurricular activity sites; and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

In any case where an oral or written allegation is made to a teacher, school's registered professional nurse, school guidance counselor, school psychologist, school social worker, school administrator, School Board member, or other school personnel required to hold a teaching or administrative license or certificate, that a child (defined in the law as a person under the age of twenty-one (21) years enrolled in a school district in this state) has been subjected to child abuse by an employee or volunteer in an educational setting, that person shall upon receipt of such allegation:

- a) Promptly complete a written report of such allegation including the full name of the child alleged to be abused; the name of the child's parent; the identity of the person making the allegation and their relationship to the alleged child victim; the name of the employee or volunteer against whom the allegation was made; and a listing of the specific allegations of child abuse in an educational setting. Such written report shall be completed on a form as prescribed by the Commissioner of Education.

- b) Except where the school administrator is the person receiving such an oral or written allegation, the employee completing the written report must promptly *personally deliver* a copy of that written report to the school administrator of the school in which the child abuse allegedly occurred (subject to the following paragraph).

In any case where it is alleged the child was abused by an employee or volunteer of a school other than a school within the school district of the child's attendance, the report of such allegations shall be promptly forwarded to the Superintendent of Schools of the school district of the child's attendance and the school district where the abuse allegedly occurred.

Any employee or volunteer who reasonably and in good faith makes a report of allegations of child abuse in an educational setting in accordance with the reporting requirements of the law shall have immunity from civil liability which might otherwise result by reason of such actions.

Upon receipt of a written report alleging child abuse in an educational setting, the school administrator or Superintendent must then determine whether there is "reasonable suspicion" to believe that such an act of child abuse has occurred. Where there has been a determination as to the existence of such reasonable suspicion, the school administrator or Superintendent must follow the notification/reporting procedures mandated in law and further enumerated in administrative regulations including parental notification. When the school administrator receives a written report, he/she shall promptly provide a copy of such report to the Superintendent.

Where the school administrator or Superintendent has forwarded a written report of child abuse in an educational setting to law enforcement authorities, the Superintendent shall also refer such report to the Commissioner of Education where the employee or volunteer alleged to have committed such an act of child abuse holds a certification or license issued by the State Education Department.

Any school administrator or Superintendent who reasonably and in good faith makes a report of allegations of child abuse in an educational setting, or reasonably and in good faith transmits such a report to a person or agency as required by law, shall have immunity from civil liability which might otherwise result by reason of such actions.

Reports and other written material submitted pursuant to law with regard to allegations of child abuse in an educational setting, and photographs taken concerning such reports that are in the possession of any person legally authorized to receive such information, *shall be confidential and shall not be redisclosed except* to law enforcement authorities involved in an investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. School administrators and the Superintendent shall exercise reasonable care in preventing such unauthorized disclosure.

Additionally, teachers and all other school officials shall be provided an annual written explanation concerning the reporting of child abuse in an educational setting, including the immunity provisions as enumerated in law. Further, the Commissioner of Education shall furnish the District with required information, including rules and regulations for training necessary to implement District/staff responsibilities under the law.

**Prohibition of "Silent" (Unreported) Resignations**

The Superintendent and other school administrators are prohibited from withholding from law enforcement authorities, the Superintendent or the Commissioner of Education, where appropriate, information concerning allegations of child abuse in an educational setting against an employee or volunteer in exchange for that individual's resignation or voluntary suspension from his/her position.

Superintendents (or a designated administrator) who reasonably and in good faith report to law enforcement officials information regarding allegations of child abuse or a resignation as required pursuant to the law shall have immunity from any liability, civil or criminal, which might otherwise result by reason of such actions.

Education Law Article 23-B and Sections 902(b) and 3028-b  
Penal Law Articles 130, 235 and 263  
Social Services Law Section 413  
8 New York Code of Rules and Regulations (NYCRR) Part 83

## 9.09 Second Reading and adoption of Policy 7550 Complaints and Grievances by Students

*Recommended Action:* The Board of Education hereby adopts Policy 7550 as written.

Motioned: Trustee Kurnit

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

—2009-2014 7550 Students **SUBJECT: COMPLAINTS AND GRIEVANCES BY STUDENTS**

While students have the responsibility to abide by the policies and regulations of the District, they shall also be afforded opportunity to present complaints and grievances free from interference, coercion, restraint, discrimination or reprisal. Administration shall be responsible for:

- a) Establishing rules and regulations for the redress of complaints or grievances through proper administration channels;
- b) Developing an appeals process;
- c) Ensuring that students have full understanding and access to these regulations and procedure; and
- d) Providing prompt consideration and determination of student complaints and grievances.

**Prohibition of Retaliatory Behavior**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of discrimination. Follow-up inquiries shall be made to ensure that discrimination has not resumed and that all those involved in the investigation of the discrimination complaint have not suffered retaliation.

**Complaints and Grievances Coordinator**

In addition, students and parents/guardians will receive annual notification of the District's established grievance procedures for resolving complaints of discrimination **and harassment** based on sex or disability. This notice shall include the name, address and telephone number of the Title IX/Section 504/ADA Coordinator.

The Title IX/Section 504/ADA Coordinator shall also be responsible for handling complaints and grievances regarding discrimination **and harassment** based on race, color, creed, religion, national origin, political affiliation, sexual orientation, age, military status, marital status, or use of a recognized guide dog, hearing dog or service dog **or other protected classes under federal or state law.**

**Complaints or grievances regarding discrimination and/or harassment, including sexual harassment, shall be handled in accordance with District Regulation 1400P.**

Age Discrimination in Employment Act, 29 United States Code Section 621 Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq. Prohibits discrimination on the basis of disability.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq. Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq. Prohibits discrimination on the basis of race, color or national origin.

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq. Prohibits discrimination on the basis of race, color, religion, sex or national origin.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.  
Prohibits discrimination on the basis of sex.

Civil Rights Law Section 40-c

Prohibits discrimination on the basis of race, creed, color, national origin, sex, marital status, sexual orientation or disability.

Executive Law Section 290 et seq.

Prohibits discrimination on the basis of age, race, creed, color, national origin, sex, sexual orientation, disability, military status, marital status, or use of a recognized guide dog, hearing dog or service dog.

NOTE: Refer also to Policy #3420 -- **Anti-Harassment in the School District and Regulation 1400P – Title IX and Section 504 of the Rehabilitation Act Of 1973 Discrimination Grievance Procedure**

#### 9.10 Second Reading and adoption of Policy 7551 Sexual Harassment of Students

*Recommended Action:* The Board of Education hereby adopts Policy 7551 as written

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

2012 2014 7551 Students

#### **Policy 7551: SUBJECT: SEXUAL HARASSMENT OF STUDENTS**

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District students an environment that is free of harassment on the basis of sex, gender (including gender identity or expression **and non-conformity to gender stereotypes**) and/or sexual orientation, including sexual violence. Sexual harassment including sexual violence is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place on a school bus at locations off school premises or those that take place in another state. Since sexual violence is a form of sexual harassment, the term, "sexual harassment" in this policy will implicitly include sexual violence even if it is not explicitly stated.

Sex-based harassment can comprise of two types of behavior: sexual harassment and/or gender-based harassment. Sexual harassment is unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Gender-based harassment includes verbal, nonverbal or physical aggression, intimidation or hostility that is based on actual or perceived gender and sexual stereotypes. Sexual or gender-based harassment of a student can deny or limit the student's ability to participate in or to receive benefits, services, or opportunities from the school's program.

#### **Sexual Harassment**

Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, bullying because of sexual orientation (means heterosexuality, homosexuality, bisexuality or asexuality, whether actual or perceived) and other verbal or physical conduct or communication of a sexual nature.

Gender-based harassment' means verbal, non-verbal, or physical aggression, intimidation or hostility that is based on actual or perceived gender identity, ~~or~~ **gender expression, or failure to conform to stereotypical notions of masculinity and femininity.**

Sexual or gender-based harassment occurs when:

- a) Submission to or rejection of such sexually harassing conduct and/or communication by a student affects decisions regarding any aspect of the student's education, including participation in school-sponsored activities;
- b) Conditions exist within the school environment that allow or foster obscene pictures, lewd jokes, sexual advances, requests for sexual favors or other harassing activities of a sexual nature; and
- c) Such conduct and/or communication has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular



activity, or creating an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit.

**Sexual Violence**

Sexual violence is defined by New York Penal Law as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes but is not limited to acts

such as:

- a) Rape;
- b) Sexual assault;
- c) Sexual battery;
- d) Sexual coercion.

A person may be unable to consent to a sexual act due to his/her age, use of drugs or alcohol or due to intellectual or other disability. In order to encourage victims of sexual violence to come forward, a District must inform students that the District's primary concern is with their safety. The school should assure victims that any broken rules or violations made by them will be addressed separately from the sexual harassment allegation. For example, victims need to know that their use of alcohol or drugs never makes them at fault for sexual violence.

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances, expectations, and relationships should be evaluated including, but not limited to, the ages of the offender and the victim; the number of individuals involved; and the type, frequency and duration of the conduct. A single incident of sexual harassment may be sufficiently severe to create a hostile environment in the school and a student may experience the continuing effects from off-campus sexual harassment when in the school setting. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. Sexual harassment may occur from student-to-student, from staff-to-student, from student-to-staff, as well as staff-to-staff. The District will designate, at a minimum, two (2) Compliance Officers, one (1) of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any student who believes he/she has been a victim of sexual harassment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, should immediately report such alleged harassment. Such report shall be directed to or forwarded to the District's designated Compliance Officers through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the Compliance Officer is the alleged offender, the report will be directed to the next level of supervisory authority.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a prompt, equitable, and thorough investigation of the charges. However, even in the absence of a complaint, if the District has knowledge of or has reason to know of or suspect any occurrence of sexual harassment, the District will investigate such conduct promptly, equitably, and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis. The Superintendent will inform the Board of Education of investigations involving findings of harassment.

Based upon the results of the investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with District policy and regulation, the Code of Conduct, and applicable laws and/or regulations. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, the Code of Conduct and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

**Prohibition of Retaliatory Behavior (Commonly Known as "Whistle-Blower" Protection)**

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Follow-up inquiries shall be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of the sexual harassment complaint have not suffered retaliation.

#### **Finding That Sexual Harassment Did Not Occur**

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse. However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that sexual harassment did not occur.

#### **Knowingly Makes False Accusations**

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

#### **Privacy Rights**

As part of the investigation, the District has the right to search all school property and equipment including District computers. Although rooms, desks, cabinets, lockers, computers, etc. are provided by the District for the use of staff and students, the users do not have exclusive use of these locations or equipment and should not expect that materials stored therein will be private.

#### **Development and Dissemination of Administrative Regulations**

Regulations will be developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable Compliance Officer(s).

Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

The Superintendent/designee(s) will affirmatively discuss the topic of sexual harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to sexual harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for training in the investigation of sexual harassment complaints.

Age-appropriate instructional materials will be incorporated into the curriculum to educate students so that they can recognize and reduce the incidence of sexual harassment.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on sexual harassment will be published on the district's website, and in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

Civil Rights Act of 1991, 42 United States Code (USC) Section 1981(a)

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.

Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.

34 Code of Federal Regulations (CFR) Section 100 et seq.

29 Code of Federal Regulations (CFR) Section 1604.11(a)

Civil Service Law Section 75-B

Education Law Section 2801(1)

Executive Law Sections 296 and 297

New York State Human Right Law Cross Ref: Policy 7380 Bullying

NOTE: Refer to District Regulation 1400P

### **9.11 Second Reading and adoption of Policy 7560 Notification of Sex Offenders**

*Recommended Action:* The Board of Education hereby adopts Policy 7560 as written.

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

2006- 2014 7560 Students

**SUBJECT: NOTIFICATION OF SEX OFFENDERS**

In accordance with the Sex Offender Registration Act ("Megan's Law"), the Board of Education supports the New York State Department of Criminal Justice Services (DCJS) in its effort to inform the community in certain circumstances of the presence of individuals with a history of sex offenses, particularly against children, in the school locality. This policy is enacted in order to minimize the possibility that the sex offender will come in contact with school-age children, and to assist law enforcement agencies in preventing further criminal activity from occurring. Furthermore, the District shall cooperate with local police authorities and the local community in promoting and protecting the safety and well being of its students.

It is the policy of the Board of Education to disseminate all information which the District receives from local police authorities in conjunction with Megan's Law to designated staff members who might have possible contact with the offender during the course of their school duties including, but not limited to, Building Principals, supervisors, teachers, office personnel, coaches, custodians, bus drivers, and security personnel. The Superintendent reserves the right to automatically disseminate such information to additional members of the staff, designated supervisors of non-school groups that regularly use District facilities and have children in attendance, parents/guardians of District students, and other community residents who, in the opinion of the Superintendent, have an immediate need to be notified of such data in order to protect the safety of our students.

All staff members shall be informed of the availability of the information received by the District pursuant to Megan's Law upon written request to the applicable Building Principal/designee or supervisor.

Staff members shall inform their immediate supervisor if they observe within the school building, on school grounds, at school activities, or at or near bus routes any individual whose description matches the information which was provided to the District by local law enforcement authorities. Such law enforcement officials will be notified of this information by the District as appropriate.

Information that is disseminated to the School District pursuant to Megan's Law may be disclosed or not disclosed by the District in its discretion. Any information which the School District receives regarding a sex offender from a source other than the Sex Offender Registry, and which is maintained independent of the requirements of Megan's Law, will be available from the District, upon written request, in accordance with the requirements of the Freedom of Information Law.

**Certain special circumstances provided by law may permit a registered sex offender to enter school grounds. Decisions will be made on a case-by-case basis by the Superintendent in accordance with all applicable laws and regulations, and permission must be granted in writing.**  
**~~Special Circumstances Whereby Sex Offenders May Enter Upon School Grounds~~**

~~As a mandatory condition of the sentence for sex offenders placed on probation or conditional discharge whose victim was under the age of eighteen (18) or who has been designated a Level 3 sex offender, the court requires that such sentenced offender refrain from knowingly entering into or upon school grounds or any other facility or institution primarily used for the care or treatment of persons under the age of eighteen (18) while one (1) or more of such persons are present.~~

~~However, by exception, entrance upon the premises shall be provided to the sentenced sex offender under the following conditions subject to the written authorization of his/her parole officer and the Superintendent or chief administrator of the facility for the limited purposes authorized by that person:~~

- ~~a) The offender is a registered student, participant or employee of the facility;~~
- ~~b) The offender is an employee of an entity contracted by the facility; or~~
- ~~c) The offender has a family member enrolled in the facility.~~

**Implementation**

~~Administrative regulations shall be developed to implement this policy.~~

~~Correction Law Article 6-C~~

~~Public Officers Law Section 84 et seq.~~

## 10. Independent Contract Retainers

10.01 The Board Accepts all Independent Contract Retainers (proposed 7:35 duration 10 min)

7:32

*Recommended Action:* The Board of Education hereby approves Independent Contract Retainer Resolutions # 10.02-10.16

Motioned: Trustee Moor

Seconded: Trustee Osmond

- Mentor contracts are for a set amount without a maximum

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

10.02 ICR- Daniel Barton

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Daniel Barton for the period beginning October 1, 2014 to May 28, 2015 at a rate of \$250.00 for 25 hours, to a maximum of \$250.00, as a mentor in Journalism and authorizes the Superintendent to sign such an agreement.

10.03 ICR- Holly Ellison

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Hudson Valley Psychiatric Associates, LLC/Holly Ellison, RN, MSN, NP for the period beginning October 8, 2014 to June 30, 2015 at a rate of \$600.00 per evaluation, to a maximum of \$3,000.00, as a Psychiatric Nurse Practitioner and authorizes the Superintendent to sign such an agreement.

10.04 ICR- Richard Erickson

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Richard Erickson for the period beginning October 1, 2014 to May 28, 2015 at a rate of \$250.00 for 25 hours, to a maximum of \$250.00, as a mentor in Culinary Arts and authorizes the Superintendent to sign such an agreement.

10.05 ICR- Bryan Graham

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Bryan Graham for the period beginning October 1, 2014 to May 28, 2015 at a rate of \$10.00 per hour to a maximum of \$250.00, as mentor in chocolate making and authorizes the Superintendent to sign such an agreement.

10.06 ICR - Clayton Horsey

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central

School District and Clayton Horsey for the period beginning October 1, 2014 to May 28, 2015 at a rate of \$250.00 for 25 hours, to a maximum of \$250.00, as a mentor in Psychology and authorizes the Superintendent to sign such an agreement.

10.07 ICR- Gretchen Primack

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Gretchen Primack for the period beginning October 1, 2014 to May 28, 2015 at a rate of \$10.00 per hour to a maximum of \$250.00, as mentor in poetry and authorizes the Superintendent to sign such an agreement.

10.08 ICR- Matthew Savatgy - BN

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Matthew Savatgy for the period beginning September 29, 2014 to June 1, 2015 at a rate of \$3000.00 per residency, to a maximum of \$3000.00, as Environmental Scientist in Residence at Bennett Elementary School and authorizes the Superintendent to sign such an agreement.

10.09 ICR - Theresa Yonker

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Theresa M. Yonker, MD for the period beginning October 8, 2014 to June 30, 2015 at a rate of \$300.00 per hour, to a maximum of \$6,000.00, as a Psychiatrist and authorizes the Superintendent to sign such an agreement.

10.10 ICR - John Halligan

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and John Halligan, Ryan's Story Presentation for November 3, 2014 at a rate of \$2,000.00, as a speaker for seventh, eighth and ninth grade students, and authorizes the Superintendent to sign such an agreement.

10.11 ICR - Louis E. Calabro

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Louis E. Calabro, PhD ABPP for the period beginning October 8, 2014 to June 30, 2015 at a rate of \$2,250.00 per case, to a maximum of \$6,750.00, as a Neuropsych Consultant and authorizes the Superintendent to sign such an agreement.

10.12 ICR - Mohonk Preserve

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School

District approves the Independent Contractor Retainer between the Onteora Central School District and Mohonk Preserve for the period beginning November 5, 2014 to November 19, 2014 at a rate of \$275.00, for a Pond Keepers Program and authorizes the Superintendent to sign such an agreement

10.13 ICR - Matthew Savatgy - PH

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Matthew Savatgy, for the period beginning October 22, 2014 to June 1, 2015 at a rate of \$1,500.00, as a Phoenicia Nature Trail Scientist in Residence, and authorizes the Superintendent to sign such an agreement.

10.14 ICR - Jennifer Morse

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Jennifer Morse, for the period beginning October 1, 2014 to May 28, 2015 at a rate of \$250.00, as a mentor in Photography and authorizes the Superintendent to sign such an agreement.

10.15 ICR - Robert Hausman

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Robert Hausman, for the period beginning October 7, 2014 to May 28, 2015 at a rate of \$250.00, as a mentor in Psychology, and authorizes the Superintendent to sign such an agreement.

10.16 ICR - Pine Street Dental

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Pine Street Dental, for the period beginning October 1, 2014 to May 28, 2015 at a rate of \$0.00 (volunteer) as a mentor in Dentistry, and authorizes the Superintendent to sign such an agreement.

**11. Break**

- 11.01 The Board will break for 5 minutes (proposed 7:45)  
The Board took a 10 minute break at approximately 7:35

**12. Discussion and Possible Action**

- 12.01 First Reading of Policy 7240 Student Records: Access and Challenge (proposed 7:50)  
7:46

Motion: Waive first reading of policy 7240

Motioned: Trustee Moor

Seconded: Trustee Davis

- The additional word is an expansion in the of category of records and the

stricken paragraph is not required

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond,  
Trustee Moor, Trustee Davis

Motion: The Board of Education hereby adopts policy number 7240 Student Records:

Access and Challenge

Motioned: Trustee Moor

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond,  
Trustee Moor, Trustee Davis

2014 7240Students

**SUBJECT: STUDENT RECORDS: ACCESS AND CHALLENGE**

**Student Records**

The School District shall comply with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA). Under its provisions, "parents/guardians and noncustodial parent(s), whose rights are not limited by court order or formal agreement, of a student under eighteen (18), or a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education, have a right to inspect and review any and all educational records maintained by the School District-" and files on students, and to insure the confidentiality of such records with respect to third parties.

**Access to Student Records**

~~The Board directs that administrative regulations and procedures be formulated to comply with the provisions of federal law relating to the availability of student records. The purpose of such regulations and procedures shall be to make available to the parents/guardians of students and noncustodial parent(s) whose rights are not limited by court order or formal agreement, or students and former students who are eighteen (18) years of age or older or who are attending an institution of post-secondary education, student records, and files on students, and to insure the confidentiality of such records with respect to third parties.~~

Under FERPA, unless otherwise exempted in accordance with law and regulation, the District may release personally identifiable information contained in student records only if it has received a "signed and dated written consent" from a parent or eligible student. Signed and dated written consent may include a record and signature in electronic form provided that such signature:

- a) Identifies and authenticates a particular person as the source of the electronic consent; and
- b) Indicates such person's approval of the information contained in the electronic consent.

**Health and Safety Emergency Exception**

School districts must balance the need to protect students' personally identifiable information with the need to address issues of school safety and emergency preparedness. Under FERPA, if an educational agency or institution determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records, without consent, to any person whose knowledge of the information is necessary to protect the health and safety of the student or other individuals during the period of the health or safety emergency.

School districts may release information from records to appropriate parties including, but not limited to, parents, law enforcement officials and medical personnel. A school district's determination that there is an articulable and significant threat to the health or safety of a student or other individuals shall be based upon a totality of the circumstances, including the information available, at the time the determination is made. The school district must record the articulable and significant threat that formed the basis for the disclosure and maintain this record for as long as the student's education records are maintained.

**Disclosures to Parents of Eligible Students**

Even after a student has become an "eligible student" under FERPA (which is defined as a student who is eighteen [18] years of age or older or who is attending an institution of post-secondary education) an

educational agency or institution may disclosure education records to an eligible student's parents without the student's consent:

- a) If the student is claimed as a dependent for Federal income tax purposes by either parent;
- b) In connection with a health or safety emergency;
- c) If the disclosure falls within any other exception to the consent requirements under FERPA or its Regulations, such as the disclosure of directory information or in compliance with a court order or lawfully issued subpoena.

### **Challenge to Student Records**

Parents/guardians of a student under the age of eighteen (18), or an eligible student shall have an opportunity for a hearing to challenge the content of the school records, which they believe to be inaccurate, misleading, or otherwise in violation of the privacy or other rights of students. However, parents/guardians or an eligible student do not have the right to correct, delete or expunge grades, an individual's opinion or other substantive decisions of the District that appear in a student's record.

After the hearing, the District shall determine whether correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data is necessary.

### **Education Records**

The term "education records" is defined as all records, files, documents and other materials containing information directly related to a student; and maintained by the education agency or institution, or by a person acting for such agency or institution (34 Code of Federal Regulations (CFR) Section 99.3). This includes all records regardless of medium, including, but not limited to, handwriting, videotape or audiotape, electronic or computer files, film, print, microfilm, and microfiche.

In addition, for students who attend a public school district, all records pertaining to services provide under the Individuals with Disabilities Education Act (IDEA) are considered "education records" under FERPA. As such, they are subject to the confidentiality provisions of both Acts.

Personal notes made by teachers or other staff, on the other hand, are not considered education records if they are:

- a) Kept in the sole possession of the maker;
- b) Not accessible or revealed to any other person except a temporary substitute; and
- c) Use only as a memory aid.

Records created and maintained by a law enforcement unit for law enforcement purposes are also excluded.

### **Release of Information**

Among other exemptions in accordance with law and regulation, the District may disclose any and all educational records, including disciplinary records and records that were created as a result of a student receiving special education services under Part B of IDEA, to another school or postsecondary institution at which the student seeks or intends to enroll. Parental consent is not required for transferring education records; however, the student's annual FERPA notification indicates that such disclosures have been made, unless expressly prohibited by law or regulation. In the absence of information about disclosures in the annual FERPA notification, school officials must make a reasonable attempt to notify the parent about the disclosure, unless the parent initiated the disclosure. Additionally, upon request, schools must provide a copy of the information disclosed and an opportunity for a hearing.

The District may also disclose any and all educational records to other school officials within the district who have been determined to have legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. A school official is a person who has a legitimate education interest in a student record who is employed by the district as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a member of the Board of Education; a person or company with whom the district has contracted to perform a special task (such as attorney, auditor, medical consultant or therapist); or a parent or student serving on an official committee, such as disciplinary or grievance committee, or assisting another school official performing his or her tasks.

Family Educational Rights and Privacy Act of 1974, 20 United States Code (USC) Section 1232(g)  
34 Code of Federal Regulations (CFR) Part 99

NOTE: Refer also to Policy #7643 -- Transfer Students with Disabilities



## 12.02 The Board will approve their 2014-2015 goals (proposed 7:55 duration 10 min)

- First reading of goals at the last meeting, approve at this meeting
- Discussion on the goals being attainable and if not attainable, then long term
- Do not add action items, but use as a guide for agenda items and discussions
- Discussion on adding language about ESL Coordinator Stipend to goals

## Consensus to adopt the Board of Education 2014-2015 Goals

## Board of Education 14-15 Goals:

## Educational Vision, Values and Ethics Leadership

1. After careful study, develop and adopt an actionable policy and/or plan regarding testing, reflecting the Board's desire to avoid over-testing, 'teaching to the test,' the infringement upon instructional time, and the perception thereof. Work in collaboration with PTAs, Administrators, Teachers and other staff members to develop a policy and /or plan that can be supported by all stake-holders.
2. Address the needs of English Language Learners across the District and at all grades, from pre-K through High School. Work collaboratively with the Superintendent to recommend improvements to ESL programming and offerings, including considering bringing the ESL program in-house. Improve communication with ESL families of English Language Learners.
3. Analyze School and Student Safety and Well-Being from a whole child/whole building perspective, including but not limited to the use of social workers, psychologists, guidance counselors, school resource/safety officers, external emergency forces, and study of District Safety Plan and reports on Building Safety Plans, and any and all other necessary data. Recommend improvements accordingly.
4. Promote a stimulating, healthy and safe environment conducive to learning and that improves the educational experience for all students. Support professional development opportunities, especially those that: (1) help educators incorporate experiential and project-based learning in classrooms, (2) connects students' classroom experiences with the outside world, and (3) trains faculty to offer new computer and other "hard" science courses such that students acquire skills to become producers of technology. Continue to study feasibility of integrating programs like Project Lead the Way, International Baccalaureate, Blended Learning, Steam, and E-Learning into the educational program.

## Budget and Finance

5. Maintain a long term fiscal plan that protects and maximizes the district assets through the use of collective bargaining, school tax reform, and energy conservation to create a positive campus that attracts both families and successful teachers to our district.

## Board Development

6. Attract, develop and retain Board of Education Trustees, with a focus on Student Achievement and Educational Excellence along with responsible management of District finances. Supply new Trustees with a mentor. Work with the Superintendent to constantly improve Board-Superintendent relations and communications, including but not limited to an annual retreat with approved facilitator. Each board member commits, individually, to the very best of their abilities, to attend every regularly scheduled Board meeting, to sit on at least one Board/District committee, and to attend at least one NYSSBA/RSA conference or seminar annually.

## Community &amp; Culture

7. Foster an open, positive, collaborative relationship with the Community that is responsive to stakeholder concerns. Improve the district-wide school culture through clear communication of Board priorities, and appreciation for staff initiatives and student achievement. Encourage collaborative work that integrates and aligns curriculum and improves students' educational experience district-wide. Continue to grow and enlist community help in legislatively advocating for our students.

## Facilities

8. Study and develop ways that District property could be used to support agricultural and botanical science programs, including the production of organic fruits and vegetables that could be used in District food services. This also includes the incorporation of sustainability practices into the educational program

Motion to table item 12.03 to later in the agenda

Motioned: Trustee Fletcher

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

12.04 Board Goal Discussion of: District-Wide Testing (proposed 8:15 duration 15 min)  
8:00

- Trustee Fletcher gave a summary of documents available for public viewing on Board Docs and in print
- All aware of the culture of more testing; parents are taking action by having students opt-out
- Board goal for several years about not teach to the test and now taking collective view through a board goal to take action
- Be in a room with PTAs, Principals and OTA reps together, where share common ground on testing and how much is too much to act as a unified group and work collaboratively
  - Was suggested to Bennett PTA and feedback from staff is that some are glad parents are taking stand, some have expressed fear and are not willing to join fear of consequences, due to APPR
  - Best to get everyone together- move forward in solidarity Board, staff, administrators on same page
- Opting out does not solve problem, the prep time is the problem
  - Is political solution not practical solution
- Not endorsing any document on Board Docs except Onteora's resolution
- Parents are looking for easy information - what is mandated, what is prep time in a grid and what are we doing with the data
  - How many classes is my student missing due to test prep?
  - How much of other subjects are being put aside?
- APPR will come up in negotiation in November, so any changes to testing, will need to be incorporated
- Need more information on Alternate Assessments which are cumbersome and problematic, need more understanding
  - Instruction was missed October to April due to these assessments
- Discussion on committee or forum
- Consensus to form a District wide committee that does not preclude a forum
  - Committee to include Administration, OTA, ONTEA, the Board and PTAs to find solutions
- Trustee Fletcher to speak to Superintendent about committee called "Testing Reduction Committee"

12.05 Board Goal Discussion of: ELL/ESL Programs and Staffing (proposed 8:30 duration 15 min)

8:45

Board Goal #2. Address the needs of English Language Learners across the District and at all grades, from pre-K through High School. Work collaboratively with the Superintendent to recommend improvements to ESL programming and offerings,

including considering bringing the ESL program in-house. Improve communication with ESL families of English Language Learners.

- Discussion on need for ESL Coordinator Stipend: From information received from administration, program is a growing issue in District – need to address present needs of students and families and plan for future needs so not to revise staffing again
  - Superintendent Phyllis McGill reminded that an MOA would be necessary
  - Administration asked for an increase of ESL to .6, then within a week to .7 then within another week needed .9 and added BOCES co-ser from .4 to .6 , which brings issue to Board level
    - State is very prescriptive on services depending on how students score on tests so District needs to be flexible
- Population could increase:
  - Belleayre project may happen
  - Many immigrants come for service jobs and Catskills are becoming more of a destination

*Recommended Action:*

The Board of Education hereby creates the following positions: 2 - 1.0 FTE ESL

The Board of Education hereby abolishes the following position: 0.7 FTE ESL

Motioned: Trustee Moor

Seconded: Trustee Davis

- May offer services at each buildings

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

12.06 Board Membership (proposed 8:45 duration 10 min)

9:00

Trustee Fletcher explained at with Tom Hickey resignation, there are 3 choices: appoint someone, hold a special election or stay with 6 Board members

- Consensus to not hold a special election
- Discussion on having more than one candidate to interview and how hard it is to get people to step forward
- Most important that Board functions well – is currently a harmonious, functioning Board
- Consensus to think more about it and discuss again next meeting

12.07 Discussion on a forum for parents and community on Common Core Learning Standards (proposed 8:55 duration 10 min)

9:15

Trustee McGillicuddy explained that in speaking with parents realized the lack of knowledge and frustration

- Other Districts have pamphlets printed for parents and informational meeting
- MS/HS had an informational session but need a District wide forum to help inform community of Common Core
  - Administration to take the lead on a factual presentation

- With panel discussion and Q & A
- Need to get a historical perspective of Common Core starting in post-WW2 through all machinations
  - History professor at Bard can speak
- On website information on testing and common core with videos and fact sheets

12.08 Discussion on a forum for parents and community on OCSD Core Values (proposed 9:05 duration 10 min) and

12.03 Discuss District Vision and Mission (proposed 8:05 duration 10 minutes) 9:55

- Comfortable with mission at last meeting  
Our Onteora schools exist to educate and nurture the children of our diverse community. Our mission is to create an engaging and healthy learning environment that empowers all students to pursue their dreams, achieve their goals, and contribute thoughtfully to the global community.
- Discussion on how to engage community in vision, mission and core values
- The Board worked on a vision statement
- Send out vision and core values to Board for comments for next agenda

12.09 First part of 2014 NYSSBA Resolutions (proposed 9:15 duration 10 min) 9:56

The Board went through the NYSSBA resolutions and voted locally for Trustee Fletcher to vote on behalf of the Board at the NYSSBA convention

- Trustee Fletcher to ask for a definition of a fiscally distressed school district at NYSSBA

### 13. Consent Agenda

13.01 Approve Consent Agenda (proposed 9:25)

*Recommended Action:* Approve consent agenda item numbers 13.02-13.09

Motioned: Trustee Davis

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond, Trustee Moor, Trustee Davis

#### **APPOINTMENTS: ADMINISTRATIVE**

##### PROBATIONARY APPOINTMENT

NAME	CERTIFICATION	TENURE AREA	PROBATIONARY DATES	SALARY	REMARKS
Carney, Michael*	SDA	Director of Athletics, Health & P.E., & Dean of Students	11/03/14 – 11/02/17	\$106,000	Replace N. Millas

\*pending pre-employment processing

#### **RESIGNATIONS: INSTRUCTIONAL**

NAME	POSITION/SCHOOL	EFFECTIVE DATE	REMARKS
Panico, Robin	0.70 FTE ESL	10/08/14	To accept 1.0 FTE ESL

#### **APPOINTMENTS: INSTRUCTIONAL**

##### PROBATIONARY APPOINTMENT

NAME	CERTIFICATION	TENURE AREA	PROBATIONARY DATES	SALARY	REMARKS
Panico, Robin	ESL, Initial	ESL	10/08/14 – 10/07/17	4MA	New position

**EXTRA DUTY STIPENDS 2014-2015**

NAME	POSITION	AMOUNT
Keenan, Bryan	Science Olympiad Asst. Coach - HS	\$1,308.00
Thompson, Carolyn	Science Olympiad Coach – HS	\$1,830.00
Whitlow, Edward	Math Club Advisor - HS	\$1,675.00

**APPOINTMENTS: NON-INSTRUCTIONAL  
PER DIEM SUBSTITUTES**

NAME	POSITION	AMOUNT
Blakely, Sabrina	Substitute Registered School Nurse	\$95.00/day
Weiser, Ginger	Substitute School Monitor	\$9.00/hour

**LEAVE OF ABSENCE – NON-INSTRUCTIONAL**

EMPLOYEE NUMBER	EFFECTIVE DATE FROM – TO	REASON
#2607	09/02/14 – 10/03/14*	Medical Leave - Paid

\*Extension of leave

**13.03 Approve Schedule U - The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations**

*Recommended Action:* The Board hereby approves the Instruction - Schedule U-The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations, Schedule U, #10/14, Confidential, as reviewed by Trustee Osmond

**13.04 Donation - non-monetary**

*Recommended Action:* Donation from Richard Feldman to the Phoenicia School of a Bausch & Lomb 0.7 X - 3X microscope with Olympus carrying case valued at \$200.00 and a Mighty Bright XtraFlex2 LED book light valued at \$10.00

**13.05 Donation - monetary**

*Recommended Action:* The Superintendent recommends acceptance of a grant totaling \$1,140.00, CASH, from the Catskill Watershed Corporation to be used for the Phoenicia Elementary School Public Education Grant – Round 17 under the direction of Jane Wolfrom.

The Superintendent recommends approval to increase the 2014-2015 budget per the following donations:

The Catskill Watershed Corporation  
A2110.431.04 Supplemental \$1,140.00

**13.06 Approve Volunteers**

*Recommended Action:* The Board of Education hereby approves the volunteers for Phoenicia: Christina Sutton, Esme Breitenstein, Shannon Fluet-Lazard. For Woodstock: Elizabeth Choi, Catherine Fauble, Sandra Brurckner, Shawn DeLisio, Jennifer Bousliman-DeLisio, Danielle Bonesteel

**13.07 Financial Management Report as of August 2014**

*Recommended Action:* The Board of Education have reviewed and hereby approve

the Financial Management Report as of August 2014

13.08 Change language in Superintendent's Contract

*Recommended Action:* The Board of Education hereby agrees to the attached changes to the Superintendent's contract titled: McGill\_Contract\_Addendum Evaluation

13.09 Cooperative Liquid Assets Security System

*Recommended Action:*

WHEREAS, New York General Municipal Law, Article 5-G, Section 119-o ("Section 119-o) empowers municipal corporations [defined in Article 5-G, Section 119-n to include school districts boards of cooperative educational services, counties, cities, town and villages] and districts to enter into, amend, cancel and terminate agreements for the performance among themselves (or one for the other) of their respective functions, powers and duties on a cooperative or contract basis;

WHEREAS, the Onteora Central School District wishes to invest certain of its available investments funds in cooperation with other corporations and/or districts pursuant to a municipal cooperation agreement;

WHEREAS, the Onteora Central School District wishes to assure the safety and liquidity of its funds;

Now, therefore, it is hereby resolved as follows:

The Onteora Central School District is hereby authorized to execute and deliver the Cooperative Investment Agreement in the name of and on behalf of the Onteora Central School District

**14. Board Committees Report - 5 min each**

14.01 Audit Committee Trustee Davis to report. Next Meeting is at Central Administration

4:30 on 11/6/14 (proposed 9:30)

10:15

Committee has not met since the last Board meeting

14.02 Facilities Committee - Trustee Kurnit to report. Next meeting is at Central

Administration 3:30 on 11/3/14

Will report at next Board meeting

14.03 Policy Committee - Trustee Moor to report. Next meeting is at Central Administration

4:00 on 10/15/14

Committee has not met since last Board meeting

14.04 Health and Wellness Committee Trustee Davis to report. Next meeting is 2:45 in

Room 207 on 10/23/14

Committee has not met since last Board meeting

14.05 Ad Hoc Committee: Primary School. Next meeting is at Woodstock at 4pm on

10/23/14

Committee has not met since last Board meeting

14.06 Ad Hoc Committee: Communications Trustee Osmond to Report. Next meeting is

8:45 am 10/15/14

Committee has not met since last Board meeting

## 15. Old Business

15.01 The Board will discuss Old Business (proposed 9:45)

10:20

No old business was discussed

## 16. New Business

16.01 Discuss "Breakfast with BOE" Program (proposed 9:50 duration 10 min)

Trustee Moor explained that in the Rhinebeck School District, several Board members met at a social event with the staff in MS/HS early in the morning in the cafeteria

- Board's way of showing appreciation and making themselves available
- Discuss again in 2 weeks
- Trustee Moor to find out if superintendent was present

16.02 The Board will discuss New Business

Discussion of Testing Reduction Committee logistical next steps

- Falls into Board President/Superintendent discussions

## 17. Request For Information

17.01 The Board will request information (proposed 10:00)

10:27

Trustee Kurnit asked positive support of in-slide – when will they be installed in Woodstock and Phoenicia

From Testing Discussion:

- Parents are looking for easy information - what is mandated, what is prep time in a grid and what are we doing with the data

Trustee Osmond asked about when events are scheduled at the schools how the Board and Communication Committee be informed, even if it is not a school sponsored event

- Streamline communications to share to Board and out

Trustee McGillicuddy asked about the results of technology survey of staff when available

## 18. Public Comment

18.01 The public will comment on any agenda or non-agenda item. Please limit comments to 3 minutes (proposed 10:05 duration 10 min or more)

No public comment was made

## 19. Adjournment

19.01 Adjourn Meeting (proposed 10:15). Next meeting is Tuesday, October 21, 2014 at 1:53 in the MS/HS AND 6pm in the Woodstock School

- Discussion on Student Board Meeting and possibility of a quorum

*Recommended Action:* The meeting is adjourned at 10:35

Motioned: Trustee Davis  
Seconded: Trustee Osmond  
Result: Unanimous  
Yea: Trustee Fletcher, Trustee Kurnit, Trustee McGillicuddy, Trustee Osmond,  
Trustee Moor, Trustee Davis

Minutes Recorded By:  
Fern Amster

A handwritten signature in dark ink, appearing to read "Fern Amster", written in a cursive style.

Board of Education: Tony Fletcher, Rob Kurnit, Ann McGillicuddy, Laurie Osmond, Tom Hickey, Gideon Moor, Tanya Davis