

ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION
BOICEVILLE, NEW YORK 12412

REGULAR MEETING

6:00 p.m.

TUESDAY, MARCH 4, 2014

Phoenicia School

MINUTES

1. Opening Items

1.01 Call to Order 6:00 (6:06)

1.02 Tobacco Policy Statement

1.03 Pledge of Allegiance

1.04 Roll Call

Present: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit,
Trustee McKeon

Not Present: Trustee Spencer, Trustee Hickey

2. Executive Session

2.01 Enter executive session (proposed 6:00 duration 45 min)

Recommended Action: Motion to enter into executive session to discuss the
negotiations for OAA and ONTEA

Motioned: Trustee Osmond

Seconded: Trustee Fletcher

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit,
Trustee McKeon

Not Present: Trustee Spencer, Trustee Hickey

Now Present:

Trustee Spencer entered Executive Session at approximately 6:18pm

2.02 Exit Executive Session and Return to Public Session (proposed 6:45pm)

Recommended Action: Motion to exit executive session and return to public session

Motioned: Trustee Fletcher

Seconded: Trustee McKeon

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit,
Trustee McKeon, Trustee Spencer

Not Present: Trustee Hickey

3. Acceptance of Minutes

3.01 Acceptance of Minutes (proposed 6:50) 7:08

Recommended Action: The Board of Education hereby accepts the minutes of the
2/20/14 and the 2/27/14 BOE meetings

Motioned: Trustee Osmond

Seconded: Trustee Spencer

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit,
Trustee McKeon, Trustee Spencer

Not Present: Trustee Hickey

4. Welcome

4.01 Principal Linda Sella will welcome the Board (proposed 6:55)
7:09

Second grade teacher Sharon McNerney presented on a project in her classroom with Ulster Savings Bank

- Completed applications and open a passbook account
- Wed. is deposit day
 - Come to teachers as the “teller”
 - Tries to make the interaction as “real life” as possible

5. Board District News

5.01 The Board will announce District news (proposed 7:00) 7:10

Trustee McGillicuddy reported a few Board members will be going to Albany to lobby for NYS School Board Association Lobby Day

Trustee Fletcher reported:

- He discussed the amount of our contribution that is coming from property owners with State Senators
 - Senator Tkaczyk looked at our numbers and was appreciative to be aware of our State Aid reductions
 - Next meeting of 2020 Symposium group - School and Structure study group will be meeting next week for the second time
 - Superintendent Phyllis McGill also in group

6. Superintendent District News

6.01 The Superintendent will announce District news (proposed 7:05)

- Used nine snow days so we will be in session on Monday and Tuesday of April break; it has been a harsh winter
 - Information is on the website
- Went to NYSCOSS with Assistant Superintendent for Curriculum & Instruction Marki Clair-O'Rourke
 - Attended sessions that were very relevant
 - Speakers included Commissioner King, Senator Flanagan and Assemblywoman Kathy Nolan
 - focused on ending in-Bloom to protect students and family privacy
 - cost of health care and how it impacts budget
 - pre-k and foundation aid
 - Commissioner King spoke
 - he understands that Districts need time to adapt to changes and SED needs to slow down with new initiatives
 - NYSCOSS advocating for no new changes unless beneficial to Districts
 - Focusing on GEA but it won't go away until at least 16-17
 - New SAT and ACT are moving in direction of Common Core
 - More focus on Professional Development instead of competitive grants

6.02 Discuss Preliminary 2014-2015 Budget (proposed 7:35 duration 15 min) 7:20

Assistant Superintendent for Business Victoria McLaren reported:

- Health Insurance
 - DEHIC Rates will be set on 3/12/14
 - At the February DEHIC meeting 5% -7% was discussed.
- State Aid Status
 - Final state aid figures will be incorporated into Superintendent's Recommended Budget presentation if NYS budget comes in on time
- Transportation Bid
 - Slight savings from current year are the initial findings
- Staffing assumptions not finalized
 - Annual reviews not concluded
 - .6 ESL is the only addition
 - Operating budget not reduced; budget reduction is due to the facilities projects line
- Recommending a 0% levy increase
- \$3,222,404 allocated to offset levy
 - \$2,697,404 as a levy offset as has been done historically
 - higher than the historical \$2,000,000 to return fund balance to return to the taxpayers as was done last year
- Capital Reserve
 - \$5 million was approved by voters
 - Leveraging state aid project can be expanded to \$7M
 - require voter authorization to bond for the \$2M balance that would be offset by state aid payments over the life of the bond
 - Or can utilize fund balance instead of taking on debt
 - save the interest expense on the debt
 - utilize the existing funds instead
- Next meeting is Superintendent's Final Recommended Budget

Discussion:

- Board will get analysis of Transportation bid before next meeting
 - Original analysis and 5 year cost
- State building aid will take 15 years
- Happy at 0% levy increase
- Question about staffing at last meeting
 - Want to make sure we have not cut too deep
 - Superintendent Phyllis McGill –only position cutting is District Wide Asst. Principal & CSE
 - Left ½ salary in for 14-15 for CSE Chair
 - Not planning on cutting Guidance positions
 - looking at movement of a guidance position down to Bennett
 - Budget was scrubbed in small pieces of funding that we weren't using
 - Cuts do not hurt children, programs or services
- Even after all the work we have done, we still have more than a \$5.5M need in facilities repair and restructuring
 - Is it wise for us to not raise the levy by 1% and address other facilities needs

- Still concerned about the librarian at the Elementary Level

7. Student Representative Report

7.01 Student Representative, Sarah Melvin, will report to the Board (proposed 7:30) 7:47

- Harvard Model Congress in Boston during last Board meeting
 - Fourteen of our students won awards out of the 24 that attended
 - Largest portion of our delegation to win awards since we have been going
 - Scope of meeting:
 - Students are either in the Senate or in the House or some other position in government
 - Onteora students were in the cabinet, national security council, in the media and things that revolve around history
 - Drafting constitution as if they were one of the founding fathers.
 - Very good for learning government, politics, public speaking and writing skills in general
 - come up with new ideas and fix problems that are facing our nation
 - Onteora is one of the few public schools that gets to go to the conference
- Science Olympiad was the beginning of February at UCCC
 - Our team is going to be competing at States for first time since 2006 in Long Island
 - Top four schools at regional competition at UCCC get to compete at states and we placed third
 - Medaled in 25 events
 - One of the best ways to gain interest in STEM

8. Acknowledge Public Be Heard Comments

8.01 The Board will acknowledge the public be heard comments from the last meeting
Special meeting Thursday night
Trustee McGillicuddy acknowledged and thanked all those who spoke at the last 2 Board meetings about the Veterans Exemption

9. Public/Student Comment

9.01 The public and students may comment on any agenda or non agenda item. Please limit comments to 3 minutes (proposed 7:35 duration 10 min or more)

10. Discussion

10.01 Discussion on Capital Projects and EPC with the District's Architect Nick Waer (proposed 7:45 duration 30 min)

Nick Waer introduced the project manager and mechanical engineer

- Categories of work by committee
 - 2014 Summer Work is at SED waiting for approval
 - They are back-logged
 - Repair Reserve category - \$1 million for brick façade work

- Referendum category – work that needs to be voted on by taxpayers, but will cost no additional money
- EPC – project has to pay for itself within 18 years
 - Currently is at 17.5 years
- \$11 million worth of capital work planned (without EPC)

Discussion:

- General question to the Board: should we consider doing more work now?
- Is there any kind of time frame that you have built in for the high priority?
 - It is a five year plan, so these are five year plan items
 - Building Condition Survey is coming up in 2015
 - Whatever isn't done at that point will be looked at again
 - Items under the high priorities are not likely to fall apart in the next school year
 - are in the recommended project
- Facilities committee is recommending the District go forward with the referendum
 - Word referendum so that if State gives aid on bio-mass, can get aid
- Any issues not addressed- will continue on to the next five year plan
- Board needs to vote on EPC and the Capital Project on a referendum for the vote
- HS Science rooms will be \$1.7 million to renovate, more for middle school
 - Each classroom \$250,000
 - Will be a future project
 - This is a program need - science rooms are very expensive
 - Not part of committee discussion
- Program needs are a separate discussion – many programs need work

No Longer Present

Trustee Fletcher left at approximately 8:17 pm

10.02 Mid Year Update of Board Goals (proposed 8:15 duration 20 min)

8:21

Follow up to discuss Board section

V. Board Development

Attract, develop and retain Board of Education Trustees, with a focus on Student Achievement and Educational Excellence along with responsible management of District finances.

Action Items

1. Encourage attendance at district, county, region, state and national meetings, conferences and webinars, such as New York State School Boards Association annual convention, and the annual Rural Schools Conference. Endeavor to ensure that each Trustee attends at least one conference per year.

Update and refresh Trustee and residents' education on Board process and District governance through "short courses" or FAQs to be offered during workshop meetings (e.g. The Board's role in the educational process or District management and administration, Robert's Rules of Order, or the ins and outs of the District's budgeting process).

3. Host annual Board of Education retreats with Superintendent and an approved facilitator as needed.

4. All new Trustees to be appointed a Mentor Trustee, to receive information packet and to attend an orientation meeting with Superintendent, Board President and Mentor Trustee.

5. The Board will explore and/or implement a means by which the Board can improve its practices and processes.

Consensus that the Board is making progress on these goals

11. **5 Minute Break

11.01 The Board will break for 5 minutes (proposed 8:35)
8:26

12. Discussion and Possible Action 8:37

12.01 Draft a resolution in support of full elimination of the GEA to send to the State Legislature (proposed 8:40 duration 10 min)

Resolution: Resolved by the Board of Education of the Onteora Central School District to fully eliminate the Gap Elimination Adjustment to the State aid provided to School Districts in New York State. The State should adequately and fairly fund public education as per the New York State constitution.

Motioned: Trustee Spencer

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey, Trustee Fletcher

12.02 West Hurley School Property to West Hurley Fire Dept. (proposed 8:50)
8:43

Recommended Action: The Board of Education hereby approves the following resolution:

WHEREAS, the Onteora Central School District Board of Education ("Board" or "District") has previously determined that the proposed sale to the West Hurley Fire District of a certain parcel, which is a part of the former West Hurley Elementary School property that has previously been determined by the Board to be no longer needed for school purposes, is a Type II Action under SEQRA, 6 NYCRR Part 617.5; and

WHEREAS, the Board entered into a Contract of Sale with the West Hurley Fire District regarding that certain parcel of vacant land, more particularly bounded and described in a deed dated June 3, 1952 and recorded in the Office of the Clerk of Ulster County in Liber 828, Page 387 ("Property"); and

WHEREAS, all conditions of said Contract of Sale have been satisfied;

NOW, THEREFORE, BE IT RESOLVED THAT, the Onteora Central School District Board of Education authorize the President to execute all closing documents in connection with such Contract of Sale.

Motioned: Trustee Osmond

Seconded: Trustee McKeon

Result: Passed

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Fletcher, Trustee Hickey

13. Independent Contract Retainers

13.01 ICR between OCSD and Creative Energy Productions (proposed 8:55)8:45

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 Creative Energy Productions, LLC, as an Artist Wellness Director, for the period beginning March 3, 2014 to March 13, 2014 at a rate of \$125.00 per session to a maximum of \$1,250.00 and authorizes the Superintendent to sign such an agreement.

Motioned: Trustee Osmond

Seconded: Trustee Spencer

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey Trustee Fletcher

13.02 ICR for ERAN Ltd. dba Mad Science (proposed 9:00)

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 ERAN Ltd. dba Mad Science of the Mid Hudson, as a Science Enrichment Provider, on April 25, 2014 for the amount of \$450.00 and authorizes the Superintendent to sign such an agreement.

Motioned: Trustee Spencer

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey, Trustee Fletcher

14. Adoption of Policies (25 min)

14.01 Second Reading and adoption of Policy 7240 Student Records: Access and Challenge (proposed 9:05)

8:49

Recommended Action: The Board of Education hereby adopts Policy 7240 as written

Motioned: Trustee Spencer

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey Trustee Fletcher

20142012 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."

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**, ~~a student who is eighteen (18) years of age or older or who is attending an institution of post-secondary education,~~ shall have an opportunity for a hearing to challenge the content of the school records, **which they believe to be**, ~~to ensure that the records are not 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 ~~and to provide an opportunity for the~~ correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data **is necessary** ~~contained therein.~~

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

Adopted: 4/4/12

14.02 Second Reading and Adoption of Policy 7613 The Role of the Board of Education in Implementing a Student's Individualized Education Program (proposed 9:25)

Recommended Action: The Board of Education hereby adopts Policy 7613 as written.

Motioned: Trustee Spencer

Seconded: Trustee Kurnit

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey, Trustee Fletcher

2008014

7613

Students **SUBJECT: THE ROLE OF THE BOARD OF EDUCATION IN IMPLEMENTING A STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM**

The Board of Education shall establish at least one (1) Committee on Special Education (CSE) and one (1) Committee on Preschool Special Education (CPSE). The Board shall also establish, as

necessary, Subcommittees on Special Education to ensure timely evaluation and placement of students with disabilities.

Committee on Special Education

The Board of Education shall, upon completion of its review of the recommendations of the CSE, arrange for the appropriate special education programs and services to be provided to a student with a disability. The Board shall notify the parent/guardian of its action in accordance with federal and state law and regulations.

For a student not previously identified as having a disability, the CSE shall provide a recommendation to the Board which shall arrange for the appropriate special education programs and services to be provided within sixty (60) school days of the date of receipt of consent to evaluate. For a student with a disability referred for review, a recommendation shall be provided to the Board which shall arrange for the appropriate special education programs and services to be provided within sixty (60) school days of the referral for review. However, if such recommendation of the CSE is for placement in an approved in-state or out-of-state private school, the Board shall arrange for such special education programs and services for students with disabilities within thirty (30) school days of the Board's receipt of the recommendation of the CSE.

If on review of the recommendation of the CSE, the Board of Education disagrees with such recommendation, the Board shall follow one (1) of the following procedures:

- a) The Board may remand the recommendation to the CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review and consider such objections or concerns. The CSE shall consider the Board's objections or concerns, revise the individualized education program (IEP) where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the CSE, the Board may continue to remand the recommendation to the original committee for additional reviews of its objections or concerns, or establish a second CSE to develop a new recommendation in accordance with the following paragraph, provided that the Board arranges for the programs and services in accordance with the student's IEP within the time lines as outlined above; or, in the alternative,
- b) The Board may establish a second CSE to develop a new recommendation for the student. If the Board disagrees with such new recommendation, the Board may remand the recommendation to the second CSE with a statement of the Board's objections or concerns and a request that a timely meeting be held to review consider objections or concerns. The second CSE shall consider the Board's objections or concerns, revise the IEP where appropriate, and resubmit a recommendation to the Board. If the Board continues to disagree with the recommendation of the second CSE, the Board may continue to remand the recommendation for additional reviews of its objections or concerns by the second CSE, provided that the Board arranges for the programs and services in accordance with the student's IEP, as developed by the second CSE, within the timelines as outlined above.

Pursuant to Commissioner's Regulations, the Board may not select the recommendation of the original CSE once it has established a second CSE.

The Board shall provide the student's parents/guardians with written notice and a copy of the statement of its objections or concerns and notice of due process rights in accordance with Section 200.5 of the Regulations of the Commissioner.

Committee on Preschool Special Education

Upon receipt of the recommendation of the Committee on Preschool Special Education (CPSE), the Board of Education shall arrange for the preschool student with a disability to receive such appropriate programs and services in accordance with the student's IEP, commencing with the July, September or January starting date for the approved program, unless such services are recommended by the CPSE less than thirty (30) school days prior to, or after, the appropriate starting date selected for the preschool student with a disability; in that case, such services shall be provided no later than **sixty (60) ~~thirty (30)~~** days from the recommendation of the CPSE.

If the Board disagrees with the recommendation of the CPSE, the Board shall send the recommendation back to the CPSE with notice of the need to schedule a timely meeting to review the Board's concerns and to revise the IEP as deemed appropriate. The Board of Education shall provide such notice as required by federal and state law and regulations.

Subcommittee on Special Education

The number of Subcommittees on Special Education will be determined by the CSE and the CSE will be responsible for the oversight and monitoring of the activities of each subcommittee to assure compliance with the requirements of applicable state and federal laws and regulations.

Each Subcommittee may perform the functions for which the CSE is responsible, except:

- a) When a student is considered for initial placement in a special class; or
- b) When a student is considered for initial placement in a special class outside of the student's school of attendance; or
- c) When a student is considered for placements in a school primarily serving students with disabilities or a school outside the District.

Subcommittees shall report following the timelines required for the CSE to the CSE regarding the status of each student with a disability within its jurisdiction. Upon receipt of a written request from the parent or person in parental relation to a student, the Subcommittee shall refer to the CSE any matter in which the parent disagrees with the Subcommittee's recommendation concerning a modification or change in the identification, evaluation, educational placement or provision of a free appropriate education to the student.

Education Law Sections 4402 and 4410 8 New York Code of Rules and Regulations (NYCRR)
Sections 200.2(d)(l), 200.4(c), 200.4(d), 200.5 and 200. 16(e)

NOTE: Refer also to Policies #7631 -- Appointment and Training of Committee on Special Education (CSE)/Subcommittee on Special Education

Members

#7632 -- Appointment and Training of Committee on Preschool
Special Education (CPSE) Members

14.03 Second Reading and Adoption of Policy 7632 Appointment And Training Of Committee On Preschool Special Education (CPSE) Members

Recommended Action: The Board of Education hereby adopts Policy 7632 as written.

Motioned: Trustee Spencer

Seconded: Trustee Kurnit

- Case manager attends the meetings for the student

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit,
Trustee McKeon

Not Present: Trustee Hickey, Trustee Fletcher

~~0082014~~ 7632 Students

SUBJECT: APPOINTMENT AND TRAINING OF COMMITTEE ON PRESCHOOL SPECIAL EDUCATION (CPSE) MEMBERS

Committee on Preschool Special Education (CPSE) Membership

The Board of Education shall appoint a Committee on Preschool Special Education (CPSE) whose membership shall include, but not be limited to, the following members:

- a) The parent(s) of the preschool child. To ensure that one (1) or both parents are present at each CPSE meeting, the District and the parent(s) may agree to use alternative means of participation such as video conferences or conference phone calls;
- b) Not less than one (1) regular education teacher of such child (if the child is, or may be, participating in the regular education environment);
- c) Not less than one (1) special education teacher of the child or, where appropriate, not less than one (1) special education provider (i.e., related service provider) of such child;
- d) A representative of the School District who is qualified to provide, or supervise the provision of, special education and who is knowledgeable about the general education curriculum and about the availability of preschool special education programs and services and other resources of the District and the municipality (who shall serve as Chairperson of the CPSE);
- e) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team selected from the regular education teacher, the special education teacher or

provider, the school psychologist, the School District representative described above, or a person having knowledge or special expertise regarding the student as determined by the District;

f) At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate. The determination of knowledge or special expertise shall be made by the party (parents or School District) who invited the individual to be a member of the committee;

gh) For a child's transition from early intervention programs and services (Infant and Toddler Programs), at the request of the parent/person in parental relation, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child. This professional must attend all meetings of the CPSE conducted prior to the child's initial receipt of services; and

hg) An additional parent of a child with a disability who resides in the School District or a neighboring school district, and whose child is enrolled in a preschool or elementary level education program provided that such parent shall not be employed by or under contract with the School District or municipality; and provided further that such parent shall not be a required member **unless if the parents of the child request, in writing, **at least seventy-two hours prior to such meeting**, that the additional parent member ~~not~~ participate in the meeting; **and****

~~h) For a child's transition from early intervention programs and services (Infant and Toddler Programs), at the request of the parent/person in parental relation, the appropriate professional designated by the agency that has been charged with the responsibility for the preschool child. This professional must attend all meetings of the CPSE conducted prior to the child's initial receipt of services; and~~

i) A representative from the municipality of the preschool child's residence. Attendance of the appointee of the municipality is not required for a quorum.

However, except for the parents/persons in parental relation and the appointee from the municipality (a) and i) above) a member of the CPSE is not required to attend a meeting of the team in whole or in part if the parent/person in parental relation and the District agree in writing that the attendance is not necessary because the member's area of the curriculum or related services is not being modified or discussed at that meeting.

Additionally, a member as described in letters b) through **gh)** of this subheading may be excused from attending the CPSE meeting, in whole or in part, if the parent/person in parental relation to the student with a disability and the School District agree, in writing to the excusal not less than five (5) calendar days prior to the meeting date, that the attendance of the member is not necessary because:

a) The member's area of the curriculum or related services is being modified or discussed in the meeting but, not less than five (5) calendar days prior to the meeting, the excused member has submitted to the parents/persons in parental relation and the CSE written input into the development of the IEP, particularly with respect to their area of curriculum or related services; or

b) The committee member is unable to attend due to an emergency or unavoidable scheduling conflict and the District submits the written input listed in a) above to the parents/persons in parental relation within a reasonable time prior to the meeting and prior to obtaining written consent to the excusal by the parents/persons in parental relation.

Training

The training of qualified personnel is essential to the effective implementation of the Regulations of the Commissioner of Education regarding the education of all students with disabilities.

The Director of Special Education shall be responsible to the Superintendent for establishing administrative practices and procedures for training all District personnel responsible for carrying out the provisions of Part 200 of the Commissioner's Regulations as well as members of the Committee on Preschool Special Education.

Alternative Means of Meeting

When conducting a meeting of the Committee on Preschool Special Education (CPSE), the parent and the representative of the District appointed to the CPSE may agree to use alternative means of meeting participation, such as videoconferences and conference calls.

NOTE: Refer also to Policies #7613 -- The Role of the Board in Implementing a Student's Individualized Education Program
#7614 -- Preschool Special Education Program
#7631 -- Committee on Special Education/Subcommittee on Special Education Members

14.04 Second Reading and Adoption of Policy 7616 Prereferral Intervention Strategies In General Education (Prior To A Referral For Special Education)

8:57

Recommended Action: The Board of Education hereby adopts Policy 7616 as written.

Motioned: Trustee Spencer

Seconded: Trustee Osmond

- Cindy Bishop, Director of PPS brought this policy forward
- All instances that say RTI Plans should say RTI/Discretionary Services

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey, Trustee Fletcher

~~0082014~~ 7616 Students

SUBJECT: PREREFERRAL INTERVENTION STRATEGIES IN GENERAL EDUCATION (PRIOR TO A REFERRAL FOR SPECIAL EDUCATION)

The School District shall establish a plan for implementing schoolwide approaches and prereferral interventions in order to remediate a student's performance prior to referral for special education. This plan may include a Response to Intervention (RTI) process.

The provision of programs and/or services for students starts with consideration/implementation of instruction in the general education curriculum, with appropriate supports and/or modifications as may be necessary. In implementing prereferral intervention strategies, the District may utilize resources/strategies already in place for qualified students including, but not limited to, services available through Section 504 of the Rehabilitation Act of 1973, and ~~Educationally Related Support Services and Academic Intervention Services as defined in Education Law and/or Commissioner's Regulations.~~ All of these programs may be considered as possible components of Prereferral/~~Intervention Instructional Support Plans or Response To Intervention (RTI) plans/Discretionary Service (DS) plans.~~ The District will ensure that they have a system in place, with appropriate personnel, for developing, implementing and evaluating prereferral intervention strategies.

The District will provide general education support services, instructional modifications, alternative instructional approaches, or alternative program options to address a student's performance prior to a referral to a Committee on Special Education (CSE). ~~Formal Child Study Teams (CST) - Elementary and Case Management Teams (CMT) - Secondary will be formed in accordance with law and/or regulations as may be applicable as well as District guidelines. The CST and CMT - The RTI Teams~~ will include representatives from general and special education as well as other disciplines and include individuals with classroom experience. Parents/persons in parental relation to students will be involved in developing prereferral strategies to address the educational needs of their child. Additionally, the District will seek collaboration between outside agencies and the school prior to a referral of the student to the CSE in order to address necessary student support services.

Administration shall ensure that appropriate opportunities exist for collaboration between general educators and special educators, and that consultation and support are available to teachers and other school personnel to assist parents/persons in parental relation to students and teachers in exploring alternative approaches for meeting the individual needs of any student prior to formal referral for special education.

The determination of prevention and prereferral intervention strategies/services shall consider the student's strengths, environment, social history, language and cultural diversity in addition to the teacher's concerns. The building administrator will further ensure that all staff are familiar with intervention procedures and procedures for operating a ~~CST or CMT~~ RTI Team.

Prereferral/Intervention Instructional Support Plans shall be proactive in their strategies to meet the broad range of student needs and to improve student performance. Prereferral/Intervention strategies and/or ~~Instructional Support Plans~~ RTI plans are to be reviewed and evaluated to determine their effectiveness, and modified as may be appropriate. Appropriate documentation of the prevention and/or intervention strategies implemented shall be maintained.

However, should a referral be made to the CSE during the course of implementing prereferral/~~intervention instructional support services~~ RTI/DS, the CSE is obligated in accordance with law to continue its duties and functions, and must meet mandatory time lines in evaluating the student for special education services and implementation of an individualized education program, if applicable.

~~Educational Related Support Services~~

~~_____ Educational related support services (ERSS) means curriculum and instructional modification services; direct student support team services; assessment and non-career counseling services; special instruction to eligible students with disabilities as defined in Education Law Section 4401, which does not generate excess cost aid including related services but excluding transportation and transition services; and to eligible, qualified students pursuant to Section 504 of the Rehabilitation Act of 1973. These services are provided to eligible students, individually or in groups, and may include those related consultation services provided to their families and related school personnel in order to enhance the academic achievement and attendance of such students. Educational related support services shall also mean speech and language improvement services as defined in Commissioner's Regulations.~~

~~_____ ERSS may be utilized as a component of any Prereferral/Intervention Instructional Support Plan.~~

Section 504 of the Rehabilitation Act of 1973

For students who are qualified for services pursuant to Section 504 of the Rehabilitation Act, but are not classified as students with disabilities as defined in Education Law Section 4401, Section 504 Accommodation Plans may address instructional support services that can be utilized as components of any prereferral/intervention strategies as deemed necessary and/or appropriate.

Academic Intervention Services

Academic intervention services means additional instruction which supplements the instruction provided in the general education curriculum and assists students in meeting the State learning standards as defined in Commissioner's Regulations and/or student support services which may include guidance, counseling, attendance, and study skills which are needed to support improved academic performance.

However, such services shall not include services provided to students with limited English proficiency pursuant to Commissioner's Regulations or special education services and programs as defined in Education Law Section 4401. Academic intervention services are intended to assist students who are at risk of not achieving the State learning standards in English language arts, mathematics, social studies and/or science, or who are at risk of not gaining the knowledge and skills needed to meet or exceed designated performance levels on State assessments.

The District has developed a description of the academic intervention services offered to grades K through 12 students in need of such services. The District will review and revise this description every two (2) years based on student performance results.

Parental notification of students who have been determined to need academic intervention services will be provided as per Commissioner's Regulations.

In implementing prevention and/or prereferral intervention support strategies in order to remediate a student's performance prior to referral for special education, the utilization of academic intervention services, as enumerated in Commissioner's Regulations, may be included as a component of any such Prereferral/~~Intervention Instructional Support Plan~~ RTI plan.

Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.

Education Law Sections 3602(32), 4401 and 4401-a

8 New York Code of Rules and Regulations (NYCRR) Sections 100.1(g), 100.1(p), 100.1(r), 100.1(s), 100.1(t),

100.2(v), 100.2(dd)(4), 100.2(ee), 200.2(b)(7), 200.4(a)(2), 200.4(a)(9); 200.4(c) and Part 154

15. Consent Agenda

15.01 Approve Consent Agenda (proposed 9:30)

Recommended Action: Approve consent agenda item numbers 15.02-15.06

Motioned: Trustee Spencer

Seconded: Trustee Kurnit

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey, Trustee Fletcher

APPOINTMENTS: INSTRUCTIONAL

SHORT TERM SUBSTITUTE

| NAME | POSITION/SCHOOL | EFFECTIVE DATES FROM-TO | PAY RATE | REMARKS |
|---------------|-----------------------|----------------------------|----------|--------------------|
| Gray, Melissa | Teaching Assistant/HS | 2/28/14-4/25/14 | Step 1 | LOA Replacement |

EXTRA DUTY STIPENDS 2013-14

| NAME | POSITION | AMOUNT |
|----------------------------|---|-----------------------|
| Cytryn, Herbert | Tennis - Varsity - Coach (Boys) (Unpaid) | \$0.00 |
| Downes, Tyler** | Baseball - Modified - Head Coach | \$1,202.00 |
| Dutcher, Stormie* | Softball - Modified - Head Coach | \$1,202.00 |
| Hoyt-Friedman, Jacob | Track - Modified - Assistant Coach | \$1,445.00 |
| LaFera, Nicholas | Track - Spring - Assistant Coach | \$3,250.00 |
| Messmer, Richard | Track - Modified - Assistant Coach | \$1,445.00 |
| Shultis, Tyler** | Softball - JV - Head Coach | \$2,968.00 |

*pending certification

**pending pre-employment processing & certification

SUBSTITUTES

| NAME | POSITION | AMOUNT |
|-----------------------|------------------------------|-------------|
| Ayers, James | Home Tutor | \$37.00/hr |
| DePasquale, Kristy | Certified Substitute Teacher | \$95.00/day |
| Malgieri, Marin* | Home Tutor | \$37.00/hr |
| Rosato, Phyllis | Home Tutor | \$37.00/hr |
| Rushford, Michael | Home Tutor | \$37.00/hr |
| Schreyer-Moot, Corina | Certified Substitute Teacher | \$95.00/day |

*pending pre-employment processing

LEAVE OF ABSENCE

| EMPLOYEE NUMBER | EFFECTIVE DATE FROM - TO | REASON |
|--------------------|-----------------------------|----------------------------|
| 1992 | 3/1/14-3/31/14* | Medical - Paid |
| 2123 | 2/28/14-3/10/14 | Medical - Paid |
| 2123 | 3/11/14-3/24/14 | Medical - Unpaid |
| 2123 | 3/25/14-4/27/14 | Medical - Paid (Sick Bank) |

*extension of leave

APPOINTMENTS: NON INSTRUCTIONAL

SUBSTITUTES

| NAME | POSITION | AMOUNT |
|---------------|---------------------------|--------|
| Smith, Angelo | Substitute School Monitor | \$9.00 |
| Smith, Angelo | Food Service Substitute | \$9.00 |

- Tyler Downs is unable to fulfill the responsibility

15.03 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, #3/14, Confidential, as reviewed by Trustee Fletcher

15.04 Warrant Schedule

Recommended Action: The Board has reviewed and hereby accepts Warrant Schedule 9

15.05 Surplus Items

Recommended Action: BE IT HEREBY RESOLVED, on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District declare the items on the attached list as surplus and authorizes the sale or disposal of these items.

- Items will go to an on-line auction site utilized by other school districts
- Trying to empty out the school

15.06 Accept Grant for 6th Grade Field Trip

Recommended Action: BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the contract between Onteora Central School District and Community Foundations of the Hudson Valley to accept the Field Trip Fund Grant for the Bennett Elementary School in the amount of \$1,962.00 for the 2013-2014.

16. Committee Reports

16.01 Audit Committee - Trustee Spencer to report. Next meeting is 4:30 at Central Administration on 3/10/14 (proposed 9:35) 9:06

- Committee has not met since the last Board meeting.

16.02 Facilities Committee - Trustee Kurnit to report. Next meeting is 3:30 at Central Administration on TBD

- Committee has not met since the last Board meeting.

16.03 Policy Committee - Trustee McGillicuddy to report. Next meeting is 9:30 at Central Administration on 3/13/14

- Committee has not met since the last Board meeting.

16.04 District Committee: Health and Wellness Committee. Next meeting is in the room 207 HS at 2:45 on 3/19/14

- Committee has not met since the last Board meeting.

17. Old Business

17.01 Discuss SRO (proposed 9:45 duration 10 min)
9:07

- Discussion has been moved multiple times from other agendas
- This was requested by certain trustees

Discussion:

- Trustees that requested this item are not all present
 - maybe move again, and earlier in agenda
- Background documents need to be accessible to show the need for an SRO
- There has been a requested need from the Administration at the secondary level as well as some parents
- Board has not acted on an SRO, should act so there is a definitive answer

Motion that we move this discussion to another Board meeting where we have everyone present

Motioned: Trustee Spencer

Seconded: Trustee Kurnit

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey Trustee Fletcher

17.02 The Board will discuss Old Business (proposed 9:55)

9:19

Trustee Osmond requested

- Board consensus:
 - When the District hires an ESL teacher, the Board of Education prefers that their primary second language is Spanish, the primary language of our -ELL learners to better communicate with the community at large.
 - All Board members are in agreement
- A winter break that takes place in February instead of April
 - BOCES students will miss certification hours
 - Superintendent to bring this up when meeting with other Superintendents at BOCES for 15-16 calendar

Trustee Kurnit asked about his Request for Information about utilizing chains on buses

- How do other places handle it?

18. New Business 9:31

18.01 The Board will discuss New Business (proposed 10:00)

- Trustee Osmond requested that the "Building Use Form" be put on the agenda related to the High School Auditorium
 - Policy 3280 – under the control and supervision of the Board of Education
 - Look at our policy and be more welcoming and make community more aware of this resource
 - Many people that want to use the facility do not have insurance
 - Sometimes PTAs cover
 - Would increase District insurance cost if District tried to cover
 - People cannot run a "for profit" event

18.02 Approve Board Members attending High Stakes Testing: Finances (proposed 10:05)
9:38

Recommended Action: The Board of Education hereby approves up to 4 Board members to attend the workshop High Stakes Testing: Finance- The Expense of High Stakes Testing" on March 11, 2014 at Mount St. Mary College at a cost of \$40 per person.

Motioned: Trustee Spencer

Seconded: Trustee Kurnit

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit, Trustee McKeon

Not Present: Trustee Hickey, Trustee Fletcher

19. Request For Information

19.01 The Board will request information (proposed 10:10)

Trustee McGillicuddy requested:

- VADIR report for the SRO discussion

Trustee Spencer requested:

- What will we save in interest charges if we fund this ourselves
 - Now paying 1 ¼% on Bond for Bennett
 - That could fund the construction on the science wing

20. Public Comment

20.01 The public will comment on any agenda or non-agenda item. Please limit comments to 3 minutes (proposed 10:15 duration 10 min or more)

9:46

Valerie Petroski Storey – In favor of an SRO in the schools

21. Adjournment

21.01 Adjourn Meeting . Next meeting is Tuesday, March 18, 2014 in the Woodstock School at 6pm (proposed 10:25)

Recommended Action: The meeting is adjourned at 9:50

Motioned: Trustee Spencer

Seconded: Trustee McKeon

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Spencer, Trustee Osmond, Trustee Kurnit, Trustee McKeon

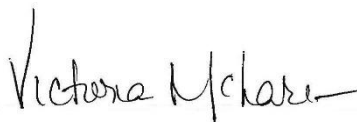
Not Present: Trustee Hickey, Trustee Fletcher

Minutes Recorded By:

Victoria McLaren, District Clerk

Minutes Typed By:

Fern Amster



Board of Education: Ann McGillicuddy, Tony Fletcher, Laurie Osmond, Dan Spencer, Tom Hickey, Rob Kurnit, Michael McKeon