ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION BOICEVILLE, NEW YORK 12412

REGULAR MEETING

6:00 p.m.

TUESDAY, SEPTEMBER 11, 2012

Woodstock Elementary School

Minutes

1. Opening Items

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

Moment of Silence for the victims of September 11th.

1.04 Roll Call

Present: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit,

Not Present: Trustee Spencer, Trustee McKeon

2. Executive Session

2.01 Enter Executive Session at approximately 6:10

Motion: The Board will vote to enter executive session to discuss the employment history of the Treasurer and Confidential Staff also to discuss pending litigation.

Motioned By: Trustee Hickey Second By: Trustee Kurnit

Results: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit

Not Present: Trustee Spencer, Trustee McKeon

Trustee McKeon arrived at approximately 6:15

2.02 Exit Executive Session

Motion: To exit executive session Motioned By: Trustee Fletcher Second By: Trustee Hickey

Results: Únanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

2.03 Re-enter Public Session at approximately 7:30

Motion: To re-enter public session Motioned By: Trustee Hickey Second By: Trustee Osmond

Results: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

3. Acceptance of Minutes

3.01 The Board will accept the minutes of 8/21/12 and 8/27/12 (proposed 7:05)

Motion: The Board of Education hereby accepts the minutes of 8/21/12 and 8/27/12

Motioned By: Trustee Osmond

Second By: Trustee Hickey

Results: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

4. Welcome

4.01 Principal Barbara Schnell will welcome the Board (proposed 7:10)

7:35

Prinicpal Barbara Schnell showed a slide show of a day at Woodstock Elementary

5. Board District News

5.01 The Board will announce district news (proposed 7:15)

7:40

Trustee Kurnit reported:

- He and Trustee McGillicuddy went to the Governor's Educational Reform Council, which is touring the state
- They are charged with assessing the educational system and making recommendations to the Governor
- Focuses on 5 areas: School system structure, student achievement, college and career readiness, principal quality, parent and community engagement
- Speakers from big cities and Hudson Valley participated
- Repeating themes:
 - Poverty factors, APPR and Common Core, teaching to the test, more emphasis on early childhood education, state funded full day prekindergarten in public schools, unfunded mandates
- Web site: Ny.gov/puttingstudentsfirst
 - o Minutes from meetings will be on this web site

Trustee McGillicuddy reported:

- Panel on Educational Reform Council charged with dramatically changing education in NYS
 - Made up of parents, teachers, superintendents, board members, business people (IBM, Domino Sugar)
 - People were asked to give ideas for solutions to help change NY school systems
- Football game on Saturday
 - o nice to see the community out

6. Superintendent District News

6.01 The Superintendent will report on District News (proposed 7:20)

7:50

Superintendent Phyllis McGill:

- Introduced Liza Tumen- the Senior Student Representative for this year
- After elections, there will be a Junior as a second Student Representative to

the Board

- Started with a great first week
 - Families and children seem excited
 - Teachers have been communicating that they are enjoying the new configuration – more collaboration
 - Very active beginning to the new school year
- Called on the principals to discuss how the school year started
- Principal Gabriel Buono reported:
 - Focus on classroom teachers so students can have a successful first day and that happened
 - o Totally new school with reconfiguration
 - Too ambitious to start after-school programs this week
 - 85 students taking the 4:20 bus home because of different activities
 - Will send a letter home by the end of the week to let parents know the status
 - Project Based Learning:
 - 4th grade has decided to study the Hudson Valley
 - received money to bring in an Wyland Foundation 18-wheel vehicle to learn about clean water through the Watershed Foundation
 - 5th grade Studying New Orleans
 - Red carpet being celebrated at Homecoming
 - The District consultants have procured Aaron Diehl, an up and coming jazz pianist from New Orleans for a concert
 - Consultants coming tomorrow to meet with teachers during the prep period to maximize Aaron as much as possible
 - still in planning stages
 - Real live experience, not strictly an activity how it is within the culture and community of New Orleans and how things relate to one another.
 - Natural connections between this event and the music of New Orleans
 - 6th grade Ottoman Empire
 - Very energized
 - Beginning stages, possibly going to Olana and having a Turkish band and Turkish chefs come
- Woodstock Principal Barbara Schnell reported:
 - Custodians and staff did a wonderful job this summer
 - Very much a primary community
 - Teachers eat lunch together every day (MS. Schnell joins them when she can)
 - TLC (Thursday Learning Circle) all children choose a class to take that different teachers are offering. Everyone gets to know everybody
 - Sense of joy in the school
 - People are light and happy
 - Merged teachers from 2 schools and children from 2 communities very successfully

- o Focus on early literacy, getting everybody prepared for the next step
- Phoenicia Principal Linda Sella reported:
 - o Facility looks better than it has in 12 years!
 - Grounds and buildings were sparkling clean
 - o Since Phoenicia is also a K-3 school, same as Ms. Schnell's report
 - Children and parents come in happy
 - o Keep it going in a positive direction because change is exciting
 - Phoenicia School is going to make it the best we possibly can
- Middle School Principal Jennifer O'Connor reported:
 - Very sweet group of 7th graders
 - o Getting lockers open and getting to class on time, is the focus
 - o Trying to get to the bus a little earlier each day
 - o 20 families came to the Welcome Back Dinner
- High School Principal Lance Edelman reported:
 - Happy to have students back
 - A lot of programs starting this year
 - Community mentor program Kay Goldbeck is back with the program and there are a lot of mentors lined up
 - TUFS Teacher mentor program where teachers take a 9th grade student and work with them though their HS career on their at risk behaviors. 15 teachers are taking on students
 - Even with 1 social worker cut, they maintained the Prime For Life alcohol and drug program, very anxious to get started and additional staff members want to join the program
 - o All clubs and activities starting up
 - General interest meetings happening
- Transportation: one problem with a bus that went from Olive to Woodstock
 - Was discussed at Kindergarten Orientation
 - Nicole Sommer has done a wonderful job as Director of Transportation

Trustee McKeon noticed a more positive energy and more at ease from his own children in this district. Shout out to MS for their highly effective rating from state

6.02 Update on Reconfiguration (proposed 7:25)

7. Student Representative Report

7.01 Liza Tumen, the Student Representative to the Board will report (proposed 7:30) 8:10

Student Representative Liza Tumen reported:

- Into the second week of school getting into the swing of things
- Sports teams are doing well good student attendance
- Girls varsity team won 2 games
- Boys soccer won a few games
- Football team won first game

- Good student participation for clubs
- Yearbook meeting started today
- Everyone excited, spirits are high

8. Public/Student Comment

8.01 The public and students may comment on any agenda or non agenda item. (proposed 7:40 duration 10 min or more)

Marie Shultis – Offered to the Onteora Central School District a substance abuse, peer-to-peer evidence based intervention program

Tracy Kellogg – Support Marie Shultis and make a statement as a past parent who had a scary prom night. Why is the party for the students on graduation night when the parents can support the students with dinners. Asking the District to provide something for prom night.

Tania Barricklo – support Marie Shultis, has a 6th grader and she would like older students to come speak to her child

Barbara Shapiro - More education for parents and children

Deanna Shultis – Consequences of drugs and alcohol in school (In-school and out-of school suspension) is not enough.

9. Discussion

9.01 The Certificate of Deposit Account Registry Service Presentation by Mary Ann Popek and Peter Frunzi of Catskill Hudson Bank (proposed 7:50 duration 10 min) 8:25

Brief overview of new product and service for funds already with them through tax collection

- Alternate deposit placement for public funds signed into law in August
- Complete insurance for funds over \$250,000
- ICS (Insurance Cash Sweep)— 6 transaction per month, funds are available immediately
 - o similar to a Money market
- Right now deposits above \$250,000 limit are manually collateralized by them to the appropriate level
 - New program all principal and interest is insured through FDIC member banks
 - 7300 banks nationwide, 3000 are connected to this network
 - Tested automated program more financially sound
 - o Alleviates Catskill Bank's need for collateralization
- Been in existence for 10 years, available to individuals and business, now available for public funds at no cost to the district
- 9.02 Hurley Tax Certiorari Settlement (proposed 8:00) 8:45

Assistant Superintendent McLaren reported:

- Hurley has signed off on the draft document
- Is a 10 year deal
- Follows in footsteps of Olive (also a long term deal)
- \$175 million is assessment drops to \$155 million until 2018 then increases to \$160 million for 4 years

- Deal worked out between town and city
- Do not have to reimburse for all years at issue but have to reimburse for current year \$200,000 – assessment role was set already
 - o Releasing what we have in reserve which will cover reimbursement
 - Then will deal with rest of reserve
- The reduction in value will put greater responsibility for tax payer
 - Still have to make up the shortfall, even if 0% budget increase
 - Burden shared by all of Onteora Central School District taxpayers
 - Less value to base on so more taxes for taxpayer
- Act on at next board meeting
- If there are concerns Dan Petigrow can come next meeting to answer questions
- Once signed, the rest of tax certiorari goes into the fund balance
 - Then Board can use the money to fund capital reserve or other reserves that can be funded
 - Still planning

Discussion:

- Need to strategize about the money that is left over
 - Just about finished "right sizing" the District
 - This decrease in value does not allow for make-up of budget in the tax levy
 - This could cause staff cuts that would hurt the District
 - Think long term
- Going forward the Board will be made aware of options for the money left over after \$200,000 is paid
- Look at ways to leverage State Funding to pay for projects District needs
 - Ready for Assessments that are coming, which will need a great deal of technology
 - o Prudent, fiscally responsible plans will be designed
 - o open and honest conversation
- Amount in Tax Cert is over \$4 million
- Be able to begin the 5 year Facility Plan by funding the Capital Reserve
- Are there programs available with grants or private industry money, such as the Solar 4 R Schools program?

9.03 Discussion on Solar 4 R Schools Program (proposed 8:05 duration 10 min) 8:55

- Introduction at last Board meeting
- Take first step to completing application
 - Need teacher and administrator
 - Ask teachers
- Positive move for the Board to take the next step
- What is the scale of their solar system?
 - o Educational solar voltaic system?
- NYSERDA grants are also available
- Since the EPC includes solar take this idea back to Facilities Committee

Consensus to take the idea to Facilities committee and have them to work toward completing the application

10. Discussion and Possible Action

10.01 Emergency Asbestos Work (proposed 8:15)

Motion: The Board of Education hereby approves the resolution attached

Motioned By: Trustee Fletcher Second By: Trustee Hickey

- Asbestos abatement contractor broke windows while abating window glazing, (many of the windows were cracked)- not in their contract to replace window panes
- After window panes replaced found dust and thought it was asbestos
- Company came back and thought it did need to be abated
- Will pursue all avenues legally
- Asbestos monitor cleared it the issue was after the panes were reinstalled
- Be more diligent; other situations where the District might be encountering this material
 - o By law, have to take the lowest bidder, unless you can disqualify them

WHEREAS, during a project to replace broken windows in a number of rooms at the Woodstock Elementary School ("School") in the Onteora Central School District ("District"), there was an unforeseen disturbance of asbestos containing materials immediately prior to the scheduled opening of the school to students and staff on September 4, 2012; and

WHEREAS, the District's professional consultant, Quality Environmental Solutions, Inc., ("QuES &T, Inc.") in its report on the results of an inspection of the School confirmed that asbestos containing window glaze was disturbed and released in Room 19, Custodian's Office, Psychologist's Office, Faculty Room and Adjacent Kitchen and Connecting Hallway located in the School requiring immediate remediation ("Project"); and

WHEREAS, the disturbance of asbestos at the Woodstock Elementary School was an unforeseen immediate condition that posed an imminent threat to the health and safety of students and staff which would require the School remain closed, which could negatively impact the educational opportunities of students; and

WHEREAS, because of the imminent threat to students and staff caused by the disturbance of asbestos at the Woodstock Elementary School and a potentially protracted delay in the opening of the School, the asbestos remediation had to be performed immediately; and

WHEREAS, the Project to abate the asbestos release of the affected areas meets the threshold of a Type II action under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, the District received a proposal for the abatement work to be performed by the Asbestos Corporation of America, Yonkers, NY who proposed and completed the Project for \$39,650.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Onteora Central School District ("Board") hereby declares the abatement of the unforeseen disturbance of asbestos in the affected areas at the Woodstock Elementary School ("Project") to be a Type II action for SEQRA purposes; and

BE IT FURTHER RESOLVED that the Board hereby:

- 1. Declares that the asbestos remediation of the affected areas at the Woodstock Elementary School was an emergency, and further declares that due to the emergency, the award of the contract to Asbestos Corporation of America was therefore, exempt from the New York State General Municipal Law §103 bidding requirement, allowable under New York State Education Law; and
- 2. Ratifies the contract that was previously awarded to and performed by Asbestos Corporation of America ("ACA"), Yonkers, NY for the asbestos remediation Project in the amount of \$39,650 under the emergency conditions described above; and

BE IT ALSO FURTHER RESOLVED, that the Board hereby declares the cost of the Project as an ordinary contingent expense and shall take such action as is necessary to approve the funds for the Project.

Results: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

10.02 Waive Second Reading (proposed 8:20)

9:15

Motion: The Board of Education hereby waives the second reading of Policies 1332,

7551, 7242 and 5150

Motioned By: Trustee Osmond Second By: Trustee Kurnit

Not comfortable, since they have not been put before the Policy Committee

Results: Passed

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

Nay: Trustee Fletcher, Trustee Hickey

Not Present: Trustee Spencer

10.03 Rescind Policy 5150 Contingent Budget (proposed 8:25)

Motion: The Board of Education hereby rescinds Policy 5150 Contingent Budget

Motioned By: Trustee Kurnit Second By: Trustee McKeon

No longer valid

Results: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

2002 5150 Non Instructional/Business Operations

SUBJECT: CONTINGENCY BUDGET

The School District budget for any school year or any part of such budget, or any proposition involving the expenditure of money for such school year, shall not be submitted for a vote of the qualified voters of the District more than twice in any school year.

If the original proposed budget is not approved by District voters at the Annual District Meeting and Election, the Board has the option of either resubmitting the original or revised budget for voter approval at a special meeting held at a later date; or the Board may, at that point, adopt a contingency budget and levy a tax for teachers' salaries and ordinary contingent expenses as enumerated in law. If the Board decides to submit either the original or a revised budget to the voters for a second time, and the voters do not approve the second budget submittal, the Board shall adopt a contingency budget and levy a tax for those expenditures mandated pursuant to law and/or for those services necessary to maintain the educational program.

The contingency budget will include the sum necessary for teachers' salaries (i.e., professional educator positions certificated by the State Education Department which include teachers, administrators, teaching assistants, and professional specialists in the various areas of Pupil Personnel Services) and ordinary contingent expenses as determined by the Board in accordance with law including, but not limited to, the purchase of library books and other instructional materials associated with the school library; expenses for cafeteria or restaurant services; and expenses incurred for interscholastic athletics, field trips and other extracurricular activities. Ordinary contingent expenses include, but are not limited to, legal expenses incurred by the District; expenditures specifically authorized by statute; and other items necessary to maintain the educational program, preserve property, and assure the health and safety of students and staff. As deemed necessary, school counsel may be consulted for review as to those items considered to be ordinary contingent expenses prior to Board adoption of the contingency budget.

In accordance with law, the contingency budget will reflect the statutory expenditure limits imposed on the administrative component of the contingency budget as well as the total spending authorized in the overall contingency budget. With regard to overall District spending, the contingency budget, as a whole, shall not result in a percentage increase in total

spending over the District's total spending under the School District budget for the prior year that exceeds the lesser of:
a) The result when one hundred twenty percent (120%) is multiplied by the percentage increase in the Consumer Price Index (CPI), with the result rounded to two (2) decimal places; or

- b) Four percent (4%). Additionally, the administrative component of the contingency budget shall not comprise a greater percentage of the contingency budget exclusive of the capital component than the lesser of:
- a) The percentage the administrative component had comprised in the prior year budget exclusive of the capital component; or
- b) The percentage the administrative component had comprised in the last proposed defeated budget exclusive of the capital component.

The Consumer Price Index to be used refers to the percentage that represents the average of the national consumer price indexes determined by the U.S. Department of Labor for the twelve month period preceding January first of the current year. In determining the increase in total expenses when computing the contingency budget percentage increase, the following expenditures shall be disregarded:

- a) Expenditures resulting from a tax certiorari proceeding;
- b) Expenditures resulting from a court order or judgment against the School District;
- e) Emergency expenditures that are certified by the Commissioner of Education as necessary as a result of damage to, or destruction of, a school building or school equipment;
- d) Capital expenditures resulting from the construction, acquisition, reconstruction, rehabilitation or improvement of school facilities, including debt service and lease expenditures, subject to voter approval;
- e) Expenditures in the contingency budget attributable to projected increases in public school enrollment, which may include increases attributable to the enrollment of students attending a pre-kindergarten program established in accordance with Education Law Section 3602 e;
- f) Non recurring expenditures in the prior year's School District budget; and
- g) Expenditure of gifts and grants in aid and use of insurance proceeds.

Should the Board of Education adopt a contingency budget, it will officially pass a resolution reflecting such action; and that resolution shall incorporate by reference a statement specifying the projected percentage increase or decrease in total spending for the school year, and explain the reasons why the Board disregarded any portion of an increase in spending in formulating the contingency budget.

Regulations will be developed enumerating a sample list of expenditures which have been determined, pursuant to law, to constitute ordinary contingent expenses. However, the Board reserves the right, in accordance with its legal responsibility, to designate other items as ordinary contingent expenses as deemed necessary to maintain the educational program of the District, preserve property, and assure the health and safety of students and staff.

Education Law Sections 2002, 2023, 2024, and 2601-a

Adopted: 6/29/09

10.04 Adoption of Policy 1332 with revision (proposed 8:30)

Motion: The Board of Education hereby adopts Policy 1332 with revisions

Motioned By: Trustee Osmond Second By: Trustee Kurnit

Results: Unanimous

Policy needs to be changed to reflect the District's practice

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

2008-2012 1332 By-Laws

SUBJECT: DUTIES OF THE SCHOOL DISTRICT TREASURER AND PURCHASING

AGENT

Treasurer

The Treasurer is appointed by the Board of Education at the Annual Organizational Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting and preparing reports and statements concerning District finances, the District Treasurer shall perform other specific tasks as follows:

- a) Acts as custodian of all moneys belonging to the School District and lawfully deposits these moneys in the depositories designated by the Board;
- b) Pays all authorized obligations of the District as directed;
- c) Maintains proper records and files of all checks, and approved payment of bills and salaries;

- d) Makes all such entries and posts all such financial ledgers, records and reports as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;
- e) Signs all checks drawn on District fund accounts;
- f) Oversee all extra-classroom activity funds;
- gf) Assumes other duties customary to the office to include but not limited to adopted duties and responsibilities.

The Board directs the Treasurer to keep it informed of the financial status of the District through monthly cash reconciliation and budget status reports and annual fiscal reports. The Treasurer should highlight any deviation in actual fiscal conditions from planned fiscal conditions and offer recommendations to the Board to remedy the situation. The Business Administrator will prepare and submit, through the Superintendent, to the Board and the Commissioner of Education, such reports as are prescribed by law. These shall be filed with appropriate governmental bodies as required under law or regulation. The District will cooperate with governmental agencies and research organizations as required by law for data concerning the fiscal operations of the District.

The School Purchasing Agent is appointed by the Board of Education and is responsible for providing the necessary supplies, equipment, and services to support the educational program. The duties of the School Purchasing Officer include the following:

- a) To develop and maintain lists of potential suppliers;
- b) To solicit competitive bids or quotations for purchase;
- c) To issue and process purchase orders.

The Assistant Superintendent for Business is designated as the Purchasing Officer for the District.

Duties-Education Law Section 2122
Bond-Education Law Section 2130, Part 5

8 New York Code of Rules and Regulations (NYCRR)

Sections 170.2(0) and (p)

Adopted: 6/29/09

10.05 Adoption of Policy 7551 Sexual Harassment of Students with revisions (proposed 8:35)

Motion: The Board of Education hereby adopts Policy 7551 with revisions

Motioned By: Trustee Kurnit Second By: Trustee Osmond

Results: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

2012 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 sexual harassment on the basis of sex, gender (including gender identity or expression) 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 be-comprised 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 expression

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 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 Onteora Bullying Policy 7380

10.06 Adoption of Policy 7242 with revisions (proposed 8:40)

Motion: The Board of Education hereby adopts Policy 7242 with revisions

Motioned By: Trustee Osmond Second By: Trustee Kurnit

Results: Unanimous

 Need to release the ID#s for pictures to be imported into the Infinite Campus Student Management Program

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

Not Present: Trustee Spencer

2010-20127242 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; or

b) A student's identification (ID) 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

Administrative Regulation 7242

Adopted: 1/5/10

10.07 Certification of Lead Evaluator (proposed 8:45)

Motion: The Board of Education hereby approves Phyllis McGill as lead evaluator as per the resolution attached.

Motioned By: Trustee Osmond Second By: Trustee Hickey

Results: Unanimous

- Before a District can use APPR, the lead evaluator(s) need to be approved by the Board of Education
- BOCES provides transcripts of trainings that need to be attended by lead evaluators, life experience showing mastery of the skills is also acceptable
- Principals will be lead evaluators for the teachers

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

BE IT RESOLVED THAT Phyllis McGill is hereby certified as a Qualified Lead Evaluator of building principals having successfully completed the following training requirements prescribed in 8 NYCRR §30-2.9 (b):

- 1. The New York State Teaching Standards, and their related elements and performance indicators/the Leadership Standards and their related functions;
- 2. Evidence-based observation techniques that are grounded in research;
- 3. Application and use of the student growth percentile model and the value-added growth model as defined in 8 NYCRR §30-2.2;
- 4. Application and use of the State-approved rubrics selected by the school district for use in the valuation of building principals, including training on the effective application of such rubric to observe a principal's practice;
- 5. Application and use of the assessment tools that the school district utilizes to evaluate its building principals, including, but not limited to structured portfolio reviews; student, parent, teacher, community feedback; professional growth goals; school improvement goals, etc.
- Application and use of the State-approved locally selected measures of student achievement used by the school district to evaluate its principals;
- 7. The scoring methodology utilized by the Department and the school district to evaluate a building principal under 8 NYCRR \$30-2, including:
 - a. how scores are generated for each subcomponent and the composite effectiveness score of building principals, and
 - b. application and use of the scoring ranges prescribed by the Commissioner for the four designated rating categories used for the overall rating of principals and their subcomponent ratings; and
- 8. Specific considerations in evaluating building principals of English language learners and students with disabilities
- 9. Training on the use of the Statewide Instructional Reporting System, also required by 8 NYCRR §30-2.9 (b), will be provided once the NYS Education Department makes available the information required for such training.
- 10. This certification has been issued in accordance with the process for certifying lead evaluators described in the district's annual professional performance review plan.

10.08 Inter-municipal Transportation Agreement (proposed 8:50)

Motion: The Board of Education hereby approves the Inter-municipal Transportation Agreement as outlined in the attached document

Motioned By: Trustee Fletcher Second By: Trustee Hickey

- At the BOCES annual meeting all the Transportation Directors are presented with summary of all students' placements (including private schools)
- The Directors contact each other before meeting to try to work out plan
- Just became legal to "piggyback" onto an existing contract
- Made sure the student did not have to change buses more than once

Results: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

THIS AGREEMENT made and entered into this 5th day of September, 2012, by and between the BOARD OF EDUCATION OF KINGSTON CITY SCHOOL DISTRICT, with offices at 61 Crown Street, Kingston, New York, (hereinafter referred to as "The District"). the BOARD OF EDUCATION OF ONTEORA CENTRAL SCHOOL DISTRICT, with offices at 4166 State Route 38, Boiceville, New York 12412 (hereinafter referred to as "The District") and the BOARD OF EDUCATION OF NEW PALTZ CENTRAL SCHOOL DISTRICT, with offices at 1 Henry Dubois Drive, New Paltz, New York 12561(hereinafter referred to as "The District") W I T N E S S E T H: WHEREAS, The Kingston City School District, Onteora Central School District and New Paltz Central School District are each duly organized as a school district under the laws of the State of New York, and as such are legally obligated to transport their: (1) resident children to and from non-public schools those students legally attend according to certain mileage limitations; and WHEREAS, The Kingston City School District, Onteora Central School District and New Paltz Central School District are authorized under the laws of the State of New York to contract for the transportation of certain of their resident children to and from the non-public schools they legally attend; and WHEREAS, The Kingston City School District, Onteora Central School District and New Paltz Central School District each desire to conserve economic resources with regard to their aforementioned transportation duties and believe they can do so by entering into an Inter-Municipal Agreement, pursuant to the provisions of Section 1709[25][g] of the Education Law and Section 119-o of the General Municipal Law, pursuant to the terms and conditions hereinafter set forth below; NOW, THEREFORE, IT IS HEREBY AGREED, by and among the Kingston City School District, Onteora Central School District and New Paltz Central School District as follows: 1. The Kingston City School District, Onteora Central School District and New Paltz Central School District agree to share information on current bus routes for non-public schools, to and from which they are legally responsible to transport their resident children for the purpose of identifying those runs that may be performed on a cooperative basis. In the event the Kingston City School District, Onteora Central School District and New Paltz Central School District mutually determine that transportation to and from such schools can be provided cooperatively in a safe and economical manner, they agree that the costs of providing such transportation will be either apportioned equally among those districts participating in the cooperative run or billed to the District originating the route depending upon the cost savings that may be achieved. 2. In the event of a delay or other emergency, which requires an early dismissal or delayed opening, it is agreed that the school district legally responsible for transporting children will provide transportation. 3. In the event of an accident, the parties agree that whichever school district originates the cooperative bus run will be responsible for communicating with the appropriate law enforcement authorities, preparing and filing all forms, and communicating with the other school district(s) participating in such cooperative run to ensure the parents/guardians of the students riding the bus are notified in a prompt and timely manner. 4. In the event of a conflict in school calendars, and/or a school closure due to inclement weather or some other emergency, the school district legally responsible for transporting children will provide transportation. 5. In the event a cooperative bus run ceases, the school districts participating in that run will pro-rate the costs as of the date the bus run ended. 6. The Kingston City School District, Onteora Central School District and New Paltz Central School District will abide by federal and state confidentiality statutes, including, but not limited to, the Family Educational Rights and Privacy Act ("FERPA"), to the same extent that it must be complied with by the District. The obligation to preserve the confidentiality of student information shall survive the termination of this Agreement. 7. To the extent each school district is participating in a cooperative bus run, but is not the school district responsible for originating the run, such school district(s) will supply the school district responsible for originating the run with a certificate of insurance naming the school district responsible for originating the run as an additional insured party. 8. Each party may, upon seven (7) days written notice to the other parties, terminate this Agreement in the event it determines that it is no longer economical for that party to participate in the cooperative transportation agreement. 9. This Agreement is effective for the period from September 5, 2012 through June 30, 2013, and may be extended for additional one year terms provided the parties agree to such extension in writing on or before the expiration of each one year terms. 10. Any modification of this Agreement must be in writing and executed with the same formality as the Agreement herein.

11. Board Goals

11.01 The Board will discuss their Goals for 2012-2013 (proposed 8:55 duration 20 min) 9:45

The Board discussed their Board Goals

Consensus to accept Educational Vision Goal as written

I. Educational Vision Promote a stimulating, healthy and safe environment conducive to learning, which improves the educational experience for all students, creates a stimulating learning environment that teaches beyond the test while meeting State and Federal requirements, and that increases graduation rate and aspirational performance measures.

Action Items

1. Continue or begin to study, at Board and Superintendent level, effectiveness and cost of integrating or further integrating such programs, courses and models as: International Baccalaureate, Project

Lead the Way, STEM, E-Learning, Blended Learning, College and Career Readiness.

- 2. Request quarterly reports to study effectiveness of new grade configuration within the elementary schools: K-3 at Phoenicia and Woodstock, and Grades 4-6 at Bennett. Visit schools as necessary to see new model, especially that of Project Based Learning at Bennett, in operation.
- 3. Use data, as provided by Superintendent, to more effectively understand challenges and success rates of student body working towards graduation; request educational recommendations from Superintendent to further improve rates and individual performance, and approve accordingly.
- 4. Promote a learning environment emphasizing the unique character of Onteora with a curriculum-wide integration of the arts, environmental studies (as "Nature's Classroom") and local history, and support it with professional development as necessary. Explore the Catskill Center's "Sense of Place" curriculum as an example.
- 5. Encourage the expansion of technology into the educational environment to enhance instructional effectiveness and improve communication and efficiency.
- 6. Request and study information on pre-K programs within the District, and consider ways to improve Universal pre-K opportunities, either within or outside of the school buildings.
- 7. Ensure, through dialogue with and reports from Superintendent, effective transition from new Intermediate school at Bennett into Middle School, so as to improve social structure and educational results.

Discuss other sections at next Board meeting

Put Legislative Action under Culture and Community

12. ** 10 Minute Break

12.01 The Board will take a 10 minute break (proposed 9:15) No break was taken

13. Consent Agenda

13.01 Approve Consent Agenda (proposed 9:25 duration 5 min)

10:10

Motion: Approve consent agenda item numbers 13.02-13:06

Motioned By: Trustee Fletcher Second By: Trustee Hickey

Missed question

Results: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

13.02 Personnel Agenda

APPOINTMENTS: INSTRUCTIONAL

PART TIME APPOINTMENT

NAME POSITION EFFECTIVE DATES FROM -SALARY/
TOSTEP REMARKS

Samuelsen-Grimm, Karen 0.5 FTE English - MS 09/01/12 - 06/30/13 (RETRO) 3MA

EXTRA DUTY STIPENDS 2012-2013

NAME POSITION AMOUNT

Woodstock Elementary School

Babcock, Alyssa	Science Fair Coordinator – MS	\$ 532.00
Babcock, Alyssa	Science Olympiad Assistant Coach – MS	\$1,283.00
Cahill, Veronica	Peer Mediation Advisor 1	\$2,747.00
Caprotti, Colette	DECA Assistant Advisor	\$1,150.00
Hull, Julie	Sixth Teaching Assignment (AIS Coordinator 7-12)	\$7,500.00
Nelsen-Epstein, David	Theatre Technical Director	\$3,121.00
Rushford, Michael	Soccer – Modified – Head Coach (Girls)	\$1,853.00
Sauer, Cassandra	Marching Band Color Guard Instructor	\$1,838.00
Schaffer, Brian	Student Affairs Council Advisor – MS	\$1,884.00
Wolfield, Dale	Art Club Advisor – MS	\$1,111.00

PER DIEM SUBSTITUTES

NAMEPOSITIONAMOUNTLarge, JuliaCertified Substitute Teacher\$95.00/dayTarantino, AnthonySubstitute Custodial Worker\$10.00/hour

APPOINTMENTS: NON-INSTRUCTIONAL

PROBATIONARY APPOINTMENT

NAME	POSITION	PROBATIONARY PERIOD	SALARY/STEP	REMARKS	
Kothe, Robert*	Cook, F/T (35 hrs/wk)	09/18/12 - 03/18/13	Step 1	Replaces M. Cook	
*Danding pro ampleyment processing					

*Pending pre-employment processing

PART TIME APPOINTMENT

NAME	POSITION	EFFECTIVE DATE	REMARKS
Burns, LeAnne	Food Service Helper	02/06/12*	Removing unnecessary ending date from original appointment
Tucciarone, Christine	Food Service Helper	01/25/12*	Removing unnecessary ending date from original appointment

*Revision of dates

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

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, #9/12, Confidential, as reviewed by Trustee Fletcher

- Law has recently changed to not require an additional parent at the meetings, but that parents will be notified of their right to another person there, which must be requested in writing 72 hours prior to the meeting
- 13.04 Donation of Turbo Air Refrigerator from Meet, Greet and Eat
 The Board of Education hereby accept the donation of a Turbo Air open air display
 merchandiser worth \$5,137.70
 - Thank you to the organization that ran this event
 - MS PTSO chose new colors for the cafeteria much brighter
- 13.05 Approval of Revised CSE Membership

BE IT HEREBY RESOLVED by the Board of Education of the Onteora Central School District upon recommendation by the Superintendent of Schools that the revised CPSE/CSE membership for the 2012-2013 School Year is hereby approved.

- Concern that one person cannot handle all of the CSE meetings
 - This will change once the PPS Dept. report is complete

13.06 Accept Donations

The Superintendent recommends acceptance of a donation totaling \$537.00, CASH, from The ECA - Class of 2012 to be used to purchase a Lectern for the High School Auditorium. The Superintendent recommends approval to increase the 2012-2013 Budget per the following donations: ECA – Class of 2012 A2110.431.01 Supplemental \$537.00 The Catskill Watershed Corporation A2110.431.04 Supplemental \$1,850.00 (Trout in the Classroom for Phoenicia)

14. Committee Reports -5 min each

14.01 Audit Committee - Trustee Spencer to report on the Internal Auditor position. Next meeting is 4:30 at Central Administration on 9/17/12(proposed 9:30)

Committee has not met since the last Board meeting

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

Trustee Kurnit reported

- Met to review comprehensive survey done for the Energy Performance Contract
- Richard Kohrs came and the engineer putting the project together
- Has grown slightly, but there are more savings
- 16 areas in survey some larger than others
- Not in EPC:
 - Burners at Middle School/High School
 - o Bennett electric heat conversion, since district took that on
- Mr. Kohrs will come to the next Board meeting to present
- 14.03 Policy Committee Trustee McGillicuddy to report. Next meeting is 9:30 at Central Administration on 10/1/12

Will meet on 9/18/12

14.04 Legislative Action committee - Trustee McGillicuddy to report. Next meeting is at 6:30 in the Central Administration Conference room on TBD

Ulster County Legislative Action Committee will meet on 10/4/12 in New Paltz.

14.05 District Committee: Health and Wellness Committee. Next meeting is in Room 207 of the High School at 2:45 on 9/20/12

Committee has not met since the last Board meeting

14.06 District Committee: Technology - Superintendent McGill to report. Next meeting is in room 120A of the High School at 4:00 on TBD

Committee has not met since the last Board meeting

15. Old Business

15.01 Discussion on Advisory Committee for West Hurley Campus (proposed 9:40 duration 10 min)

10:20

The Board of Education hereby creates an Advisory Committee whose purpose is to explore and assess all viable prospective uses of the West Hurley campus. The committee will be open to community members as well as board trustees and district personnel. The Advisory Committee will report to the Board of Education at a date to be determined.

- Consensus to put this on web site and call out to community for volunteers
- Rotate meeting day so more people can be accessible

15.02 The Board will discuss Old Business (proposed 9:50)

No other Old Business was discussed

16. New Business

16.01 The Board will discuss New Business (proposed 9:55)

10:25

Procedure for New Business

When issue is raised, be sure to put it on the next agenda

17. Request For Information

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

10:30

Trustee Kurnit asked why our schools are no longer identified as "in need of improvement" by the State

Other Business:

Trustee McGillicuddy, Trustee Fletcher and Trustee Kurnit will attend NYSSBA. Trustee Spencer also expressed interest

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)

No public comment was made

19. Adjournment

19.01 Adjourn Meeting. Next meeting is Tuesday, October 2 at Bennett (proposed 10:15)

Motion: The meeting is adjourned at 10:35

Motioned By: Trustee Hickey Second By: Trustee McKeon

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Osmond,

Trustee Kurnit, Trustee McKeon Not Present: Trustee Spencer

Minutes Recorded By: Fern Amster, District Clerk

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

Fern amore