ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION
BOICEVILLE, NEW YORK 12412

MINUTES

WORKSHOP MEETING
6:00 p.m.
THURSDAY, DECEMBER 19, 2013
(rescheduled from December 17, 2013)
Woodstock School

1. Opening Items

1.01 Call to Order 6:10
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 Spencer, Trustee McKeon

1.05 Moment of Silence for former Onteora Board Member Herb Rosenfeld

2. Acceptance of Minutes

2.01 Acceptance of Minutes
Recommended Action: The Board of Education hereby accepts the minutes of 12/3/13 BOE meeting
Motioned: Trustee Kurnit
Seconded: Trustee Osmond
Result: Unanimous
Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit, Trustee Hickey
Not Present: Trustee Spencer, Trustee McKeon

3. Welcome

3.01 Woodstock Principal, Kathleen O'Brien will welcome the Board (proposed 6:05 duration 10 min)
Festive time at Woodstock- time to celebrate the holidays
Slide show of November and December activities at Woodstock School

- Kindergarten Thanksgiving Feast
- Senior Citizen Thanksgiving Luncheon
- Various pictures of children in the school
- Fall bulletin boards

4. Board District News

4.01 The Board will announce district news (proposed 6:15)
6:20
Trustee McGillicuddy shared:
Ulster County Legislative Action Committee – working on legislative priorities
Some Senators and assembly members coming to meeting in January

Trustee Fletcher reported:

- Phoenicia Craft Fair was very successful
- Encouraged by report from 2nd set of hearings NYS Standing Committee on
- Education
    - Look up Regents Reform Agenda to see report
    - Legislature is listening to Board members, teachers, parents and administrators on concerns about privacy with data, testing and Common Core Learning Standards

5. Superintendent District News

5.01 The Superintendent will announce district news (proposed 6:20)

6:25

Superintendent Phyllis McGill reported:

- Staff development planned for the afternoon tomorrow
- Meeting with principals about goal setting to start aligning curriculum across the District
    - Will be sharing a framework of administrator's goals with Board

6. Student Representative Report

6.01 Student Representative, Sarah Melvin, will report to the Board (proposed 6:25)

- Literary Magazine published
    - Club meets to go through the submissions and look at art classes' work for the magazine
    - 2 editors -Kendra Cornelis and Eliza Siegel with a staff of High School students
- Poetry Out Loud
    - Nathanial Mapstone and Natalie Rubin will be competing at Nationals
    - Many new entrants
- Tomahawk – best attended in many years

7. Acknowledge Public Be Heard Comments

7.01 The Board will acknowledge the public be heard comments from the last meeting

Hilary Partridge –National Day of Action
Jason Ferrara –videos and safety

8. Public/Student Comment

8.01 The public and students may comment on any agenda or non agenda item. (proposed 6:30 duration 10 min or more)

Gideon Moor presented a letter to the Board from the parents of Woodstock and Phoenicia regarding class size in the primary school

9. Discussion

9.01 Discussion on Transportation Bid with Mark Walsh from TAS (proposed 6:40 duration 30 min)

6:30

- Once bids are received and accepted there are fixed price per year
- Discussion on 5 year contracts and industry standards
- Will probably end up with 1 or 2 bus contractors
- Using 2 cameras is industry standard, 3 is better with the big buses

    - Onteora has more log entries on viewing video for driver behavior than student behavior
- Wi-Fi technology is not ready for buses
- Only alternative to going to bid is to extend current contract at CPI or less
- Large national contractors are mostly unionized
- GPS is a mandated component of contracts
- If company is not performing, contract can be ended
    - Contract has specific performance standards that have monetary consequences
- Can contract with a neighboring District that owns their own vehicles
    - not with those that are under contract with a bus company unless in the original bid
- No standard as to owning buses, out-source runs or a combination
    - Study was done for Onteora
- New bus companies tend to offer jobs to current bus drivers, as long as they meet the company's criteria

Now Present

Trustee McKeon arrived at approximately 6:35 (during the Discussion on Transportation Bid with Mark Walsh from TAS)

9.02 Trip to France for HS French Club (proposed 7:10 duration 10 min)
7:10
French Teacher Christi Nelson-Epstein presented:

- Proposal to take French Club to France in the summer
    - 3 week trip
    - 2 weeks spent at-home stays with families in Carhaix (sister city of Woodstock, NY)
        - Whole language experience
    - 9-11th grade interested in the trip
        - 10 families have committed
    - Fundraising and planning, asking approval of Board
        - Not asking District for money
- Showed PowerPoint of last summer's trip
    - The French students came here as well
- Several students spoke in support of the trip

Discussion:

- Ideal group is 12, hard to travel in very large group
- Invites everyone to be part of French Club
- 3 weeks is a good amount of time to have the students fully immersed in the language

9.03 Discussion on Class Size (proposed 7:20 duration 30 min)
7:25
Superintendent Phyllis McGill explained:

- At the beginning of the year discussed focusing on "What Makes a Primary School?"
  - Proposal to the Board on the whole concept, including class size
  - Regulation needs to be reviewed
  - Look at how groups come together
- Went to Phoenicia and Woodstock for parent and teacher meetings
  - Discussed need to have focus on primary schools, since last year focus was on 4-6

Discussion:

- Current class size regulation is from 1984 with ranges, more of a guideline
- Have discussed the importance of class size at Board table utilizing the 1995 STAR report
  - Regulation was earlier than this report
- It was useful to have PTA letter in advance
  - Ideas in letter are similar to Board's ideas
- Important to review information on Board Docs
  - State information of average class size – comparing Onteora to State and Region
    - May be why we score better than county and region
  - Not only about number of students, but number of teachers and TAs in the room and profile of students
  - Current policy is from 2002
  - Guilderland sample policy shows desired numbers in policy
- Not ideal to change classes in the middle of the year
  - Important going forward to try to know earlier in the summer
- Have lost students due to large class sizes
- Find a way to avoid discrepancies in class size among buildings
  - Lowest 15 highest 25 right now
  - Somewhere in the middle is ideal in all grades
    - How to do that
  - Look at with budget
- Doing Kindergarten Registration early, not screening
  - To get a better idea of where the incoming students live
- Ad Hoc Committee:
  - Board Docs documents should be used as starting point
  - Make it a District committee
  - When does the administration need to know the results to create plan for 14-15?
  - Look at where lines are drawn for Primary Schools
    - One school has more population
    - Gray zone in middle – equalize classes
      - Do not split siblings or transport from one end to the other
      - Is there flexibility from parents living in the middle of the District – as a positive action

        - Need to be flexible with assignment of school and finance
    - Proposal of ad-hoc group from PTA is good representation
        - Need to get all the pertinent stakeholders involved
    - Get research available on "What Makes a Good Primary School?"
        - Proposal from District administration includes BOCES for research service and internal and external resources
        - Questions asked are important
    - Need to get the answer to class size as part of the large question of effective education
        - Find models from other Districts that may have been through this process
    - Parental involvement is proven more important for effective education
    - Work on transitions of different cultures coming together
    - Board will support –must communicate needs
    - Meet with both PTAs, Superintendent, Ass C & I, and Board members to create committee
        - Final committee will make recommendations, Board and Superintendent make decisions
        - Best configuration and time line
            - Use answer to when the administration needs to know the results for 14-15 and work backward from there
    - Consensus for Superintendent to set up meeting with stakeholders
- Look at classes now to make changes for this year
- Last year focus was Intermediate School and Project Based Learning - now time to focus on Primary School
    - Primary Schools are effective, need to make them better
    - Look at Pre-K aspect
        - Studies all show that it is important
        - No funding from State
        - Head Start closed
    - Community use for buildings
    - Have the figures from the District over the years
        - Move from hard data to research and use the research to confirm or change ideas
    - Reconfiguration talked about Early Childhood Education Centers

9.04 Discussion on Adding a Teacher of English Language Learners (proposed 7:50 duration 10 min)

8:15
Motion to postpone this discussion to a future meeting
First: Trustee Osmond
Second: Trustee Fletcher
Result: Unanimous
Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit, Trustee Hickey, Trustee McKeon
Not Present: Trustee Spencer

10. Public Comment

10.01 The public will comment on any agenda or non-agenda item Please limit comments to 3 minutes (proposed 8:00 duration 10 min or more)

8:20

Gideon Moor: Teachers would be happy to volunteer for research; need expertise for research. Applaud holistic approach, but PTAs are asking for class size to be looked at on its own, then larger discussion

Wendy Lamb: Come into second grade – teachers removed SmART Board and computers from room to gain space. Still concerned about what will happen this year?

11. **5 Minute Break

11.01 The Board will break for 5 minutes (proposed 8:10)

8:25

12. First Reading of Policies

12.01 First Reading of Policy 7380 Bullying (changed to Dignity For all Students Act) (proposed 8:15 duration 40 min for all policies)

8:40

~~2010 7380 **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.~~

~~**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.~~

~~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~~

NEW POLICY:

- Came from Attorney
- New bullying policy superseded by DASA
    - Committee added language back that was omitted
        - Cyberbullying and definition of bullying
- Requires Code of Conduct which should cover broad person to person, regardless of age
- DASA is only for Students

2013 7380 Students SUBJECT: DIGNITY FOR ALL STUDENTS ACT (DASA)

The Board of Education recognizes that learning environments that are safe and supportive can increase student attendance and improve academic achievement. A student's ability to learn and achieve high academic standards, and a school's ability to educate students, is compromised by incidents of discrimination or harassment, including but not limited to bullying, taunting and intimidation. Therefore, in accordance with the Dignity for All Students Act the District will strive to create an environment free of bullying, discrimination and/or harassment and will foster civility in the schools to prevent and prohibit conduct which is inconsistent with the District's educational mission.

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. Since cyberbullying is a form of bullying, the term "bullying" as used in this policy will implicitly include cyberbullying even if it is not explicitly stated.

The District prohibits all forms of bullying, discrimination and/or harassment of students based on actual or perceived race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender, or sex by school employees or students on school property and at school-sponsored activities and events that take place at locations off school property. In addition, any act of bullying, discrimination and/or harassment, outside of school sponsored events, which can

reasonably be expected to materially and substantially disrupt the education process may be subject to discipline.

Dignity Act Coordinator

At least one (1) employee at every school shall be designated as the Dignity Act Coordinator(s). The Dignity Act Coordinators will be thoroughly trained to handle human relations in the areas of race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (identity or expression) and sex. The Board of Education shall appoint Dignity Act Coordinators who are employed by the District and are licensed and/or certified as a classroom teacher, school counselor, psychologist, nurse, social worker, administrator/supervisor or Superintendent of Schools. The District will share the name(s) and contact information of the Dignity Act Coordinators with all school personnel, students, and parents/persons in parental relation, which shall include, but is not limited to, providing the name, designated school and contact information by:
a) Listing such information in the Code of Conduct and updates posted on the Internet website, if available;
b) Posting such information in highly visible areas of school buildings;
c) Making such information available at the district and school-level administrative offices; and
d) Either: including such information in the plain language summary of the Code of Conduct in the student handbook provided to all persons in parental relation to students before the beginning of each school year; or
e) Providing such information to parents and persons of parental relation in at least one district or school mailing or other method of distribution including, but not limited to, sending such information home with each student and, if such information changes, in at least one subsequent district or school mailing or other such method of distribution as soon as practicable thereafter.

If a Dignity Act Coordinator vacates his/her position, another school employee shall immediately be designated for an interim appointment as Coordinator, pending approval from the Board of Education, within thirty (30) days of the date the position was vacated. In the event a Coordinator is unable to perform the duties of the position for an extended period of time, another school employee shall immediately be designated for an interim appointment as Coordinator, pending return of the previous Coordinator to the position. The District must provide the change in information to parents or persons in parental relation as soon as practicable. The change in name and/or contact information of the Dignity Act Coordinator will not constitute a revision to the *Code of Conduct* so as to require a public hearing.

Training and Awareness

The District shall establish guidelines for training which shall be approved by the Board of Education. Training will be provided each school year for all District employees in conjunction with existing professional development training to raise staff awareness and sensitivity of bullying, discrimination and/or harassment directed at students that are committed by students or school employees on school property, at a school function, or off school property when the actions create or would foreseeably create a risk of substantial disruption within the school environment or where it is foreseeable that the conduct might reach school property.

Training will include ways to promote a supportive school environment that is free from bullying, discrimination and/or harassment. Training shall:
a) Raise awareness and sensitivity;
b) Address social patterns and the effects on students;
c) Inform employees on the identification and mitigation of such acts;
d) Provide strategies for effectively addressing problems of exclusion, bias and aggression;
e) Include safe and supportive school climate concepts in curriculum and classroom management; and
f) Ensure the effective implementation of school policy on conduct and discipline.

Instruction in grades Kindergarten through 12 shall include a component on civility, citizenship and character education. Such component shall instruct students on the principles of honesty, tolerance, personal responsibility, respect for others, observance of laws and rules, courtesy, dignity and other traits which will enhance the quality of their experiences in, and contributions to, the community. For the purposes of this policy, "tolerance," "respect for others" and "dignity" shall include awareness and sensitivity to bullying, discrimination and/or harassment and civility in the relations of people of different races, weights, national origins, ethnic groups, religions, religious practices, mental or physical abilities, sexual orientations, genders and sexes. Such component must also include instruction on the safe and responsible use of the Internet and electronic communications.

Rules against bullying, discrimination and/or harassment will be included in the *Code of Conduct,* publicized District-wide and disseminated to all staff and parents. Any amendments to the Code will be disseminated as soon as practicable following their adoption. New teachers shall be provided a complete copy of the current Code upon their employment. An age appropriate summary shall be distributed to all students at a school assembly at the beginning of each school year.

Reports and Investigations of Bullying, Discrimination and/or Harassment

The District will investigate all complaints of bullying, discrimination and/or harassment, either formal or informal, and take prompt corrective measures, as necessary. School employees who witness or receive a report (oral or written) of harassment, bullying and/or discrimination must orally notify the Superintendent, Principal, or their designee *no later than one (1) school day* after witnessing or receiving a report of such incident. The employee must then file a written report *within two (2) school days* after making the oral report. If, after an appropriate investigation, the District finds that this policy has been violated, corrective action will be taken in accordance with District policies and regulations, the *Code of Conduct,* and all appropriate federal or state laws. The Superintendent, Principal or their designee shall notify the appropriate local law enforcement agency when it is believed that any harassment, bullying and/or discrimination constitute criminal conduct.

The District will annually report material incidents of bullying, discrimination and/or harassment which occurred during the school year to the State Education Department. Such report shall be submitted in a manner prescribed by the Commissioner, on or before the basic educational data system (BEDS) reporting deadline or such other date as determined by the Commissioner. SED has developed a form for gathering data titled, "Reports of Incidents Concerning School Safety and the Educational Climate" which can be found on the NYSED website.

The Principal of each primary and secondary school shall provide a regular report (at least once during each school year) on data and trends related to harassment, bullying and/or discrimination to the Superintendent and in a manner prescribed by, as applicable, the district, BOCES or charter school. There is no need for schools or districts to submit this report to the State Education Department.

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

Any person who has reasonable cause to suspect that a student has been subjected to bullying, discrimination and/or harassment by an employee or student, on school grounds or at a school function, who acts reasonably and in good faith and reports such information to school officials or law enforcement authorities, shall have immunity from any civil liability that may arise from making such report. The Board prohibits any retaliatory behavior directed at complainants, victims, witnesses and/or any other individuals who participated in the investigation of a complaint of bullying, discrimination and/or harassment.

Education Law Sections 10-18, 801-a, 2801 and 3214
8 NYCRR Section 100.2

12.02 First Reading of Policy 3420 Anti-Harassment

8:45

2~~012~~ 20133420 **SUBJECT: ANTI-HARASSMENT IN THE SCHOOL DISTRICT**

The Board of Education affirms its commitment to nondiscrimination and recognizes its responsibility to provide an environment that is free of harassment and intimidation. Harassment stands in direct opposition to District policy.

T~~herefore, t~~The Board prohibits ~~and condemns~~ all forms of discrimination and harassment on the basis of the protected classes described below by all employees, school volunteers, students, and non-employees such as contractors and vendors as well as any third parties who are participating in, observing, or otherwise engaging in activities subject to the supervision and control of the District.

For employees, the Board prohibits all forms of discrimination and harassment between all individuals on the basis of the following protected classes: race, color, creed, religion, national origin, political affiliation, sex, age, marital, military, veteran status, predisposing genetic characteristic[DC1], disability, or use of a recognized guide dog, hearing dog or service dog or any other legally protected category. ~~in educational programs and/or activities which the District operates.~~

For students, the Board prohibits all forms of discrimination and harassment between all individuals based on the following protected classes: race, color, weight, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender and sex.

The Board also prohibits retaliation based on an individual's opposition to discrimination or participation in a related investigation or complaint proceeding. This policy of nondiscrimination and anti-harassment will be enforced on School District premises and in school buildings; and at all school-sponsored events, programs and activities, including those that take place at locations off school premises.

The intent is to provide an environment of mutual respect for all individuals to be free of harassment and intimidation.~~It is intended that this policy apply to students and employees.~~

For purposes of this policy, harassment shall mean communication (verbal, written or graphic) and/or physical conduct based on an individual's actual or perceived protected trait which:
a) Has the purpose or effect of substantially or unreasonably interfering with an employee's work performance or is used as a basis for employment decisions (including terms and conditions of employment) affecting such individual; and/or creates an intimidating, hostile or offensive work environment; or
b) 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 creates an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit;
c) Any student or employee in the School District who wishes to file a complaint regarding discrimination (including, but not limited to, sexual harassment) or report discriminatory conduct is encouraged to make such a complaint/report in writing on forms available in any of the school offices. Such forms must be forwarded to the District's Title IX Compliance Officers and/or Section 504 Compliance Officer. However, nothing herein shall prevent an individual from making a verbal complaint/report of discrimination.

Such communication should be made as soon as possible after the incident in order to enable the District to effectively investigate and resolve the complaint.

When a student or employee has a complaint of discrimination he/she should refer to and use the Grievance Procedure (found in District Regulation 1400P). However, complaints may be made verbally. In order to assist the investigation, victims should document the discrimination as soon as it occurs and with as much detail as possible including: the nature of the discriminatory behavior, dates, times, places, name of person responsible for the conduct, witnesses, and victim's response to the discriminatory behavior.

In accordance with Regulation 1400P, the District will act to promptly investigate all complaints, either verbal or written, formal or informal, of allegations of harassment based on any of the characteristics described above; and will promptly take appropriate action to protect individuals from further harassment.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a thorough investigation of the charges. However, even in the absence of an informal/formal complaint, if the District has knowledge of any occurrence of harassment, the District will investigate such conduct promptly and thoroughly. The confidentiality of investigations cannot be guaranteed, but a good faith effort shall be made to maintain confidentiality.

Both the complainant and the accused are entitled to fair treatment in the handling of the complaint. Based upon the results of this investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, 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 applicable laws and/or regulations, District policy and regulation, and the District Code of Conduct. 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, 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 and/or the Code of Conduct, will be subject to appropriate sanctions as warranted and in compliance with law. The application of such disciplinary measures by the District does not preclude the filing of civil and/or criminal charges as may be warranted.

Prohibition of Retaliatory Behavior

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

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

Finding That Harassment Did Not Occur

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.

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

Training and Dissemination of Administrative Regulations

The Superintendent/designee(s) will affirmatively discuss the topic of 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 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 the investigation of harassment complaints.

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 anti-harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

Complaints to Agencies

The District acknowledges that while it would like employees to raise issues of discrimination pursuant to this Policy so that they can be addressed by it, any student or employee has the legal right to immediately make a complaint to the appropriate governmental entity: An employee may file a complaint with the following agencies:
Equal Employment Opportunity Commission (EEOC) at the New York District Office, 33 Whitehall Street, 5th Floor, New York, New York 10004; and the New York State Division of Human Rights at 99 Washington Avenue Albany, New York 12210.

A student may file a complaint with the following agencies:
Federal Office for Civil Rights 26 Federal Plaza New York, New York 10278 ; and the New York State Division of Human Rights at 99 Washington Avenue Albany, New York 12210. Please take notice that the failure to file a complaint with these agencies within the statutory period may result in the loss of your legal rights.
Age Discrimination in Employment Act, 29 United States Code (USC) Section 621
Americans With Disabilities Act, 42 United States Code (USC) Section 12101 et seq.
Prohibits discrimination on the basis of disability.
Section 504 of the Rehabilitation Act of 1973, 29 United States Code (USC) Section 794 et seq.
Prohibits discrimination on the basis of disability.
Title VI of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000d et seq.
Prohibits discrimination on the basis of race, color or national origin.
Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.
Prohibits discrimination on the basis of race, color, religion, sex or national origin.
Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
Prohibits discrimination on the basis of sex.
Civil Rights Law Section 40-c
Education Law Section 2801(1)
Executive Law Section 290 et seq.
Military Law Sections 242 and 243

NOTE: Refer also to Policies #6121 --
#6122 --Sexual Harassment of District Personnel
#7550 --Complaints and Grievances by Employees
#7551 --Complaints and Grievances by Students
Sexual Harassment of Students

12.03 First Reading of Policy 8470 Home Instruction

9:00

- From attorney due to Stipulation of Settlement
- Has been conversation in District before
- Regulations to be written to define this policy

2~~008~~2013 8470 **SUBJECT: HOME INSTRUCTION (HOME SCHOOLING)**

From time to time, parents will choose to instruct their children at home. The School District will attempt to cooperate with parents who wish to provide home schooling for their children realizing that the child who is educated at home should receive an education in a manner consistent with an educational plan and at least substantially equivalent to that given to students of like age and attainments in the local public schools. The required subjects should be taught in a competent, systematic, and sequential manner, specifically in relation to the required courses as enumerated in Commissioner's Regulation Section 100.10.

Provision of Services to Home-Instructed Students

Regarding Home-Instructed Students:

They are not awarded a high school diploma. A high school diploma may only be awarded to a student enrolled in a registered secondary school who has completed all program requirements set by the Board of Regents, the school or the District.

~~a~~) They are not eligible to participate in interscholastic sports. Commissioner's Regulations mandate that only students enrolled in the public school are allowed to participate in interscholastic sports. ~~Further, the District does not permit home-instructed students to participate in any extracurricular activities.~~

b) The District shall not provide textbooks and other materials to home-instructed students.

c) The School District is not required to furnish health services.

d) The District is not responsible for providing remedial programs.

e) The District is not permitted to provide Occupational and Vocational Education programs (career and technical education) nor programs for the Gifted to home-instructed students.

f) Home-instructed students may not participate in the instructional program of the School District except for special education programs and services the District is required to offer.

The District shall offer a home-instructed student with disabilities the special education services as addressed in the approved Individualized Education Program (IEP) by the Committee on Special Education. *However, there is no requirement that such services be provided in the student's home.* Further, the District shall conduct a census and register of students with disabilities who reside in the District in accordance with Education Law and Commissioner's Regulations.

g) Students instructed at home shall not be allowed to use school facilities, except as provided for community organizations in Policy #3280 -- Community Use of School Facilities.

Primary responsibility for determining compliance with Commissioner's Regulations addressing home instruction rests with the Superintendent of Schools of the school district in which a home-instructed student resides.

Education Law Sections 3204, 3205,
3210.2, 3212.2, 3240-42, 3602-c, and 4402
8 New York Code of Rules and Regulations
(NYCRR) Sections 100.10 and 200.2(a)

12.04 First Reading of Policy 6551 Family and Medical Leave Act

9:05

- Changes from attorney:
  - Leave for service members

- Taking leave to care for an ill son or daughter

2~~009~~ 2013 6551 **SUBJECT: FAMILY AND MEDICAL LEAVE ACT**

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

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

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

a) The birth of a child and care for the infant;
b) Adoption of a child and care for the infant;
c) The placement with the employee of a child in foster care;
d) To care for a spouse, child or parent who has a serious health condition as defined by the FMLA;
e) To care for an adult child who is incapable of self-care due to a disability (regardless of the date of the onset of disability) and has a "serious health condition" as defined by FMLA;
ef) A serious health condition of the employee, as defined by the FMLA, that prevents the employee from performing his/her job;and/or
~~gf~~) Because of "any qualifying exigency" (such term to be defined by regulations issued by the Secretary of Labor) or to care for a covered servicemember, as is more fully described below. ~~arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. In the interim, the Department of Labor is encouraging employers to provide this type of leave to qualifying employees.~~

~~**Service Member Family Leave**~~

~~An eligible employee who is the spouse, son, daughter, parent, or next of kin (defined as the nearest blood relative of that individual) of a covered service member who is recovering from a serious illness or injury sustained in the line of duty while on active duty is entitled to up to twenty-six (26) weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during a single 12-month period during which an eligible employee is entitled to a combined total of twenty- six (26) weeks of all types of FMLA leave. The term "covered service member" means a member of the Armed Forces, including a member of the National Guard or Reserves~~

Military Caregiver Leave

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

Qualifying Exigency Leave

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

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

Implementation/Benefits

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

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

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

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

Notice for Leave Due to Active Duty of Family Member

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

FMLA Notice

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

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

Family and Medical Leave Act of 1993, Public Law 103-3
29 Code of Federal Regulations (CFR) Part 825

12.05 First Reading of Policy 5530 Cash in School Buildings

9:05

2~~002~~2013 5530 **SUBJECT: ~~PETTY CASH FUNDS AND~~ CASH IN SCHOOL BUILDINGS**

~~Petty Cash Funds~~

~~A petty cash fund of not more than one hundred dollars ($100) shall be maintained in the District Office and in each school building. Payments from petty cash funds may be made for materials, supplies or services only when payment is required upon delivery. At the time of reimbursement, an itemized statement of expenditures, together with substantiating receipts, shall be submitted. Such accounts shall be authorized by Board resolution at their annual meeting.~~

~~A~~ppropriate regulations ~~shall be developed for implementation of this policy.~~

Cash In School Buildings

~~N~~ot more than two hundred fifty dollars ($250), whether District or extraclassroom funds, shall be held in the vault in the Main Office of each District school building. Under no circumstances shall checks or cash be left in classroom areas or desks. All monies shall be locked in the Main Office vault. Only authorized personnel designated by the building administrator shall be allowed in the Main Office vault. The District will not be responsible for funds left unprotected.

All funds, whether District or extraclassroom funds, shall be deposited in a timely manner into the appropriate bank account. ~~prior to close of school each week. Only authorized personnel designated by the building administrator shall be allowed in the Main Office vault.~~

Education Law Section 1709(29)
8 New York Code of Rules and Regulations
(NYCRR) Section 170.4

13. Consent Agenda

13.01 Approve Consent Agenda (proposed 8:55)

9:15

Recommended Action: Approve consent agenda item numbers 13.02-13.12
Motioned: Trustee Osmond
Seconded: Trustee Hickey
Result: Unanimous
Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit, Trustee McKeon, Trustee Hickey
Not Present: Trustee Spencer

13.02 Personnel Agenda

APPOINTMENTS: INSTRUCTIONAL
EXTRA DUTY STIPENDS 2013-14

NAME	POSITION	AMOUNT
Burkhardt, Jeannine	AIS/Instructor (After School) 2	$1,903.00

SUBSTITUTES

NAME	POSITION	AMOUNT
Bridges, Eileen	Certified Substitute Teacher	$95.00/day
Brown, Lois (Leah)*	Certified Substitute Teacher	$95.00/day
Mayfield, Kathleen	Certified Substitute Teacher	$95.00/day
Mayfield, Kathleen	Certified Substitute Teaching Assistant	$10.00/hr
Olin, Chelsea	Certified Substitute Teacher	$95.00/day (retroactive to 9/01/13)

*Name Correction

LEAVE OF ABSENCE

EMPLOYEE NUMBER	EFFECTIVE DATE FROM - TO	REASON
1992	12/04/13-12/31/13	Medical - Paid
3728	11/19/13-12/15/13*	Medical - Paid

*Extension of Leave

APPOINTMENTS: NON INSTRUCTIONAL
SUBSTITUTES

NAME	POSITION	AMOUNT
Gaddis, Kerri	Substitute School Monitor	$9.00/hr
Raffaldi, Jane	Substitute School Monitor	$9.00/hr

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

Recommended Action: The Board hereby approves the Instruction - Schedule U-The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations, Schedule U, #12/13, Confidential, as reviewed by Trustee Osmond

13.04 Donation

Recommended Action: The Superintendent recommends acceptance of a donation totaling $2,000.00, CASH, from the Community Foundations of the Hudson Valley to be used towards a field trip “Ashokan Environmental/Cultural Center” for 5th Grade students at Bennett Elementary School.
The Superintendent recommends approval to increase the 2013-2014 Budget per the

following donations:
Community Foundations of the Hudson Valley
A2110.431.03 Supplemental $2,000.00

13.05 Acceptance of Grant for Ashokan Environmental/Cultural Center
Recommended Action: BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the contract between Onteora Central School District and the Community Foundations of the Hudson Valley to accept the grant titled Ashokan Environmental/Cultural Center for the Bennett School in the amount of $2,000.00 for the 2013-2014 school year and authorizes the Teacher, Karen Hadley and the Principal, Gabriel Buono to sign such an agreement ensuring that activities and programs funded by said grant are carried out in accordance with grant requirements.

13.06 Acceptance of Grant for Project Based Learning
Recommended Action: BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the agreement between Onteora Central School District and the Community Foundation of the Hudson Valley to accept the grant from the Robert R. Chapman Fund of the Community Foundations of the Hudson Valley for the Bennett Elementary School for Project Based Learning: The History, Art, Food and Culture of New Orleans in the amount of $500.00 and authorizes the Superintendent to sign such an agreement ensuring that activities and programs funded by said grant are carried out in accordance with grant requirements.

13.07 Creation of ECA Account for Marching Band
Recommended Action: BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education approve the creation of an ECA account for the Marching Band Club for the Purposes of Fundraising.

13.08 Financial Statement from October 2013
Recommended Action: The Board of Education has reviewed and hereby accepts the Financial Report from October 2013

13.09 Warrant Schedule 6
Recommended Action: The Board of Education has reviewed and hereby accepts Warrant Schedule #6

13.10 Abolish position
Recommended Action: The Board of Education hereby approve the abolishment of the following position: 1.0 FTE Head Custodian

13.11 Create Position
Recommended Action: The Board of Education hereby creates the following position: 1.0 FTE Director of Facilities 1

13.12 Approve Hurley Property Sale Contract
Recommended Action: WHEREAS, the Onteora Central School District Board of Education (“Board” or “District”) has previously determined that the proposed sale to

the West Hurley Fire District of a certain parcel, which is a part of the former West Hurley Elementary School property that has previously been determined by the Board to be no longer needed for school purposes, is a Type II Action under SEQRA, 6 NYCRR Part 617.5; and
WHEREAS, the West Hurley Fire District and Board have negotiated a contract of sale regarding that certain parcel of vacant land, more particularly bounded and described in a deed dated June 3, 1952 and recorded in the Office of the Clerk of Ulster County in Liber 828, Page 387 ("Property"); and
NOW, THEREFORE, BE IT RESOLVED THAT, the Onteora Central School District Board of Education, approve a Contract of Sale with the West Hurley Fire District for the Property for the sum of $24,000 and such other terms and conditions as set forth in the Contract of Sale; and
BE IT FURTHER RESOLVED THAT, the Board President is authorized to execute such Contract of Sale, a copy of which shall be placed on file with the District Clerk.

14. Committee Reports

14.01 Audit Committee - Trustee Spencer to report. Next meeting is 4:30 at Central Administration on 1/9/14 (proposed 9:00)
Committee has not met since last Board meeting

14.02 Facilities Committee - Trustee Kurnit to report. Next meeting is 3:30 at Central Administration on 1/6/14
Committee has not met since last Board meeting

14.03 Policy Committee - Trustee McGillicuddy to report. Next meeting is 9:30 at Central Administration on 1/6/14
Committee has not met since last Board meeting

14.04 District Committee: Health and Wellness Committee. Next meeting is in room 207 of the HS at 2:45 on 1/7/14
Committee has not met since last Board meeting

15. Old Business

15.01 The Board will discuss Old Business (proposed 9:10)
9:20
Conversation on the number of cameras on buses in transportation bid

- Cameras are used mostly for driver behavior
- Recommendation on big buses is 3 cameras
  - Industry norm is 2
- Consensus for a minimum of 2, preference of 3
  - Are there contractual penalties for cameras not working?
  - Show difference in price in bids

Readers and Writers college information received seems that there were too many sessions for each time slot

- This District has ongoing professional development District on Readers and Writers Workshop

ECA is ongoing issue for Audit Committee – have external auditor look at Policy 5530 Cash in School Buildings in School

16. New Business

16.01 The Board will discuss New Business (proposed 9:15)

9:40

Board members need to reply to Superintendent's request for hour long meetings- idea came out of retreat

17. Request For Information

17.01 The Board will request information (proposed 9:20)

Trustee Kurnit asked about new pre-school funding under CPSE

Trustee McGillicuddy asked:

- Local data RFI from a few months ago
    - Superintendent Phyllis McGill and Assistant Superintendent for Curriculum & Instruction Marki Clair-O'Rourke scheduled to work on this over break
        - NWEA is local data for K-8 used for benchmarking and RTI
        - Different curricular areas and how we assess them to cross reference chart given
- How is the principal at Woodstock, Assistant Superintendent for Curriculum & Instruction and Superintendent addressing issues in 2nd grade classroom?
    - Trustee Hickey asked if there is anything to do over break to make the change immediately after break?

Trustee Osmond asked what the school crisis team has been doing and what safety measures are being changed in the building to share with parent

Board members to visit 2nd grade classroom after break

Trustee Kurnit asked what is happening in the Technology Committee, who is on it and how is it functioning

Agenda item moving forward

18. Adjournment

18.01 Adjourn Meeting. Next meeting is Tuesday, January 7, 2014 in the Bennett School at 6pm. Happy New Year! (proposed 9:25)

Recommended Action: The meeting is adjourned at 9:50
Motioned: Trustee Hickey
Seconded: Trustee Osmond
Result: Unanimous
Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Kurnit, Trustee McKeon, Trustee Hickey
Not Present: Trustee Spencer

Minutes Recorded By:
Victoria McLaren, District Clerk



Minutes Typed By:
Fern Amster



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