

# ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION  
BOICEVILLE, NEW YORK 12412

## REGULAR MEETING

6:00 p.m.

## MINUTES

**TUESDAY, OCTOBER 16, 2012**

Phoenicia Elementary School

### **1. Opening Items**

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

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

Not Present: Trustee McKeon, Trustee Spencer

### **2. Executive Session**

- 2.01 Enter Executive Session at approximately 6:05

*Motion:* To enter executive session to discuss OTA negotiations.

Motioned By: Trustee Hickey

Second By: Trustee Fletcher

Results: Unanimous

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

Not Present: Trustee McKeon, Trustee Spencer

#### **Now Present:**

Trustee Spencer arrived at approximately 6:10

Trustee McKeon arrived at approximately 6:40

- 2.02 Exit Executive Session

*Motion:* To exit executive session

Motioned By: Trustee Fletcher

Second By: Trustee McKeon

Results: Unanimous

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

- 2.03 Re-enter Public Session at approximately 6:45

7:10

*Motion:* To re-enter public session

Motioned By: Trustee Fletcher

Second By: Trustee Spencer

Results: Unanimous

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

### **3. Acceptance of Minutes**

- 3.01 Acceptance of minutes (proposed 6:50)

*Motion:* The Board of Education hereby accepts the minutes of 10/2/12

Motioned By: Trustee Spencer

Second By: Trustee Osmond

Results: Unanimous

Results: Unanimous

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

#### **4. Welcome**

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

7:15

Principal Sella described the many transitional activities have occurred since August:

- Started with playdate of incoming families in August
  - 15-20 families
- At Kindergarten Orientation each child received a school photo of whole class to help bring one community into another
- Open House
  - 120 families at Phoenicia
- Positive Behavior Intervention Kick Off (PBIS - District Initiative)
  - Reinforce good behavior, positive values in being honest, responsible, and caring
- Pot Luck Welcome Back
  - 15 -20 families
- Chefs in Garden – local restaurant – Peekamoose chef cooked in the garden with students and parents
- Trout in the Garden is beginning
- Dance Residency will begin at Phoenicia
- Cool School After School Program open to 3<sup>rd</sup> grade Bennett students
  - Crafts, Science and nature, Jewelry making, Lego Building
- Will be starting more after school programs

#### **5. Board District News**

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

7:25

Trustee McGillicuddy reported:

- Dr. McGill, Trustee Kurnit, Trustee Fletcher attended Ulster County Legislative Action Committee meeting
  - Meet again after November elections
- Then attended UCSBA meeting
- Homecoming: old soccer players invited youth soccer to march with them
- She, Dr. McGill and Trustee Osmond met with Mike Hein
  - Conversation on schools and community
  - Generators for school buildings
- High School Student meeting was earlier to teach what a Board of Education is and what function is, how to become more involved
- This Tuesday is Senate candidate's breakfast at 7:30 am

Trustee Osmond reported about the WH Advisory Committee Meeting:

- Well attended, community members, Assistant Superintendent McLaren and

Director of Facilities Jared Mance

- Started conversation and will meet again on 11/5/12
- Mike Hein suggested speaking with Ann Gallagher, Deputy Director for Economic Development
  - Came up at WH meeting
  - Suggest partnerships and funding

Trustee McKeon:

- Chef from Peekamoose – cooked Kale with garlic – kids clamoring for kale!

Trustee Fletcher:

- Attend the Aaron Diehl, musician from New Orleans presentation at Bennett
- Project Based Learning presentation
  - Nice for Board to see PBL in action
  - Concert/history lesson/ party on stage
  - Group came from all over the world
- Homecoming
  - Boys Soccer and Girls Field Hockey won their games
- Bennett has their Red Dress Run on Saturday to raise money for Hurricane Irene Victims

Welcome to Sean Hickey as second Student Representative to the Board

## 6. Superintendent District News

6.01 Award Administrator Tenure (proposed 7:05 duration 10 min)

Superintendent Phyllis McGill recommended Jennifer O'Connor for tenure:

- Employed for almost 5 years
- Hired as Assistant Principal of High School
- Promoted to Middle School Principal 3 years ago
- Mid Hudson Leadership Academy for 2 years
- Serves as Secondary Curriculum Coordinator and Onteora representative to BOCES Instructional Advisory Council
- Worked diligently with MS staff to foster student learning, have instructional integrity and meeting the unique needs of at risk learners. As a result she has dramatically and positively affected the students' learning.

*Motion:* The following named ADMINISTRATIVE PERSONNEL, having served a period of probationary status consistent with the Education Law of the State of New York, and provisions of the Commissioner's Regulations; and having received continuing satisfactory evaluations of performance are hereby recommended by the Superintendent of Schools for APPROVAL for TENURE STATUS.

NAME	CERTIFICATION	TENURE AREA	PROBATIONARY DATE	TENURE DATE
Jennifer O'Connor	Permanent	Principal	11/2/09	11/3/12

Motioned By: Trustee Hickey

Second By: Trustee Spencer

Results: Unanimous

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

6.02 The Superintendent will report on District News (proposed 7:15)

Superintendent Phyllis McGill reported:

- Pep Rally, organized by students, feedback is that it was best pep rally remembered
- Elaine Ostrander honored
  - Secretary in Guidance
  - Joined by family, administration and faculty to be honored by Mid Hudson School Study Council for Excellence in Support Services
- More active on communicating accomplishments on the web site

**7. Student Representative Report**

7.01 Sean Hickey, the Student Representative to the Board will report (proposed 7:20)

- School year started well
- Pep rally was great
  - Many students heard that there was not going to be a pep rally
  - Seniors wrote petition and they organized it
- Each team makes presentation and performs
- Pep band played
- All teams won except football and girls soccer (tied)
- Homecoming dance was good, music was good, everyone enjoyed

**8. Public/Student Comment**

8.01 The public and students may comment on any agenda or non agenda item.  
(proposed 7:25 duration 10 min or more)

Sean Hickey – in 8<sup>th</sup> grade when Ms. O'Connor arrived – always smiling – refreshing to see a smile all day long

**9. Discussion**

9.01 Richard Kohrs, from Ameresco will discuss the Energy Performance Contract with the Board (proposed 7:35 duration 30 min)

7:45

Heating plan for Phoenicia Elementary

- State Dept – EPC must pay for initial project costs from energy savings over 18 years
  - Wood pellet system does not fit in the 18 year payback
- Fuel cost savings are not necessarily energy efficiency savings
- New systems must save BTUs
- Fuel pricing must be obtained from generally and readily available market pricing
- Many other districts that have wood burning plans used:
  - ARRA money, which is no longer available
  - High Building Aid rates, would be available for oil burners, not sure about wood boilers
  - Capital projects – all Districts that have wood boilers have received

- funding this way
- NYSERDA development money, which is no longer available
- Head of NYSERDA Biomass Development Group, Dr. Ellen Burkhard explained:
  - Best practices for wood burning boilers are commercial or institutional buildings
  - Only wood pellets are recommended at this time
  - Pellett boilers have 85% efficiency
  - Emmison controls must be equivalent to #2 oil
    - Very precise and very rigid
  - Thermal storage is necessary
    - Can't fluctuate the load
    - Once constant operation – must stay in constant operation to achieve efficiencies
    - Management system is necessary to optimize operations
  - Fuel pricing – currently #2 fuel oil \$3.05
  - Hard wood pellets 1 ton is \$213.50
    - Price per BTU is better than oil
  - 2 alternatives 2 oil fired boiler or 1 oil, 1 wood
    - Both have same efficiencies
    - Heat 29,000 + square feet
    - Each required to have same output to building
    - Turn key cost – total cost product, material, installation, associated equipment needed to make operational, removal of old plan
      - fuel oil plan \$517,000 installed
      - Wood pellet \$637,000 installed
        - Wood pellet needs silo
        - Auger system needed to move pellets from silo to boiler
        - Thermal storage unit provide for hot water to be stored
        - Comes in large pieces – requires removing a large portion of the wall to get the wood pellet boiler in
        - Wood pellet burns 1 ton a day
          - Ash has to be removed and disposed 4 times a week
        - Level of staff is frequent for pellet boiler – greater number of moving parts (mechanical parts) and ash
        - PM 25 emissions (particulate) low for fuel oil
          - 7 or 8 times greater for wood pellet boiler, should be of paramount concern when near an elementary school
  - Still talking about efficiency savings in units of consumption, not fuel cost savings
    - Not allowed to look at fuel cost savings in EPC
  - 2 oil boilers 12,455 gallons of oil @ \$3.05 = \$37,988

- 1 oil, 1 wood, 92 tons of wood \$19,000 and \$5600 in oil = \$25,339
- Fuel cost savings, but 2 plans require same BTUs to provide heat to building
  - Wood option will not fit into project
- Still propose and support the fuel oil boiler for Phoenicia.

Director of Facilities Jared Mance reported that the root issue is the inability to use dollar savings in fuel oil in an Energy Performance Contract

- Must be energy efficiency – not saving energy with wood
- In a larger scale (building), wood chip alternative instead of pellet (less money to purchase) begins to make sense
  - In any of our elementary school – too small for a biomass project
- In Middle School/High School there needs to be a conversion from steam to hot water boilers
- Common to all school district that have bio-mass:
  - All large scale projects
  - All part of a Capital Project
  - All have very high building aid ratio

#### Discussion

- Concern that stating fuel oil is \$3.05
- Set precedent: boilers in Levins Building at West Hurley will need to be replaced if building is leased
- Additional \$120,000 for wood pellet boiler is problem
  - Fuel does not come into EPC 18 year payback, only cost of system
- Take out 2 oil burners and put in hybrid system, does not produce an 18 year pay back
  - Oil plan is 17 year payback, hybrid is 20-21 years
- Can take things out of EPC and put wood boiler in to balance out long term
  - Something substantial that has long term payback
    - Only windows in Woodstock meets criteria
    - Could be approved by State Ed
- Suggest Onteora do voter approval for Capital Project for wood burning boiler
- Why would pellets instead of wood chips? (which the other district are using)
  - Pellet company can give a set price on wood pellets today
  - Wood chips are less expensive because they are not “clean” and are wet – need to be dried for a long period of time
- Suggestion: take boilers out of project, do windows at Woodstock and other projects here
  - Don't know what will happen to fuel costs
  - Won't have to use fossil fuels
  - Put up as capital project because of fuel savings
- Solar hot water heaters viable?
  - Still need to have oil hot water heaters for kitchen and sinks
    - Must meet NYSED regulations
  - Run building boilers to get hot water in summer
    - In EPC are the hot water heaters so boilers don't have to work in the summer
  - Can use solar in summer only, use boilers in winter and have boilers as

back up to solar

Consensus to bring this back to Facilities Committee

9.02 NYSSBA Resolutions (proposed 8:05 duration 30 min)

9:00

NYSSBA 2012 Resolutions	Trustee McGillicuddy	Trustee Fletcher	Trustee Osmond	Trustee Spencer	Trustee Hickey	Trustee Kurnit	Trustee McKeon
1. Funding of Mandatory State Tests	Yes	Yes	Yes	Yes	Yes	Yes	Yes
2. Principles of Teacher Discipline Reform	Yes	Yes	Yes	Yes	Yes	Yes	Yes
3. Modified Testing Requirements for Students with Disabilities	Yes	Yes	Yes	Yes	Yes	Yes	Yes
4. Repeal Salary Increments Under Triborough	Yes	Yes	Yes	Yes	Yes	No	No
5. Regional Uniform Scheduling	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6. Creation of Regional High Schools (This is based on local school Boards requesting to be regionalized)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
7. Eliminate State Aid Spending Cap (Asking State to eliminate spending cap due to the inequity in revenue among NYS schools)	Yes	Yes	Yes	No	No	No	Yes
8. Growth in Local Tax Base Under Contingency Budgets (Be able to adjust the local property tax due to growth in the local tax base when in a contingency budget)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
9. Teacher Licensing Reform (3020a process now very difficult, if the State can have a fair system, it would be better)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
10. Parent Trigger Law for Charter School Conversion	Yes	Yes	Yes	Yes	Yes	Yes	Yes
11. Removal of Seat Time	Yes	Yes	Yes	Yes	Yes	Yes	Yes
12. Competitive Performance Grants (Many grants out there, Onteora cannot apply because of no APPR in place)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
13. Digital Learning Opportunities ("Do not mistake digital learning opportunities for students in traditional public school with advocating for a virtual charter school." – Rationale	Yes	Yes	Yes	Yes	Yes	Yes	Yes
14. Accountability for Schools of Education	Yes	Yes	Yes	Yes	Yes	Yes	No
15. Charter Membership	Yes	Yes	No	Yes	Yes	No	No
16. Charter School Law Expansion for Virtual Charter Schools	Yes	Yes	Yes	Yes	Yes	Yes	No
17. State Aid for Transportation (For districts in large city districts with no safety zone)	Yes	Yes	Yes	Yes	Yes	Yes	Yes
18. Referendum on Constitutional Convention	Yes	Yes	Yes	Yes	Yes	Yes	Yes
19. Data Privacy	Yes	Yes	Yes	Yes	Yes	Yes	Yes

#### 10. \*\* 5 Minute Break

10.01 The Board will take a 5 minute break (proposed 9:35)

9:30 the board took a break

#### No Longer Present:

Trustee Hickey left at approximately 9:30

9.03 First Reading of Policy 5660 School Food Service Program (proposed 8:35)

9:35

2011 ~~2012~~ 5660 Non-Instructional/Business Operations**SUBJECT: SCHOOL FOOD SERVICE PROGRAM (LUNCH AND BREAKFAST)**

The Board of Education recognizes that the nutrition of district students is an important factor in their educational progress. The Board therefore shall participate in federally funded school lunch programs, and shall provide free or reduced price food services to qualified district students.  
~~The Board has entered into an agreement with the New York State Education Department to participate in the National School Lunch and Breakfast Programs and to receive commodities donated by the Department of Agriculture and to accept responsibility for providing free and reduced price meals to elementary and secondary students in the schools of the District.~~

The Superintendent or his/her designee shall have the responsibility to carry out the rules of the School Lunch and Breakfast Programs. The determination of which students are eligible is the responsibility of the Superintendent or his/her designee. Appeals regarding eligibility should be submitted to the Superintendent.

Notice of the availability of the free and reduced price meal programs will be sent to the homes of students, local media, the local unemployment office and large employers experiencing layoffs in the area from which the district draws its attendance. Any child who is a member of a family unit whose income is below the federally established scale shall be eligible to receive such services.

Free or reduced price "Type A" school meals may be allowed for qualifying students attending Onteora Central School District schools upon written application of the student's parent or guardian. Applications will be provided by the School District.

Procedures for the administration of the free and reduced price meal program of this School District will be the same as those prescribed in current state and federal laws and regulations.

**Child Nutrition Program**

Because of the District's participation in the child nutrition program, the Board of Education approves the establishment of a system to allow a student to charge a meal. The Superintendent is directed to develop rules which address:

- a) What can be charged;
- b) The limit on the number of charges per student;
- c) The system used for identifying and recording charged meals;
- d) The system used for collection of repayments.

**Restriction of Sweetened Foods in School**

Only whole foods and naturally sweetened food will be available. The sale of sweetened foods will be prohibited from the beginning of the school day until the end of the last scheduled meal period.

Sweetened foods consist of sweetened soda water, chewing gum, candy, including hard candy, jellies, gum, marshmallow candies, fondant, licorice, spun candy, candy coated popcorn, and water ices except those which contain fruit or fruit juices. National School Lunch Act of 1946, as amended, (42 U.S.C. §§1751-1760)

Child Nutrition Act of 1966, as amended, (42 USC §§1771 et seq.)

7 CFR Part 245 (245.2, Definitions; 245.5, public announcement; 245.6, categorical eligibility and direct certification/verification.)

Social Services Law §95(7)

Education Law Sections 915, 1709(22) and (23)

National School Lunch Act 1946

Child Nutrition Act 1966

Adopted: ~~6/7/14~~

**9.04 First Reading of Policy 5321 Use of District Credit (proposed 8:40)**

2009 ~~2012~~ 5321 Non-Instructional/Business Operation

**SUBJECT: USE OF THE DISTRICT CREDIT CARD**

The trustees of Onteora Central School District do recognize the need for one (1) District credit card maintained in Central Administration under the direction of the Assistant Superintendent of Business, for staff use for miscellaneous expenses. The Onteora Central School District's Transportation Department maintains one (1) gas credit card for use on long trips to purchase gas for District vehicles only. The District credit card is under the care and control of the Assistant Superintendent for Business. The gas credit card is under the care and control of the Director of Transportation.

**9.05 First Reading of Policy 5721 Late Bus Runs (proposed 8:45)**

~~2002~~ 5721 Non-Instructional/Business Operations

**SUBJECT: LATE BUS RUNS**

In order to encourage student participation in extracurricular activities, the Board of Education authorizes daily late bus runs ~~at the middle-senior-high-school~~. Double late bus runs may be provided at the discretion of the Superintendent of Schools, when



there is at least fifteen (15) students or more for the 4:20 p.m. late run, and when there is at least fifteen (15) students or more for the 5:15 p.m. late run and when the cost for such runs may be absorbed in the transportation budget.

Late bus schedules will be developed by the Transportation Supervisor and announced to the student body by the secondary school administration. Any change in the bus schedule will be announced over the public address system one (1) day in advance of the change. There will be no late runs on the following days: when school is cancelled because of inclement weather or when school is on half-day session.

### 9.06 First Reading of Policy 3160 School Volunteers (proposed 8:50)

2002~~2012~~ 3160 Community Relations

#### **SUBJECT: SCHOOL VOLUNTEERS**

The Board recognizes the need to develop a school volunteer program to support District instructional programs and extracurricular activities. The purpose of the volunteer program will be to:

- a. Assist employees in providing more individualization and enrichment of instruction;
- b. Build an understanding of school programs among interested citizens, thus stimulating widespread involvement in a total educational process;
- c. Strengthen school/community relations through positive participation.

Volunteers are persons who are willing to donate their time and energies to assist Principals, teachers, and other school personnel in implementing various phases of school programs. Volunteers shall serve in that capacity without compensation or employee benefits except for liability protection under the District's insurance program.

An application shall be filled out by each prospective volunteer and forwarded to the District Office for evaluation. The Building Principal will forward his/her decisions concerning selection, placement and replacement of volunteers to the Superintendent for final evaluation. Following approval from the Superintendent of Schools, volunteers selected for work in the District shall be placed on the list of approved volunteers subject to approval by the Board of Education. ~~However, the Superintendent retains the right to approve or reject any volunteer applications submitted for consideration.~~

Administrative regulations will be developed to implement the terms of this policy.

Volunteer Protection Act of 1997,  
42 United States Code (USC) Section 14501 et seq.  
Education Law Sections 3023 and 3028  
Public Officers Law Section 18

#### Discussion:

- Do all the schools have the same number of volunteers?

### 9.07 First Reading of Policy 5661 District Wellness Policy (proposed 8:55)

2010 ~~2012~~ 5661 Non-Instructional/Business Operations

#### **SUBJECT: DISTRICT Health and Wellness POLICY**

The District is committed to providing, supporting and maintaining a school environment that promotes and protects children's health, well-being, and ~~passion for the ability to~~ learning by fostering healthy eating and physical activity. The District has established a health and wellness committee to develop the District's proposed local wellness policy, making such policy recommendations for review and adoption by the Board of Education. The District's Health and Wellness committee may include, but is not limited to, representatives from each of the following school or community groups:

- a) Parents;
- b) Students;
- c) District's food service program;
- d) School Board;
- e) School Administrators;
- f) Medical Community;
- g) Health Coordinator;
- h) Health, Physical Education, and/or Family and Consumer Science Teachers;
- i) Registered Dietitian.

The District Health and Wellness Committee will assess current activities, programs and policies available in the District; identify specific areas of need within the District; develop the policy; and provide mechanisms for implementation, evaluation, revision and updating of the policy. The Health and Wellness Committee is established to represent the local community's perspective in developing the wellness policy for the District.

#### **Goals to Promote Student Wellness**

Taking into account the parameters of the School District (academic programs, annual budget, staffing issues, and available facilities) as well as the community in which the District is located (the general economy; socioeconomic status; local tax bases; social cultural and religious influences; geography; and legal, political and social institutions) the Wellness Committee recommends the following District goals relating to nutrition education, physical activity and other school-based activities.

Nutrition Education

The District will provide nutrition education to facilitate the voluntary adoption of healthy eating habits and other nutrition-related behaviors conducive to health and well-being by:

- a. Providing nutrition education and physical education to foster lifelong habits of healthy eating and physical activity and establishing linkages between health education and school meal programs, and with related community activities.
- b. ~~Ensuring that all foods and beverages made available on campus meet the current "Choose my Plate" initiative and National School Lunch and Breakfast program nutrition standards "My Pyramid—Steps to a Healthier You", U.S. Department of Agriculture Center for Nutrition Policy and Promotion, April 2005, (www.MyPyramid.gov), until the end of the last scheduled meal period. This shall include, but not be limited to: vending, concessions, a la carte, student stores, parties, food rewards, and fundraisers.~~

Nutrition Guidelines

~~The District Health and Wellness Committee will recommend which nutrition standards will be established for all foods available on school campus during the school day based upon the unique needs of the student body and the community. The goal is to encourage healthy lifelong eating habits by providing foods that are high in nutrients, low in fat and added sugars, and of moderate portion size. The district values the inclusion of as many foods as possible that are not overly processed. The District will strive to avoid, whenever possible, all products with high fructose corn syrup/corn sugar, partially hydrogenated fats and trans fats.~~

Physical Activity

The District will provide opportunities, support, and encouragement for every student to:

- a) Develop the knowledge and skills for specific physical activities;
- b) Maintain physical fitness;
- c) Regularly participate in physical activity; and
- d) Understand the short-term and long-term benefits of a physically active and healthy lifestyle.

Other School-based Activities

The District will establish a school environment that presents consistent wellness messages that are conducive to healthy eating and physical activity for all. In order to present a coordinated school approach where District decision-making related to nutrition and physical activity encompasses all aspects of the school, the following will be offered:

- a) Qualified professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- b) To the maximum extent practicable, all schools in our District will participate in available federal schools meal programs including the School Breakfast Program and National School Lunch Program.

Nutrition Guidelines

~~The District Wellness Committee will recommend which nutrition standards will be established for all foods available on school campus during the school day based upon the unique needs of the student body and the community. The goal is to encourage healthy lifelong eating habits by providing foods that are high in nutrients, low in fat and added sugars, and of moderate portion size. The district values the inclusion of as many foods as possible that are not overly processed. The District will strive to avoid, whenever possible, all products with high fructose corn syrup/corn sugar, partially hydrogenated fats and trans fats.~~

Nutritional Values of Foods and Beverages

- a) Reimbursable school meals served at school will minimally meet the program requirements and nutrition standards of the National School Lunch Program.

[http://www.access.gpo.gov/nara/cfr/waisidx/05/7cfr210\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx/05/7cfr210_05.html)

- b) ~~Food of minimal nutritional value on the school campus will be replaced with more nutritional options by following "My Pyramid—Steps to a Healthier You", as issued by the U.S. Department of Agriculture Center for Nutrition Policy and Promotion, April 2005 (www.MyPyramid.gov).~~

Assurance

~~Guidelines for reimbursable school meals shall not be less restrictive than applicable federal regulations and guidance issued pursuant to the Child Nutrition Act and the Richard B. Russell National School Lunch Act, as those regulations and guidance apply to schools.~~

Implementation and Evaluation of the Wellness Policy

The District will ensure school and community awareness of this policy through various means such as publication in District newsletters and/or the District calendar. Further, ~~professional development~~ activities for staff and student awareness will be

provided, as appropriate, on the goals of the District's wellness program, including activities/programs for the development of healthy eating habits and the incorporation of physical activity as part of a comprehensive healthy lifestyle.

The District shall establish an implementation and evaluation plan for the wellness policy in order to monitor the effectiveness of the policy and the possible need for further modification over time. Accordingly, the Superintendent shall designate one or more staff members within the District or at each school as appropriate to have operational responsibility for ensuring that the District meets the goals and mandates of its local wellness policy. Designated staff members may include, but are not limited to, the following personnel:

- a. Administrators;
- b. School health personnel including the school nurse and the health and/or physical education teacher, District Coordinator of Health; and
- c. School Food Service Manager.

These designated staff members shall periodically report to the Superintendent on the District's compliance with the wellness policy (or, if done at the building level, to the School Principal) and the Superintendent shall inform the Board of such findings. The Superintendent/designee shall prepare a summary report on District-wide compliance with the District's wellness policy based on input from schools within the District. That report will be provided to the School Board and also distributed to the wellness committee, parent-teacher organizations, Building Principals, and school health services personnel within the District. The report shall be available on the District website and also available by mail to community residents upon request.

These designated school officials will also serve as a liaison with community agencies in providing outside resources to help in the development of nutrition education programs and physical activities.

Evaluation and feedback from interested parties, including an assessment of student, parent, teacher, and administration satisfaction with the wellness policy, is essential to the District's evaluation program. Further, the District shall document the financial impact, if any, to the school food service program, school stores, or vending machine revenues based on the implementation of the wellness policy.

District schools will provide nutrition education and physical education, with an emphasis on establishing lifelong habits of healthy eating and physical activity, and will establish linkages between health education and school meal programs, and with related community services. Communication with and training for teachers, parents, students, and food service personnel will be an integral part of the District's implementation plan.

To the extent practicable, students and parents shall be involved in the development of strategies designed to promote healthy food choices in the school environment; and the school cafeteria will provide a variety of nutritionally sound meal and beverage choices. The school will encourage students' active, age appropriate participation in decisions regarding healthy lifestyles and choices. Positive reinforcement such as letters of recognition and acknowledgment will be utilized as a means to encourage healthy eating patterns among the student population. In addition, the school will make available, upon request, information about the nutritional content of meals with parents and students.

Assessments of the District's wellness policy and implementation efforts may be repeated on an annual basis, but it is recommended that such assessment occur no later than every three (3) years, to help review policy compliance, assess progress, and determine areas in need of improvement. The District, and individual schools within the District, will, as necessary, revise the wellness policy and develop work plans to facilitate its implementation.

Child Nutrition and WIC Reauthorization Act of 2004 Public Law Section 108-265 Section 204

Richard B. Russell National School Lunch Act

42 United States Code (USC) Section 1751 et seq.

Child Nutrition Act of 1966

42 United States Code (USC) Section 1771 et seq.

7 Code of Federal Regulations (CFR) Section 210.10

<http://www.access.gpo.gov/nara/cfr/waisidx/05/7cfr210.05.html>

<http://www.choosemyplate.gov/>

Administrative Regulation 5661-R

#### Discussion:

- Can the free and reduced lunch program be promoted?
- If families are below the poverty level – they are automatically on Free and Reduce Lunch
- Can apply at anytime during the year
- Administrators monitored breakfast consumption

9.08 First Reading of Policy 6150 Alcohol, Drugs and Other Substances (School Personnel) (proposed 9:00)

2006 2012 6150 Personnel**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (SCHOOL PERSONNEL)****Philosophy**

The Onteora Board of Education, recognizing that students are often influenced by teachers and other members of a school's staff, impresses upon staff members the importance of maintaining a high level of professionalism appropriate to their position, which, in turn, shall set a positive example for students. The Board of Education also recognizes that illicit drug (including synthetic cannabinoids) and alcohol use exists in our community. We acknowledge our responsibility for the education of all students and must stand accountable for that education. The District will continue to assume a significant role in initiating and maintaining effective alcohol and other drug prevention, intervention and treatment programs. This goal can be accomplished only through coordinated collaborative efforts utilizing the resources of the school and the community. With this philosophy in mind, this policy will describe the program elements the District will use to promote healthy lifestyles for staff and to inhibit the illicit use of alcohol and other drugs (including synthetic cannabinoids).

**Policy**

A formal policy for handling illicit drug and alcohol use has been developed for the protection of the total school community. This policy shall not limit the School District from other additional or legal action which may be deemed necessary and appropriate to protect the integrity of the School System. The Onteora Central School District:

- a) Strongly disapproves of any illicit drug (including synthetic cannabinoids) and alcohol use;
- b) Maintains safe and reasonable facilities for learning and teaching free from substance use. Provides staff development on alcohol, tobacco, and illicit drug use and related issues to support the application of prevention concepts in the home, school and community;
- c) Offers community education about the issues of alcohol, tobacco, and other illicit drug use as a basis for providing a consistent message to District youth;
- d) Provides for alternatives to alcohol, tobacco, and illicit drug use. These activities are planned collaboratively by students, school staff, parents/guardian, community members, and agencies;
- e) Recommends intervention referral for any employee on a per need basis. Maintains facilities to provide employees with assistance and after care information from our Employee Assistance Program (EAP) and Personnel Departments. The confidential nature of the medical records of employees with alcohol/chemical dependency shall be preserved in the same manner as all other medical records;
- f) Prohibits the unlawful use, possession, sale, manufacturing or distribution of alcohol and/or illicit drugs (including synthetic cannabinoids) in school, on school property, at any school sanctioned event, or in a School District-owned or contracted vehicle;
- g) Requires the designated administrator/supervisor call the police and institute disciplinary action for any employee in possession of, using, selling, manufacturing, or distributing an illicit drug (including synthetic cannabinoids) or alcohol or drug paraphernalia in school, on school property, at any school sanctioned event, or in a School District-owned or contracted vehicle;
- h) Recommends that violations of this policy will subject the employee to appropriate disciplinary action, up to and including termination of employment, pursuant to any applicable state or federal laws or regulations, and formal agreements between the Board and respective unions;
- i) Distributes this policy and any future revisions to all District staff;
- j) Requires all new staff to have a full medical examination prior to employment. Additionally, all new staff will be required to submit to a drug-screening test prior to employment, at a site designated by the District and at the District's expense. All medical information obtained through such medical examinations will be confidential;
- k) Evaluates effectiveness of the established policy and procedures and will review it as necessary.

Education Law Sections 913, 1711(5)(e), and 3020-a

Civil Service Law Section 75

Drug-Free Schools and Communities Act

Amendment of 1989

(Public Law 101-226)

20 United States Code (USC) Section 3171 et seq.

Cross Ref: Policy 7320 Alcohol, Drugs and Other Substances (Students)  
Policy 6151 Drug-Free Workplace

## 9.09 First reading of Policy 7320 Alcohol, Drugs and Other Substances (Students) (proposed 9:05)

2012 7320 Students

**SUBJECT: ALCOHOL, DRUGS AND OTHER SUBSTANCES (STUDENTS)****Philosophy**

The Onteora Board of Education recognizes that illicit drug and alcohol use exists in our community. We acknowledge our responsibility to the education of all students and must stand accountable for that education. A formal policy for handling and addressing student drug and alcohol use and all its associated problems is needed for the protection of the total school community. The District will continue to assume a significant role in initiating and maintaining effective alcohol and other drug prevention, intervention and treatment programs. This goal can be accomplished only through coordinated collaborative efforts

utilizing the resources of the school and the community. With this philosophy in mind, this policy will describe the program elements the District will use to promote healthy lifestyles for students and to inhibit the use of alcohol and other drugs.

### Policy

The formal policy for handling illicit drug and alcohol use has been developed for the protection of the total school community. This policy shall not limit the School District from other additional or legal action which may be deemed necessary and appropriate to protect the integrity of the School System.

The Onteora Central School District:

- a) Strongly disapproves of any illicit drug and alcohol use;
- b) Maintains safe and reasonable facilities for learning and teaching free from substance use. Provides staff development on alcohol, tobacco, synthetic cannabinoids and illicit drug use and related issues to support the application of prevention concepts in the home, school and community;
- c) Provides sound, vigorous and current educational programs to eliminate existing use of alcohol, synthetic cannabinoids, and illicit drugs to all students at all grade levels, and to identify and provide supportive services to students grades K through 12 at high risk for such use;
- d) Provides for alternatives to alcohol, tobacco and illicit drug use. These activities are planned collaboratively by students, school staff, parents, community members and agencies;
- e) Recognizes chemical dependency as a disease and has developed a referral process between District schools and community providers;
- f) Maintains facilities to provide the students and parents with assistance from our guidance department, counseling staff, student assistance program and medical department for the purpose of identifying and referring students to appropriate agencies when their use of alcohol and/or illicit substances requires counseling and/or treatment;
- g) Prohibits the unlawful use, possession, sale, manufacturing or distribution of alcohol and other illicit drugs, including synthetic cannabinoids, by students in school, on school property, at any school-sanctioned event, **or in a School District owned or contracted vehicle**;
- h) Requires the designated administrator/supervisor call the police and institute disciplinary action, up to and including suspension, pursuant to any applicable state or federal laws or regulations, or any student in possession of, using, selling, manufacturing, or distributing a drug or alcohol, synthetic cannabinoids, or drug paraphernalia in school, on school property, at any school sanctioned event, or in a School District owned or contracted vehicle;
- i) Provides services to students in or returning from treatment to ensure that the school environment supports the process of recovery initiated in the treatment program;
- j) Provides individual, group, family counseling and student assistance programs to students at high risk for alcohol and/or other illicit substance use;
- k) Ensures confidentiality as required by federal and state law;
- l) Notifies parents/guardians and students of this policy via the District Calendar or other District mailing;
- m) Evaluates effectiveness of the established policy and procedures, and will review it as necessary.

Drug-Free Schools and Communities Act  
Amendment of 1989 (Public Law 101-226)

20 United States Code (USC) Section 3171 et seq.

Cross Ref: Policy 6150 Alcohol, Drugs and Other Substance (School Personnel)  
Policy 6151 Drug-Free Workplace

### Discussion:

- Is there testing for students who may be suspected of being under the influence of drugs?
- If employees are suspected – we call the local authorities
  - According to ONTEA contract, random drug testing is expected
  - Related to use of heavy equipment

### 9.10 First Reading of Policy 7131 Non-Resident Students (proposed 9:10)

2012 7131 Students

#### **SUBJECT: NON-RESIDENT STUDENTS**

Non-resident families who wish to enroll children in the School System shall submit a request in writing to the Superintendent, who shall determine whether or not the student(s) will be admitted. The Superintendent will also determine which building the student will attend. The following guidelines will be followed:

- a) Parents/guardians must work out transfer conditions with home school district.
- b) There is sufficient space to accommodate the non-resident student.
- c) No increase in the size of faculty or staff will be necessary to accommodate them.
- d) All rules and regulations in effect for District students will be applicable to non-District students.

- e) A student whose parents intend to become residents of the Onteora Central School District within sixty (60) days of the beginning of the semester in which the enrollment is sought may enter the school if they can provide bona-fide evidence of their intent; i.e., sales contract, deed, etc.
- f) A student who moves from the District after October 15 of the school year may be given permission to complete that school year on a tuition basis payable in monthly installments.
- g) Where there is reasonable cause to question the residence of a student, the Superintendent of Schools will investigate the following in order to either admit or continue a student in attendance in the School District without assessing a tuition charge: the actual and only residence of the pupil, the legal residence of the parents, the status of other siblings, the manner in which the student is being supported, other unusual circumstances which may have a bearing on the legal residence of the student. In those instances where a legal guardian does not exercise care, custody and control, the residence of the guardian is not necessarily the residence of the child for school purposes.
- h) Foreign students participating in a recognized Student Exchange Program may attend District schools. The administration is authorized to file with the U.S. Immigration and Naturalization Service the forms necessary for such students to obtain a student visa. The District will neither sponsor nor accept for admission students whose permanent residence is outside of the United States who are not participating in a recognized foreign student exchange program.
- i) In all cases described above and any unusual circumstances not covered above, a written request must be submitted to the Superintendent.

Non-resident families must provide their own transportation. Non-Resident students may use the District transportation, provided that there will be no additional cost to the district: there is an existing bus stop and the bus has space for the non-resident student.

Tuition may be charged to families of non-resident students in accordance with formulas approved by the State Education Department.

Education Law Sections 1709(13), 2045 and 3202  
8 New York Code of Rules and Regulations  
(NYCRR) Section 174.2

## 9.11 First Reading of Policy 5630 Facilities: Inspection, Operation and Maintenance (proposed 9:15)

2002 ~~2012~~ 5630 Non-Instructional/Business Operations

### **SUBJECT: FACILITIES: INSPECTION, OPERATION AND MAINTENANCE**

#### **Operation and Maintenance**

The Superintendent is charged with the responsibility for administering plant operations in the most efficient and economical manner possible, while placing high priority on health and safety of students and conservation of natural resources.

The Board, through the Superintendent and his/her staff, has the responsibility of protecting the District investment in plant and facilities through a systematic maintenance program.

It is expected that the program shall include periodic preventive maintenance activities, long-range maintenance schedules and emergency repair procedures. It is further expected that all maintenance work will be carried out in a manner that will cause the least interference with the educational program.

#### **Construction and Remodeling of School Facilities**

Plans and specifications for the erection, enlargement, repair or remodeling of facilities of the School District shall be submitted to the Commissioner when the contemplated construction costs of such work are ten thousand dollars (\$10,000) or more, and for all projects affecting the health and safety of students.

Plans and specifications submitted to the Commissioner shall bear the signature and seal of an architect or engineer licensed to practice in the State of New York. The architect or engineer who sealed the plans and specifications shall also certify that the plans and specifications conform to the standards set forth in the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and the State Energy Conservation Construction Code (9 NYCRR Parts 7810 through 7816).

For remodeling or construction projects costing five thousand dollars (\$5,000) or more, the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR 600 through 1250) and Part 155 of the Commissioner's Regulations, and shall retain the services of an architect or engineer licensed to practice in New York State.

For remodeling or construction projects costing less than five thousand dollars (\$5,000), the District shall assure compliance with the requirements of the State Uniform Fire Prevention and Building Code (9 NYCRR Parts 600 through 1250) and Part 155 of the Commissioner's Regulations.

### **Inspections**



The administration of the School System shall cooperate with officials conducting health, fire, asbestos, bus, and boiler inspections. The administration shall keep the Board of Education informed of the results of such inspections in a timely fashion.

### **Comprehensive Public School Building Safety Program (Rescue)**

To ensure that all school facilities are properly maintained and preserved and provide suitable educational settings, the Board of Education requires that all occupied school facilities which are owned, operated or leased by the District comply with the provisions of the Comprehensive Public School Safety Program and the Uniform Code of Public School Building Inspections, Safety Rating and Monitoring as prescribed in Commissioner's Regulations. For this reason, the School District shall develop a Comprehensive Public School Building Safety Program in accordance with Commissioner's Regulations.

The program shall be reevaluated and made current at least annually, and shall include the following:

- a) A five (5) year capital facilities plan which will include a priority listing of current and proposed construction and renovation projects and major repairs and replacement of building systems and their costs.
- b) A District-wide building inventory, which will include information pertaining to each building including, but not limited to:
  1. Type of building, age of building, size of building;
  2. Rated capacity, current enrollment;
  3. List of energy sources and major systems (lighting, plumbing, electrical, heating); and
  4. Summary of triennial Asbestos Inspection reports.
- c) An annual visual inspection of each occupied building and assignment of a safety rating score. The inspection committee must include a state certified code enforcement official, the District's facility director or designee, and a member of the District's Health and Safety Committee.
- d) A building condition survey shall be conducted for all occupied school buildings once every five (5) years by a team that includes at least one (1) licensed architect or engineer.
- e) A District-wide monitoring system which includes:
  1. Establishing a Health and Safety Committee;
  2. Development of detailed plans and a review process of all inspections;
  3. Procedures for a response in writing to all inquiries about building health and safety concerns, a copy of which will be sent to the District's Health and Safety Committee for oversight, and a copy kept on permanent file.
- f) Procedures to ensure the safety of the building occupants while a construction/renovation project is taking place. These procedures will include:
  1. Notification to parents, staff and the community at least two (2) months in advance of a construction project of ten thousand dollars (\$10,000) or more to be conducted in a school building while the building is occupied; provided, however, that in the case of emergency construction projects, such notice shall be provided as far in advance of the start of construction as is practicable;
  2. A plan to ensure that all contractors comply with all health and safety issues and regulations, and wear photo ID badges;
  3. An opportunity for the District's Health and Safety Committee to conduct a walk-through inspection of newly renovated or constructed areas to confirm that the area is ready to be reopened for use; and
  4. An emergency plan which will address potential concerns with the capital project including, but not limited to, evacuation procedures, fire drills, and structural failures.

### **School Facility Report Cards**

Commencing January 1, 2001 and each year thereafter, the School District shall prepare a School Facility Report Card for each occupied school building.

~~The School Facility Report Card for each building shall be reviewed annually by the Board of Education. The Board shall report in a public meeting on the status of each item set forth in Commissioner's Regulations for each facility located in the District.~~

Fire Inspection: 8 New York Code of Rules and Regulations (NYCRR) Section 155.4

Education Law Section 807-a

Health Inspection: Education Law Section 906

Asbestos Inspection: Education Law, Article 9-A

40 Code of Federal Regulations (CFR)

Part 763, Subpart E

Plans and Specifications:

Education Law Sections 408, 408-a and 409

8 New York Code of Rules and Regulations

(NYCRR) Sections 155.1 and 155.2

Structural Safety Inspections:

Education Law Sections 409-d, 409-e, 3602, and

3641(4)

8 New York Code of Rules and Regulations  
(NYCRR) Sections 155.1, 155.3, 155.41, and 155.6

## 9.12 First Reading of Policy 7240 Student Records: Access and Challenge (proposed 9:20)

2009 ~~2012~~ 7240 Students

### **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 disclose 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 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, to ensure that the records are not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, and to provide an opportunity for the correction or deletion of any such inaccurate, misleading, or otherwise inappropriate data 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 ~~to Another Educational Institution~~**

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

These changes came from the attorney:

In the second paragraph, we recommend adding language to include "former students," as they are also covered under FERPA.

We suggest revising the name of the last section to be "Release of information." The first sentence of the first paragraph should begin as follows: 'Among other exemptions in accordance with law and regulation ... .'

Additionally, in accordance with the regulations, we suggest adding a new second paragraph which reads: "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 stuff 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. "

#### 9.13 First Reading of Policy 7380 Bullying (proposed 9:25)

2010 2012 7380 Students

#### **SUBJECT: BULLYING**

The Board of Education is committed to providing a safe and productive learning environment within its schools. Bullying of a student by another student is strictly prohibited on school property, in school buildings, on school buses, and at school

sponsored events and/or activities whether occurring on or off campus. The Board of Education shall require the prohibition of bullying - along with the range of possible intervention activities and/or sanctions for such misconduct - to be included in the *District Code of Conduct* for all grade levels.

For purposes of this policy, the term "bullying" among children is defined, in general, as: "a variety of negative acts carried out repeatedly over time. It involves a real or perceived imbalance of power, with a more powerful child or group attacking those who are less powerful." Bullying can take three forms:

- a) Physical (including, but not limited to, hitting, kicking, spitting, pushing, taking personal belongings);
- b) Verbal (including, but not limited to, taunting, malicious teasing, name calling, making threats); and
- c) Psychological (including, but not limited to, spreading rumors; manipulating social relationships; or engaging in social exclusion, extortion, or intimidation).

### **Cyberbullying Behavior**

As with other forms of bullying, cyberbullying is an attempt to display power and control over someone perceived as weaker. Cyberbullying involving District students may occur both on campus and off school grounds and may involve student use of the District Internet system or student use of personal digital devices while at school, such as cell phones, digital cameras, and personal computers to engage in bullying.

Cyberbullying includes, but is not limited to, the following misuses of technology: harassing, teasing, intimidating, threatening, or terrorizing another student or staff member by way of any technological tool, such as sending or posting inappropriate or derogatory e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings (including blogs) and social networking sites..

Cyberbullying has the effect of:

- a) Physically, emotionally or mentally harming a student;
- b) Placing a student in reasonable fear of physical, emotional or mental harm;
- c) Placing a student in reasonable fear of damage to or loss of personal property; and
- d) Creating an intimidating or hostile environment that substantially interferes with a student's educational opportunities.

Also, cyberbullying that occurs off-campus, that causes or threatens to cause a material or substantial disruption in the school, could allow school officials to apply the "**Tinker** standard" where a student's off-campus "speech" may be subject to formal discipline by school officials when it is determined that the off-campus speech did cause a substantial disruption or threat thereof within the school setting [Tinker v. Des Moines Indep. Sch. Dist. 393 U.S. 503 (1969)]. Such conduct could also be subject to appropriate disciplinary action in accordance with the *District Code of Conduct* and possible referral to local law enforcement authorities.

### **Reports of Allegations of Bullying/Cyberbullying Behavior**

Any student who believes that he/she is being subjected to bullying/cyberbullying behavior, as well as any other person who has knowledge of or witnesses any possible occurrence of bullying/cyberbullying, shall report the behavior to any staff member or the Building Principal. The staff member/Building Principal to whom the report is made (or the staff member/Building Principal who witnesses bullying/cyberbullying behavior) shall investigate the complaint and take appropriate action to include, as necessary, referral to the next level of supervisory authority and/or other official designated by the District to investigate allegations of bullying/cyberbullying. Investigation of allegations of bullying/cyberbullying shall follow the procedures utilized for complaints of harassment within the School District. Allegations of bullying/cyberbullying shall be promptly investigated and will be treated as confidential and private to the extent possible within legal constraints. The District has appointed a Dignity Act Coordinator for each building, who will oversee bullying prevention measures and address issues surrounding bullying in their building.

### **Prevention and Intervention**

Personnel at all levels are responsible for taking corrective action to prevent bullying/cyberbullying behavior of which they have been made aware at School District sites or activities and/or reporting such behavior to their immediate supervisor. Further, staff training shall be provided to raise awareness of the problem of bullying/cyberbullying within the schools and to facilitate staff identification of and response to such bullying/cyberbullying behavior among students. Prevention and intervention techniques within the District to prevent against bullying/cyberbullying behavior and to support and protect victims shall include building-level and classroom-level strategies and activities as determined by administration. Individual intervention will be provided by appropriate staff members to bullies, victims and their parents to help ensure that the bullying/cyberbullying stops.

### **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 participate in the investigation of allegations of bullying/cyberbullying. Follow-up inquiries and/or appropriate monitoring of the alleged bully and victim shall be made to ensure that bullying/cyberbullying behavior has not resumed and that all those involved in the investigation have not suffered retaliation.

Civil Service Law Section 75-b

Changes from the attorney:

The recent statutory amendment to DASA regarding bullying and cyberbullying do not take effect until July 1, 2013. This amendment includes several new requirements which will need to be added and revisions which will need to be made to the District's policies and regulations. However, because the requirements do not come into effect for a year, we suggest waiting for regulations to be passed and preliminary guidance to be issued before adapting your policy to comply with the new law. This will avoid going through several policy revisions. If the District would like to revise its policies/regulations now, we can most certainly do so. We do suggest the following change be made to this policy:

o At the end of the section titled "Reports of Allegations of Bullying/Cyberbullying Behavior," we suggest adding a new sentence which states: "The District has appointed a Dignity Act Coordinator, for each building, who will oversee bullying prevention measures and address issues surrounding bullying in their building."

Discussion:

- This should be among all people, not just the students

## 11. Discussion and Possible Action

### 11.01 13-14 Budget Calendar (proposed 9:40)

10:00

*Motion:* The Board of Education hereby adopts the 12-13 Budget Development Calendar as attached

Motioned By: Trustee Spencer

Second By: Trustee Osmond

Results: Unanimous

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

Not Present: Trustee Hickey

### 11.02 OTA Retirement Incentive (proposed 9:45)

*Motion:* The Board of Education hereby approves the OTA Side Letter of Agreement for a 2012 Retirement Incentive

Motioned By: Trustee Spencer

Second By: Trustee Osmond

Results: Unanimous

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

Not Present: Trustee Hickey

### 11.03 Abolish Position (proposed 9:50)

*Motion:* The Board of Education hereby abolished the following position: .5 Music

Motioned By: Trustee Spencer

Second By: Trustee Fletcher

Results: Unanimous

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

Not Present: Trustee Hickey

## 11.04 Create Positions (proposed 9:55)

*Motion:* The Board of Education hereby creates the following positions: .6 Music, 1.0 Monitor (Temporary Position)

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

Not Present: Trustee Hickey

**12. Consent Agenda**

## 12.01 Approve Consent Agenda (proposed 10:00 duration 5 min)

*Motion:* Approve consent agenda item numbers 12.02-12.10

Motioned By: Trustee Kurnit

Second By: Trustee Osmond

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

Not Present: Trustee Hickey

## 12.02 Personnel Agenda

APPOINTMENTS: INSTRUCTIONALRECALL FROM PREFERRED ELIGIBLE LIST: PART TIME APPOINTMENT

NAME	POSITION	EFFECTIVE DATES FROM - TO	SALARY/ STEP	REMARKS
McKenna, Karen	0.5 FTE Music – BN*	09/01/12 – 10/16/12	16MA + 24	New position
McKenna, Karen	0.6 FTE Music – BN*	10/17/12 – 06/30/13	16MA + 24	New position

\*Revision

EXTRA DUTY STIPENDS 2012-2013

NAME	POSITION	AMOUNT
Burkhardt, Patrick	Elementary Rec – Phoenicia	\$3,298.00
Calinda, Jason	Computer Advisor – HS	\$4,906.00
Cayea, Krista	Musical – Vocal Coach	\$1,088.00
Colevas, Paul	Belleayre Bash Advisor	\$1,877.00
DeSantis, Ernest	Belleayre Bash Assistant Advisor	\$ 626.00
Grady, James	Senior Class Play Director	\$2,617.00
Rebock, Melissa	Elementary Rec – Woodstock (.50 FTE – split w/E.Roosa)	\$1,649.00
Roberts, Joan	Musical – Director	\$3,730.00
Roosa, Esther	Elementary Rec – Woodstock (.50 FTE – split w/M.Rebock)	\$1,649.00
Whitlow, Edward	Math Club Advisor – HS	\$1,644.00
Carroll, Molly	Basketball – Modified – Head Coach (Girls)	\$2,406.00
Gale, Wyatt	Wrestling – Coach – UNPAID	0
LaFera, Nicholas	Track – Winter – Assistant Coach	\$2,614.00
Occhi, Andrew	Basketball – Varsity – Head Coach (Girls)	\$ 0
	(approved at BOE meeting of 10/02/12)	
	1 <sup>st</sup> Longevity	\$ 153.00
Perrotta, Jeremy	Track – Winter – Head Coach	\$2,927.00
Petrizzelli, Matthew*	Basketball – JV – Head Coach (Boys)	\$3,619.00

\*Pending pre-employment processing

PER DIEM SUBSTITUTES

NAME	POSITION	RATE OF PAY
Groeters, Michael	Certified Substitute Teaching Assistant	\$10.00/hour

RESIGNATIONS: INSTRUCTIONAL

NAME	POSITION	EFFECTIVE DATE	REMARKS
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DiGiovanni, Kim	Foreign Language	11/30/12	Retirement
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APPOINTMENTS: NON-INSTRUCTIONAL  
TEMPORARY APPOINTMENT

NAME	POSITION	EFFECTIVE DATE FROM – TO	SALARY	REASON
Ryan, Lisa	Temporary School Monitor - BN	10/15/12 – 11/09/12* (RETRO)	Step 1	Temporary position

\*Approximate end date

LEAVE OF ABSENCE: INSTRUCTIONAL

EMPLOYEE NUMBER	EFFECTIVE DATE FROM – TO	REASON
#2381	09/10/12 – 10/07/12*	Medical Leave – Paid Family Medical Leave

\*Finalization of leave dates

LEAVE OF ABSENCE: NON-INSTRUCTIONAL

EMPLOYEE NUMBER	EFFECTIVE DATE FROM – TO	REASON
#1926	08/22/12 – 10/04/12*	Administrative Leave – Unpaid

\*Finalization of leave dates

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

*Motion:* The Board hereby approves the Instruction - Schedule U-The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations, Schedule U, #10/12, Confidential, as reviewed by Trustee McKeon

12.04 July Financial Report

*Motion:* The Board of Education hereby accepts the Financial Report of July 2012

12.05 August Financial Report

*Motion:* The Board of Education hereby accepts the August 2012 Financial Report

12.06 Confidential Staff Revised Terms and Agreement

*Motion:* Resolved to approve the terms and conditions for the Confidential Staff and the District Treasurer's 2012-2013 contract, both effective July 1, 2012.

12.07 Confidential Staff Increase

*Motion:* The Board of Education hereby approves a 2% increase in salary for the Confidential Staff and Treasurer

12.08 Accept External Auditor Report

*Motion:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District accept the External Audit Report for the 2011-2012 School Year.

12.09 Baseball Team Trip to Florida

*Motion:* The Board of Education hereby approves the Varsity Baseball Team's

proposal for a trip to Florida

#### 12.10 Volunteer Applications

*Motion:* The Board of Education hereby approves the following volunteers for the Phoenicia Elementary School: Marjorie Pfeiffer, Richard Augustine

### 13. Committee Reports -5 min each

13.01 Audit Committee - Trustee Spencer to report. Next meeting is 4:30 at Central Administration on 11/5/12 (proposed 10:05)

Committee has not met since the last Board meeting

13.02 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

13.03 Policy Committee - Trustee McGillicuddy to report. Next meeting is 9:30 at Central Administration on 11/5/12

Committee has not met since the last Board meeting

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

Committee has not met since the last Board meeting

13.05 District Committee: Health and Wellness Committee. Next meeting is in Room 120A of the High School at 2:45 on 10/23/12

Committee has not met since the last Board meeting. Trustee Fletcher suggested advertising the committee to the students, as a few seemed interested at the Student meeting earlier

13.06 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

### 14. Old Business

14.01 The Board will discuss Old Business (proposed 10:10)  
10:10

- Discussed Catskill Mountainkeeper Solar Program which was assigned to the Facility committee. Need to find a faculty member to help.
- Has there been any discussion about aligning Trout in the Classroom across the District?
  - There is equipment at each school.

### 15. New Business

15.01 The Board will discuss New Business (proposed 10:15)

Trustee Osmond:

- Art teacher asked if anything can be done to unlock Pinterest?, “an art teacher’s dreamland”
  - Tremendous teaching tool

- Bring to IT

Trustee Fletcher:

- Can the athletic results be put on the web site?
- Tobacco policy: parents smoking on school grounds
  - People smoking during Homecoming in parking lots
- Letter writing campaign to President on education tomorrow, anyone can comment: dianeravich.net

Trustee McGillicuddy:

- National SBA asking Boards to pass a resolution regarding sequestration (across the board budget cuts)
  - put on 10/30/12 agenda

Trustee Kurnit and Trustee McGillicuddy:

- Contacted by Dotty Slattery, Area 9 (Ulster and Orange) BOCES representative
- Federal Relations Network
  - Delegates go to Washington every January
  - National lobbying in Washington
  - NYSSBA pays for part of it
  - Board members from each State attend

Trustee McKeon

- Go beyond SED to see about getting funding the EPC with a biomass boiler
  - Propose resolutions to NYSSBA next year
  - Not just fiscal, renewable resources and independence from oil

## 16. Request For Information

16.01 The Board will request information (proposed 10:20)

10:20

Trustee Osmond:

- Pinterest for art teachers
- Follow up on conversation about TEAL program
  - Dr. McGill will be speaking with a representative of this Microsoft program, which brings computer scientists to the classrooms

Trustee McKeon:

- Recruit corporate sponsors and connections to local corporations
- New Business item

Trustee Kurnit:

- Revisit filtering process – blocking the teachers when they want to research
- Remind staff that there is a process to have web sites open

Trustee Fletcher:

- Get summary of why an open campus is not a good idea

Trustee McKeon:

- Digital art software – do we use it?
  - Superintendent Phyllis McGill clarified:
    - The Technology Plan is being developed
    - The Technology Committee needs more representation
- Do all the schools have the same number of volunteers? (from First Reading of Policy)
- Can the free and reduced lunch program be promoted? (from First Reading of Policy on Health and Wellness)
- Testing for students who may be suspected of being under the influence of drugs? (from First Reading of Policy on Alcohol, Drugs and Other Substances (Students))

## 17. Public Comment

17.01 The public will comment on any agenda or non-agenda item Please limit comments to 3 minutes (proposed 10:25 duration 10 min)  
No public comment was made

## 18. Adjournment

18.01 Adjourn Meeting. Next meeting is Tuesday, October 30 at Woodstock (proposed 10:35)

*Motion:* The meeting is adjourned at 10:30

Motioned By: Trustee Spencer

Second By: Trustee Osmond

Results: Unanimous

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

Not Present: Trustee Hickey

Minutes Recorded By:  
Fern Amster, District Clerk



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