

ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION
BOICEVILLE, NEW YORK 12412

REGULAR MEETING

6:00 p.m.

TUESDAY, JANUARY 7, 2014

Bennett School

MINUTES

1. Opening Items

1.01 Call to Order 6:00

1.02 Tobacco Policy Statement

1.03 Pledge of Allegiance

1.04 Roll Call: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Kurnit

Not Present: Trustee McKeon, Trustee Osmond, Trustee Spencer

2. Executive Session

2.01 Enter executive session (proposed 6:00 duration 1 hour)

Recommended Action: Motion to enter into executive session to discuss the employment history of a particular person

Motioned: Trustee Hickey

Seconded: Trustee Fletcher

Result: Unanimous

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

Not Present: Trustee McKeon, Trustee Osmond, Trustee Spencer

Now Present:

Trustee Osmond arrived at 6:05

Trustee McKeon arrived at 6:20

2.02 Exit Executive Session and Return to Public Session (proposed 7pm)

Recommended Action: Motion to exit executive session and return to public session at approximately 7:20

Motioned: Trustee Hickey

Seconded: Trustee Osmond

Result: Unanimous

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

Not Present: Trustee Spencer

3. Acceptance of Minutes

3.01 Acceptance of Minutes (proposed 7:05)

Recommended Action: The Board of Education hereby accepts the minutes of 12/11/13 and 12/19/13 BOE meetings

Motioned: Trustee Fletcher

Seconded: Trustee Osmond

Result: Unanimous

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

Not Present: Trustee Spencer

4. Welcome

4.01 Bennett Principal, Gabriel Buono will welcome the Board (proposed 7:10 duration 10 min)

- After-school activities started up for session 3
 - Floor Hockey, Basketball, Jewelry Making and Painting are additions
- The Bennett building is becoming used each evening
 - Good to see the community making use of the building
- “Trash For Cash” very organized and brings in good revenue
 - Collect candy and other wrappers
- Celebrating the Egypt 6th grade Project Based Learning 9 – 12:30 on 1/8/14

5. Board District News

5.01 The Board will announce District news (proposed 7:20)

- Trustee McGillicuddy reported that she was unable to visit Woodstock 2nd grade classrooms and meet teachers
- Thursday is Ulster County School Board meeting – our legislative representatives will be present to hear the UC Legislative Action Committee’s Legislative Platform that came out of “2020 Vision Educational Symposium”

6. Superintendent District News

6.01 The Superintendent will announce District news (proposed 7:25)
7:30

- Purpose of snow days is to keep children safe
- Will continue to use delays and snow days
 - Used 5 of 7 days, may take back Friday before President’s Day
- Safety update:
 - Woodstock has new arrival and dismissal procedure
 - Lockdown drills conducted in every building with observation and feedback by law enforcement
 - Woodstock gate and fence installed
- MS Field Trip to Washington DC- Curriculum based field trips must be paid by the District, rather than students’ raising funds
 - There is money in the budget for these costs and will plan for money in next year’s budget
- MS/HS Librarian Amy Weisz now has over 1400 downloadable e-books
 - Accessible from any device
 - Ipad minis for students to check out
 - Learn more at library’s home page or ebook FAQ

Assistant Superintendent for Curriculum & Instruction Marki Clair-O’Rourke reported on the Shard Decision Making Code of Conduct meeting and Primary School Proposal:

- Code of Conduct meeting:
 - 15 people attended
 - Administrators, students, parents and teachers were represented
 - Discussed role of committee and time frame
 - Sense of urgency

- Work as efficiently as possible
 - Meeting again on 1/21/14 to go over remaining pages
- Primary School Proposal
 - Meeting with Amy Weisz, to begin to research the topic
 - Also reached out to professional organizations for research that has already been done

Discussion:

- Community Schools movement- maximizing uses of primary buildings
 - Maybe get more parents on the committee
- Will begin the conversation about class size while research is going on
 - Meet in the next 2 weeks
- Grant money from State for Community Schools
 - As become more aware of direction, look for grants
- District did go for Century 21 Community Schools Grant and did not receive
- “What Makes for a Great Primary School” is good title for this project
 - Consensus from the Board

7. Student Representative Report

7.01 Student Representative, Sarah Melvin, will report to the Board (proposed 7:30)
7:50

- Focus is on Midterms and Regents
- Science Olympiad competition in Ravina
 - sending 2 teams for the first time in several years
 - more students becoming interested

8. Acknowledge Public Be Heard Comments

8.01 The Board will acknowledge the public be heard comments from the last meeting
Gideon Moor: Letter from PTAs and class size to be addressed now
Wendy Lamb: Still concerned about what will happen this year with second grade

9. Public/Student Comment

9.01 The public and students may comment on any agenda or non agenda item. Please limit comments to 3 minutes (proposed 7:35 duration 10 min or more)
No public or students comment was made

10. Discussion and Possible Action

10.01 Second Reading and Adoption of Policy 7380 Bullying (changed to Dignity For all Students Act) (proposed 7:55)
Recommended Action: The Board of Education hereby adopts Policy 7380 as written.
Motioned: Trustee Fletcher
Seconded: Trustee Hickey
Result: Unanimous
Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Kurnit, Trustee McKeon, Trustee Osmond
Not Present: Trustee Spencer

2010 _____ 7380 1 of 3 - 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.

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~~

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

10.02 Second Reading and Adoption of Policy 3420 Anti-Harassment (proposed 8:00)

Recommended Action: The Board of Education hereby adopts Policy 3420 as written

Motioned: Trustee Fletcher

Seconded: Trustee Hickey

Result: Unanimous

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

Not Present: Trustee Spencer

2012-2013 3420 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.

~~Therefore, 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 against employees 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, 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 against students 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

10.03 Second Reading and Adoption of Policy 8470 Home Instruction (proposed 8:05)

Recommended Action: The Board of Education hereby adopts Policy 8470 as written

Motioned: Trustee Fletcher

Seconded: Trustee Kurnit

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

McKeon, Trustee Osmond

Not Present: Trustee Spencer

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 StudentsRegarding 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)

10.04 Second Reading and Adoption of Policy 6551 Family and Medical Leave Act (proposed 8:10)

Recommended Action: The Board of Education hereby adopts Policy 6551 as written
~~2009-2013~~ 6551 1 of 2 personnel

Motioned: Trustee Hickey

Seconded: Trustee Fletcher

Result: Unanimous

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

Not Present: Trustee Spencer

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

Qualifying Exigency Leave

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

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

Implementation/Benefits

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

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

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

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

Notice for Leave Due to Active Duty of Family Member

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

FMLA Notice

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

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

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

10.05 Second Reading and Adoption of Policy 5530 Cash in School Buildings (proposed 8:15)

Recommended Action: The Board of Education hereby adopts Policy 5530 as written
Motioned: Trustee Fletcher
Seconded: Trustee Hickey

External Auditor felt this policy was acceptable

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Kurnit, Trustee McKeon, Trustee Osmond
Not Present: Trustee Spencer

~~20022013~~ 5530 Non-Instructional/Business Operations
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.~~

~~Appropriate regulations shall be developed for implementation of this policy.~~

Cash In School Buildings

~~Not 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 the appropriate bank account in a timely manner, 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

10.06 Approve French Club Trip (proposed 8:20)

Recommended Action: BE IT HEREBY RESOLVED by recommendation of the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the following trip for the Onteora High School French Club to Carhaix, France Via Paris from Thursday, July 3 - Tuesday July 22, 2014. The participants will fund this trip.

Motioned: Trustee Kurnit

Seconded: Trustee Osmond

- Board of Education must approve trip so they can access the District's insurance
- If trip was during the school day and part of the curriculum, it would need to be paid for by the District

Result: Unanimous

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

Not Present: Trustee Spencer

11. Discussion

11.01 Discussion on adding a second grade class at Woodstock (proposed 8:25 duration 15 min)

8:00

- Right now 2nd grades at Woodstock is 23 and 24
- Committed to well-being of students
 - Additional section will have no bearing on next year
- Keep students in same specials (PE, Art, Music)
- Additional cost of approximately \$45,000 to add teacher

Discussion

- Teacher is already half time, can put on agenda next time
- Need 4 days of planning, communicating and moving before section can be created
- Acknowledge the pressure in the summer about 1st and 2nd grade for the sake of the students
 - Not an ideal scenario to do this in school year
 - Frustrating and embarrassing to do this twice in school year
 - Was avoidable
 - Not good practice

- Hope to not be in this position again
- If had these numbers in August more planning would have been done
 - Worked with the desirable numbers in regulation
- Was also decided upon because of needs of students and physical size of space, not just on the number of students
- Unfinished business:
 - still have to follow through on early childhood centers focus – need better guidelines
 - Assignment of schools for Primary students - “soft boundaries”

12. **5 Minute Break

12.01 The Board will break for 5 minutes (proposed 8:40)
8:25

13. Contracts Under Consideration

13.01 Independent Contract Retainer for Jean DeVre (proposed 8:45)

Recommended Action: BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Jean DeVre for the period beginning January 8, 2014 to June 30, 2014 at a rate of \$65.00 per hour, to a maximum of \$10,000.00, as a Special Education Teacher with certification in Orton-Gillingham for student #25230 and authorizes the Superintendent to sign such an agreement.

Motioned: Trustee Osmond

Seconded: Trustee Kurnit

Result: Unanimous

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

Not Present: Trustee Spencer

13.02 Independent Contract Retainer for Catherine Jellinghaus (proposed 8:50)

Recommended Action: BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Catherine Jellinghaus for the period beginning December 12, 2013 to May 29, 2014 for the amount of \$250.00, as a mentor in graphic design and authorizes the Superintendent to sign such an agreement.

Motioned: Trustee Osmond

Seconded: Trustee Fletcher

Result: Unanimous

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

Not Present: Trustee Spencer

13.03 Independent Contract Retainer for Pine Street Pediatrics (proposed 8:55)

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

School District and Pine Street Pediatrics for the period beginning December 11, 2013 to April 29, 2014, as a mentor in pediatric medicine and authorizes the Superintendent to sign such an agreement.

Motioned: Trustee Osmond

Seconded: Trustee Fletcher

Result: Unanimous

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

Not Present: Trustee Spencer

13.04 Independent Contract Retainer for Eldeva Tofte (proposed 9:00)

Recommended Action: BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approves the Independent Contractor Retainer between the Onteora Central School District and Eldeva Tofte for the period beginning January 8, 2014 to June 30, 2014 at a rate of \$65.00 per hour, to a maximum of \$10,000.00, as a Special Education Teacher with certification in Orton-Gillingham for student #25230 and authorizes the Superintendent to sign such an agreement.

Motioned: Trustee Osmond

Seconded: Trustee McKeon

Result: Unanimous

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

Not Present: Trustee Spencer

14. Consent Agenda

14.01 Approve Consent Agenda (proposed 9:05)

8:40

Recommended Action: Approve consent agenda item numbers 14.02-14.06

Motioned: Trustee Hickey

Seconded: Trustee Osmond

Result: Unanimous

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

Not Present: Trustee Spencer

14.02 Personnel Agenda

APPOINTMENTS: INSTRUCTIONAL

EXTRA DUTY STIPENDS 2013-14

NAME	POSITION	AMOUNT
Polacco, Nicole	Peer Mediation Advisor 1	\$1,671.60
Whitlow, Edward	Math Club Advisor - HS	\$1,667.00

LEAVE OF ABSENCE

EMPLOYEE NUMBER	EFFECTIVE DATE FROM - TO	REASON
1858	11/22/13-01/01/14	Medical - Paid
3105	11/04/13-01/31/14*	Parental - Unpaid

*Extension of Leave

APPOINTMENTS: NON INSTRUCTIONAL

LEAVE OF ABSENCE

EMPLOYEE NUMBER	EFFECTIVE DATE FROM - TO	REASON
3703	11/26/13-12/17/13*	Parental - Unpaid

*Revised dates

Peer mediation is in 3rd grade, not effective for K-2

14.03 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, #1/14, Confidential, as reviewed by Trustee Hickey

14.04 Donations

Recommended Action:

The Superintendent recommends acceptance of a donation totaling \$137.70 CASH, from Box Tops for Education to be used towards Middle School field trips.

The Superintendent recommends approval to increase the 2013-2014 Budget per the following donations:

Box Tops for Education A2110.431.02 Supplemental \$137.70

The Superintendent recommends acceptance of a donation totaling \$500.00, CASH, from the Community Foundations of the Hudson Valley to be used towards Project Based Learning: The History, Art, Food and Culture of New Orleans for 5th grade students at Bennett Elementary School.

Community Foundations of the Hudson Valley A2110.431.03 Supplemental \$500.00

14.05 Transfer of Funds

Recommended Action: The Superintendent recommends the transfer of funds to re-allocate negative funds in payroll budget code.

Transfer Amount	From Budget Code	Description	To Budget Code	Description
\$86,458.33	A2110.490-10	BOCES Services	A2010.150-00	Salaries Instructional

14.06 Warrants

Recommended Action: The Board of Education has reviewed and hereby accepts Warrant Schedule 7

Create another section of 2nd Grade at Woodstock School:

The Board of Education hereby approves the creation of a 3rd section of 2nd grade at the Woodstock Primary School and authorizes the Superintendent to begin the planning process. The personnel appointment will be brought forward at the next Board meeting and may be effective retro-actively.

Motioned: Trustee Hickey

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee McGillicuddy, Trustee Fletcher, Trustee Hickey, Trustee Kurnit, Trustee McKeon, Trustee Osmond
Not Present: Trustee Spencer

15. Committee Reports

15.01 Audit Committee - Trustee Spencer to report. Next meeting is 4:30 at Central Administration on TBD (proposed 9:10)
Has not met since last Board meeting

15.02 Facilities Committee - Trustee Kurnit to report. Next meeting is 3:30 at Central Administration on 1/13/14
Has not met since last Board meeting

15.03 Policy Committee - Trustee McGillicuddy to report. Next meeting is 9:30 at Central Administration on 1/13/14
Has not met since last Board meeting

15.04 District Committee: Health and Wellness Committee. Next meeting is in the room 207 HS at 2:45 on TBD
Met today, will report at next meeting

16. Old Business

16.01 The Board will discuss Old Business (proposed 9:15)
No Old Business was discussed

17. New Business

17.01 The Board will discuss New Business (proposed 9:20)
8:45
High Stakes Testing: Local Control Fact or myth Tuesday night, 1/14/14

Board of Education hereby approves the cost of up to six Board members, including the Student Rep, at a cost of a maximum of \$240 to attend the High Stakes Testing conference on 1/14/14

Motioned: Trustee Hickey

Seconded: Trustee Kurnit

Result: Unanimous

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

Not Present: Trustee Spencer

Veteran's Tax Exemption will be on next agenda

18. Request For Information

18.01 The Board will request information (proposed 9:25)
8:55

Trustee McGillicuddy requested:

- an update on the NYS Troopers Investigation at Woodstock
- idea of ELL Coordinator (Director of PPS) and teachers give presentation on

- the program
- Title 3 grant money for ELL students

Trustee Kurnit requested an update on the Transportation Bid

19. Public Comment

19.01 The public will comment on any agenda or non-agenda item. Please limit comments to 3 minutes (proposed 9:30 duration 10 min or more)

Victoria Becker: Inconsistency in AIS services from K-3 to 4-6 and difficulties with student

Molly Wilson: Expressed appreciation to Dr. McGill, Ms. Clair-O'Rourke and Dr. O'Brien for listening to concerns of parents and teachers

20. Adjournment

20.01 Adjourn Meeting . Next meeting is Tuesday, January 21, 2014 in the Phoenicia School at 6pm (proposed 9:40)

Recommended Action: The meeting is adjourned at 9:00

Motioned: Trustee Hickey

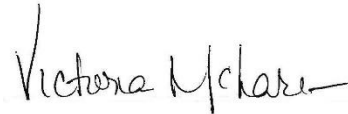
Seconded: Trustee Fletcher

Result: Unanimous

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

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