ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION
BOICEVILLE, NEW YORK 12412

REGULAR MEETING
6:00 p.m.
TUESDAY, SEPTEMBER 13, 2011
Woodstock Elementary School

MINUTES

1. Opening Items

1.01 Call to Order 6:15
1.02 Tobacco Policy Statement
1.03 Pledge of Allegiance
1.04 Roll Call
Present: Trustee McGillicuddy, Trustee Fletcher, Trustee Osmond, Trustee Spencer, Trustee Kurnit
Not Present: Trustee McKeon, Trustee Hickey

2. Executive Session

2.01 The Board will vote to enter into executive session to discuss negotiations, the discipline of a particular employee and pending litigation (proposed 6:00 duration 1 hour)
6:15
Motion: Motion to enter into executive session to discuss negotiations, the discipline of a particular employee and pending litigation
Motioned By: Trustee Fletcher
Second By: Trustee Spencer

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

2.02 The Board will vote to exit executive session (proposed 7:00)
Motion: Motion to exit executive session
Motioned By: Trustee Fletcher
Second By: Trustee Osmond

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

2.03 The Board will vote to re-enter public session (proposed 7:00)
7:15
Motion: Motion to re-enter executive session
Motioned By: Trustee Osmond
Second By: Trustee Kurnit

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

Addendum to Agenda

An additional Inter-School Transfer

Approval of Confidential Staff Salary increase

Motion: The Board of Education hereby approves the salary increases of the Confidential Staff as per the schedule agreed upon in Executive Session.

Motioned By: Trustee Spencer
Second By: Trustee Fletcher

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

3. Acceptance of Minutes

3.01 The Board of Education accepts minutes of 8/16/11 (proposed 7:00)

Motion: The Board of Education hereby accepts the minutes of 8/16/11
Motioned By: Trustee Osmond
Second By: Trustee Spencer

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

4. Board District News

Trustee Spencer reported that during the storm, the Onteora students seemed to be out and helping a great deal. Trustee McGillicuddy agreed and added that teachers were out as well.

Trustee McGillicuddy reported that the Fiscal Findings will be presented at the next Board Meeting

Trustee Fletcher acknowledged that the district took a positive outlook as far as making sure the children were showered and fed, as well as, that transportation would pick up students anywhere and take them to their school.

Trustee McGillicuddy reported on the first staff day where Superintendent Phyllis McGill recognized employees that had been with the district for more than 25 years. There was also a discussion on how to help hurricane victims

5. Superintendent District News

Superintendent Phyllis McGill reported:

- The volunteerism and donations have been fantastic.
- There will be donated school supplies for anyone in need at each school's Open House
- Current enrollment:
    - Bennett - 235
    - Phoenicia - 213

- Woodstock - 257
- Total 705 elementary
- Middle School - 221
- High School - 546
- BOCES - 18
- GED - 5
- Total District Population – 1,495
- Private School - 160
- Home Schooled - 60

- Great smooth start to the school year
- Buildings fared well
- School Calendar is complete – will be sent home with the students
  - Change of Conference Day – May 16th to April 27th
- Next Board meeting, which is a Workshop meeting will be a presentation looking ahead 5 years financially
- Ulster BOCES is offering an ESL adult program starting 10/12 on Mondays and Wed. from 5-8 pm in the Onteora High School
  - Need 12 people to have class
  - Then will switch from ESL to GED for adults
  - No cost involved
- Front doors are completed at Phoenicia

6. Public/Student Comment

6.01 The public and students may comment on any agenda or non agenda item. Please limit comments to 3 minutes (proposed 7:25 duration 10 min)

No public or student comment was made

7. Discussion and Possible Action

7.01 The Board will discuss their Board goals for the year (proposed 7:35 duration 30 minutes)

7:45-8:45
The Board discussed their goals for the 2011-2012 School Year
It was decided to identify the top 3-5 goals for the year and have a secondary list to which to refer once those are completed

Trustee McGillicuddy called for an ad hoc committee to go through the goals and condense them
Trustee McGillicuddy, Trustee Fletcher, Trustee Spencer

7.02 Abolish positions (proposed 8:05)
Motion: The Board of Education hereby abolishes the following positions: 1.0 Account Clerk/Typist, .2 English Teacher at the Middle School
Motioned By: Trustee Fletcher
Second By: Trustee Spencer

Last year a Family and Consumer Sciences position was incorrectly abolished. It should have been .6 Family and Consumer Sciences and .2 English

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

7.03 Communication Manager (proposed 8:10)
Motion: The Board of Education hereby appoints Fern Amster as Communication Manager as part of her District Clerk duties at $0 additional
Duties Include:
-Work with a point person at each school to gather information on happenings, changes to the calendar and good news from the school
-Write press releases on newsworthy events
-Communicate to webmaster public and district wide events for the web calendar
-Manage the web site for changes and corrections, communicate to webmaster who will do the technical work
-Approve requests for web site and pass them onto website
-Email all heads of PTA/PTSO/Parent Alliance to pass onto their email list

Motioned By: Trustee Fletcher
Second By: Trustee Spencer

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

7.04 The Board will discuss placing the Onteora Ad for 11-12 (proposed 8:15 duration 10 min) 8:55
Motion: The Board of Education hereby authorizes spending up to $_____ to place the attached ad in the Woodstock Times and Catskill News.

Motioned By: Trustee Kurnit
Second By: Trustee Fletcher

Trustee Kurnit stated and Trustee Osmond agreed that it is too late to run the ads.

Decided to redesign ad in February or March and place the ads in the newspapers during the summer

Consensus to rescind motion as read

7.05 The Board will approve the Inter-School Transfers for the 2011-2012 School Year (proposed 8:25)
The Board of Education hereby approves the Inter-School Transfers, as attached with an additional Transfer from Phoenicia to Bennett

Motioned By: Trustee Fletcher
Second By: Trustee Spencer
Results: Unanimous

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

7.06 Stipulation of Settlement for IHO Case (Proposed 8:30)
BE IT HEREBY RESOLVED that the Stipulation of Settlement between the District and James Cornwell for the time period of July 1, 2010 through and including August 23, 2011 is hereby approved.

Motioned By: Trustee Fletcher
Second By: Trustee Spencer

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

7.07 Special Election for BOCES Board Member (proposed 8:35)
It is hereby resolved that the Onteora Central School District Board of Education casts its votes in the special election for a member of the Board of Cooperative Educational Services for the person indicated on the ballot.

Motioned By: Trustee Osmond
Second By: Trustee Spencer

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

8. ** 10 Minute Break
9:05 The Board took a 10 minute break

7.08 First Reading of Policy 8370 Animals in the Schools (proposed 8:40 duration 10 min) 9:20

~~2008~~2011 8370
~~1 of 2~~
Instruction

SUBJECT: ANIMALS IN THE SCHOOL (INSTRUCTIONAL PURPOSES)

Observation and experimentation with living organisms and animals gives students unique perspectives of life processes. Animals and animal materials should be used respectfully and for the purpose of meeting course objectives.

The Board of Education, in recognizing the educational uses of animals in the classroom, requires that permission be obtained from the Building Principal before animals are brought into the school or classrooms. It is the Principal's responsibility to ensure that there is an appropriate educational purpose if any animal is housed in a classroom. Animals are not to be transported on school buses with the exception of animals certified to assist persons with disabilities.

Study and Care of Live Animals – {Reinstate the lines below}

~~Any school which cares for or uses animals for study shall ensure that each animal in the school be afforded the following:~~

~~a) Appropriate quarters;~~
~~b) Sufficient space for the normal behavior and postural requirements of the species;~~
~~c) Proper ventilation, lighting, and temperature control;~~
~~d) Adequate food and clean drinking water; and~~
~~e) Quarters, which shall be cleaned on a regular basis and located in an area where undue stress and disturbance are minimized.~~

~~Only the teacher or those students designated by the teacher are to handle the animals.~~

It shall be the responsibility of the Principal or his/her designee to develop a plan of care for those animals housed in school in the event of an emergency school closing or in the event the animals remain in the classroom on days when school is not in session.

Dissection of Animals

Any student expressing a moral or religious objection to the performance or witnessing of the dissection of an animal, either wholly or in part, shall be provided the opportunity to undertake and complete an alternative project approved by the student's teacher; provided, however, that such objection is substantiated in writing by the student's parent or legal guardian. An alternate activity clearly related to and of comparable rigor will be assigned in lieu of laboratory dissection. Some examples of alternate activities include the use of computer simulations or research. Students who perform alternative projects shall not be penalized.

~~Effective July 1, 2011, the District will give reasonable notice to all students enrolled in a course that includes the~~ dissection of an animal and students' parent(s)/legal guardian(s) about their rights to seek an alternate project to dissection. Such notice shall be made available upon request at the school and distributed to parents and students enrolled in a course that includes dissection at least once at the beginning of the school year.

Instruction in the Humane Treatment of Animals

Students in elementary school must receive instruction in the humane treatment and protection of animals and the importance of the part they play in the economy of nature as well as the necessity of controlling the proliferation of animals that are subsequently abandoned and caused to suffer extreme cruelty. Such instruction shall be for a period of time as specified by the Board of Regents and may be joined with work in literature, reading, language, nature study, or ethnology.

~~This instruction may be joined with work in literature, reading, language, nature study, or ethnology.~~

Americans with Disabilities Act~~.~~, 42 United States Code (USC) Section 12101 et. ~~Seq.~~ seq.
Education Law Section 809
8 New York Code of Rules and Regulations (NYCRR) Section 100.2(c)(8)
Adopted:

Trustee Fletcher stated he is ethically and morally opposed to dissection of animals for instructional purposes

The procedure for dissection of animals in the High School was discussed. Superintendent Phyllis McGill will bring clarification back to the next Board meeting

7.09 First Reading of Policy 2210 Committees of the Board (proposed 8:50 duration 10 min)

~~2002~~2011 **2210**

Internal Operations

SUBJECT: COMMITTEES OF THE BOARD

The Board ~~and/or the President of the Board~~ may at its discretion establish committees for the purpose of undertaking a specific task in connection with Board activity. These committees, however, cannot make legal decisions for the entire Board.

At the request of the Board, the President shall appoint temporary committees consisting of less than a quorum of the full membership for special purposes. These committees shall be discharged on the completion of their assignment. The President of the Board shall be an ex-officio member of such committees.

The Board of Education recognizes that it may be necessary from time to time to authorize advisory committees for the purpose of enlisting opinions and counsel of the general public. Such committees shall be appointed by the Board of Education. The Board has the right to accept, reject or modify all or any part of a committee recommendation.

Visitation Committees

The Board of Education shall appoint one (1) or more committees to visit every school or department at least once annually and report on their conditions at the next regular meeting of the Board.

Education Law Section 1708

Adopted: ~~6/29/09~~

7.10 First Reading of Policy 4260 Evaluation of the Superintendent and Other Administrative Staff (proposed 9:00 duration 10 min)
9:45

~~2002~~2011 4260

Administration

SUBJECT: EVALUATION OF THE SUPERINTENDENT AND OTHER ADMINISTRATIVE STAFF

Superintendent

The Board of Education shall conduct annually a formal performance evaluation of the Superintendent. The formal procedures used to complete the evaluation are to be filed in the District Office, and to be made available for review by any individual, no later than August 1 of each year.

The formal performance procedures shall include written criteria, a description of the review procedures, provisions for post-conferencing, and methods used to record results of the evaluation. The Superintendent shall be granted the opportunity to respond to the evaluation in writing.

Evaluation of Administrative Staff

The Board shall direct the Superintendent to conduct an annual evaluation of all administrative personnel

The purposes of this evaluation are:

a) To determine the adequacy of administrative staffing;
b) To improve administrative effectiveness;
c) To encourage and promote self-evaluation by administrative personnel;
d) To provide a basis for evaluative judgments by the Superintendent and the Board;
e) To make decisions about continued employment with the District.

ADDED at the Board meeting:

Evaluation of Supervisory Personnel

The Superintendent shall direct the Assistant Superintendent for business to conduct an annual evaluation of all supervisory personnel

8 New York Code of Rules and Regulations
(NYCRR) Section 100.2(o)(2)

Adopted: ~~6/29/09~~

Consensus to forgo oral reading of policies

7.11 First Reading of Policy 6121 Sexual Harassment of District Personnel (proposed 9:10 duration 10 min)

~~2009~~ 6121

~~1 of 3~~

~~Personnel~~

SUBJECT: SEXUAL HARASSMENT OF DISTRICT PERSONNEL

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District employees an environment that is free of sexual harassment ~~and intimidation.~~, including sexual violence. Sexual harassment including sexual violence is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place at locations off school premises. ~~–~~ and in another state. Since sexual violence is a form of sexual harassment, the term "sexual harassment" as used in this policy will implicitly include sexual violence even if it not explicitly stated.

Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a) Submission of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- b) Submission to or rejection of such conduct by an individual ~~as~~is used ~~is~~as a basis for employment decisions affecting such individuals; and
- c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual violence is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence as defined by New York Penal Law includes but is not limited to acts such as:

a) Rape;
b) Sexual assault;
c) Sexual battery;
d) Sexual coercion.

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances should be evaluated. The Board recognizes that sexual harassment can originate from a person of either sex against a person

of the opposite or same sex, and from co-workers as well as supervisors, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. The District will designate, at a minimum, two (2) Compliance Officers, one (1) of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any employee who believes he/she has been a victim of sexual harassment in the work environment, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, immediately report such alleged harassment to the District's designated ~~Complaint Officer(s)~~Compliance Officers through informal and/or formal complaint procedures as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly, thoroughly and equitably investigated in accordance with the terms of this policy. In the event that the ~~Complaint~~Compliance Officer is the alleged offender, the employee should report his/her complaint to the next level of supervisory authority.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a thorough, prompt and equitable investigation of the charges. However, even in the absence of a complaint, if the District has knowledge of or ~~has reason to~~reasonably should know of or suspect any occurrence of sexual harassment, the District will investigate such conduct promptly ~~and thoroughly~~, equitably, and thoroughly. All procedures developed by the District will provide for the prompt and equitable resolution of the sexual harassment.

To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis. The Superintendent will inform the Board of Education of investigations involving findings of harassment.

Based upon the results of the investigation, if the District determines that an employee has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken, as warranted, up to and including termination of the offender's employment in accordance with legal guidelines, District policy and regulation, the District's Code of Conduct, and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

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

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Follow-up inquiries shall be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of the sexual harassment complaint have not suffered retaliation.

Finding That Harassment Did Not Occur

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that sexual harassment did not occur.

Knowingly Makes False Accusations

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

Privacy Rights

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

Development and Dissemination of Administrative Regulations

Regulations will be developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable ~~Complaint~~Compliance Officer(s).

Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

The Superintendent/designee(s) will affirmatively discuss the topic of sexual harassment with all employees, express the District's condemnation of such conduct, and explain the sanctions for harassment. Training programs will be established

for employees to help ensure awareness of the issues pertaining to sexual harassment in the workplace, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for training in the investigation of sexual harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on sexual harassment will be published in appropriate school publications such as teacher/employee handbooks and/or school calendars.

~~**Finding That Harassment Did Not Occur**~~

~~At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the Complaint Officer will so notify the complainant, the alleged offender and the Superintendent of this determination. Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.~~

~~However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.~~

~~In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that harassment did not occur.~~

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~~**Privacy Rights**~~

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Civil Rights Act of 1991, 42 United States Code (USC) Section 1981(a)
29 Code of Federal Regulations (CFR) Section 1604.11(a)
Civil Service Law Section 75-B
Education Law Section 2801(1)
Executive Law Sections 296 and 297
~~Adopted: 6/29/09~~

Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
34 Code of Federal Regulations (CFR) Section 100 et seq.

7.12 First Reading of Policy 7551 Sexual Harassment of Students (proposed 9:20 duration 10 min)
10:00

~~2009~~ 2011 ~~7551~~
~~1 of 4~~
~~Students~~

SUBJECT: SEXUAL HARASSMENT OF STUDENTS

The Board of Education affirms its commitment to non-discrimination and recognizes its responsibility to provide for all District students an environment that is free of sexual harassment ~~and intimidation.~~, including sexual violence. Sexual harassment including sexual violence is a violation of law and stands in direct opposition to District policy. Therefore, the Board prohibits and condemns all forms of sexual harassment by employees, school volunteers, students, and non-employees such as contractors and vendors which occur on school grounds and at all school-sponsored events, programs and activities including those that take place ~~at locations off school premises.~~ on a school bus at locations off school premises or those that take place in another state. Since sexual violence is a form of sexual harassment, the term, "sexual harassment" in this policy will implicitly include sexual violence even if it is not explicitly stated.

Sexual Harassment

Generally, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct or communication of a sexual nature when:

a) Submission to or rejection of such sexually harassing conduct and/or communication by a student affects decisions regarding any aspect of the student's education, including participation in school-sponsored activities;

b) Conditions exist within the school environment that allow or foster obscene pictures, lewd jokes, sexual advances, requests for sexual favors or other harassing activities of a sexual nature; and

c) Such conduct and/or communication has the purpose or effect of substantially or unreasonably interfering with a student's academic performance or participation in an educational or extracurricular activity, or creating an intimidating, hostile or offensive learning environment; and/or effectively bars the student's access to an educational opportunity or benefit.

Sexual Violence

Sexual violence is defined by New York Penal Law as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual violence includes but is not limited to acts such as:

a) Rape;
b) Sexual assault;
c) Sexual battery;
d) Sexual coercion.

A person may be unable to consent to a sexual act due to his/her age, use of drugs or alcohol or due to intellectual or other disability. In order to encourage victims of sexual violence to come forward, a District must inform students that the District's primary concern is with their safety. The school should assure victims that any broken rules or violations made by them will be addressed separately from the sexual harassment allegation. For example, victims need to know that their use of alcohol or drugs never makes them at fault for sexual violence.

The Board acknowledges that in determining whether sexual harassment has occurred the totality of the circumstances, expectations, and relationships should be evaluated including, but not limited to, the ages of the ~~harasser~~offender and the victim; the number of individuals involved; and the type, frequency and duration of the conduct. A single incident of sexual harassment may be sufficiently severe to create a hostile environment in the school and a student may experience the continuing effects from off- campus sexual harassment when in the school setting. The Board recognizes that sexual harassment can originate from a person of either sex against a person of the opposite or same sex, and from a third party such as a school visitor, volunteer, or vendor, or any other individual associated with the School District. Sexual harassment may occur from student-to-student, from staff-to-student, from student-to-staff, as well as staff-to-staff. The District will designate, at a minimum, two (2) ~~Complaint~~Compliance Officers, one (1) of each gender.

In order for the Board to enforce this policy, and to take corrective measures as may be necessary, it is essential that any student who believes he/she has been a victim of sexual harassment ~~in the school environment~~, as well as any other person who is aware of and/or who has knowledge of or witnesses any possible occurrence of sexual harassment, should immediately report such alleged harassment~~; such~~. Such report shall be directed to or forwarded to the District's designated ~~Complaint Officer(s)~~Compliance Officers through ~~-~~informal ~~-~~and/or ~~-~~formal ~~-~~complaint ~~-~~procedures ~~-~~as developed by the District. Such complaints are recommended to be in writing, although verbal complaints of alleged sexual harassment will also be promptly investigated in accordance with the terms of this policy. In the event that the ~~Complaint~~Compliance Officer is the alleged offender, the report will be directed to the next level of supervisory authority.

Upon receipt of an informal/formal complaint (even an anonymous complaint), the District will conduct a prompt, equitable, and thorough investigation of the charges. However, even in the absence of a complaint, if the District has knowledge of or has reason to know of or suspect any occurrence of sexual harassment, the District will investigate such conduct promptly, equitably, and thoroughly. To the extent possible, within legal constraints, all complaints will be treated as confidentially and privately as possible. However, disclosure may be necessary to complete a thorough investigation of the charges, and any disclosure will be provided on a "need to know" basis. The Superintendent will inform the Board of Education of investigations involving findings of harassment.

Based upon the results of the investigation, if the District determines that an employee and/or student has violated the terms of this policy and/or accompanying regulations, immediate corrective action will be taken as warranted. Should the offending individual be a student, appropriate disciplinary measures will be applied, up to and including suspension, in accordance with District policy and regulation, the Code of Conduct, and applicable laws and/or regulations. Should the offending individual be a school employee, appropriate disciplinary measures will be applied, up to and including termination of the offender's employment, in accordance with legal guidelines, District policy and regulation, the Code of Conduct and the applicable collective bargaining agreement(s). Third parties (such as school volunteers, vendors, etc.) who are found to have violated this policy and/or accompanying regulations will be subject to appropriate sanctions as warranted and in compliance with law.

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

The Board prohibits any retaliatory behavior directed against complainants, victims, witnesses, and/or any other individuals who participated in the investigation of a complaint of sexual harassment. Follow-up inquiries shall be made to ensure that sexual harassment has not resumed and that all those involved in the investigation of the sexual harassment complaint have not suffered retaliation.

Finding That Sexual Harassment Did Not Occur

At any level/stage of investigation of alleged harassment, if a determination is made that harassment did not occur, the ~~Complaint~~Compliance Officer will so notify the complainant, the alleged offender and the Superintendent of this determination.

Such a finding does not preclude the complainant from filing an appeal pursuant to District policy or regulation and/or pursuing other legal avenues of recourse.

However, even if a determination is made that harassment did not occur, the Superintendent/designee reserves the right to initiate staff awareness and training, as applicable, to help ensure that the school community is not conducive to fostering harassment in the workplace.

In all cases, the Superintendent will inform the Board of Education of the results of each investigation involving a finding that sexual harassment did not occur.

Knowingly Makes False Accusations

Employees and/or students who *knowingly* make false accusations against another individual as to allegations of harassment may also face appropriate disciplinary action.

Privacy Rights

As part of the investigation, the District has the right to search all school property and equipment including District computers. ~~Rooms~~Although 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.

Development and Dissemination of Administrative Regulations

Regulations will be developed for reporting, investigating and remedying allegations of sexual harassment. An appeal procedure will also be provided to address any unresolved complaints and/or unsatisfactory prior determinations by the applicable ~~Complaint~~Compliance Officer(s).

Such regulations will be developed in accordance with federal and state law as well as any applicable collective bargaining agreement(s).

The Superintendent/designee(s) will affirmatively discuss the topic of sexual harassment with all employees and students, express the District's condemnation of such conduct, and explain the sanctions for such harassment. Appropriate training and/or "awareness" programs will be established for staff and students to help ensure knowledge of and familiarity with the issues pertaining to sexual harassment in the schools, and to disseminate preventative measures to help reduce such incidents of prohibited conduct. Furthermore, special training will be provided for designated supervisors and managerial employees, as may be necessary, for training in the investigation of sexual harassment complaints.

A copy of this policy and its accompanying regulations will be available upon request and may be posted at various locations in each school building. The District's policy and regulations on sexual harassment will be published in appropriate school publications such as teacher/employee handbooks, student handbooks, and/or school calendars.

Civil Rights Act of 1991, 42 United States Code (USC) Section 1981(a)
Title VII of the Civil Rights Act of 1964, 42 United States Code (USC) Section 2000e et seq.
Title IX of the Education Amendments of 1972, 20 United States Code (USC) Section 1681 et seq.
34 Code of Federal Regulations (CFR) Section 100 et seq.
29 Code of Federal Regulations (CFR) Section 1604.11(a)
Civil Service Law Section 75-B
Education Law Section 2801(1)
Executive Law Sections 296 and 297
REGULATION NUMBER ???
~~Adopted: 6/29/09~~

- Site bullying policy at the bottom
- Ask attorney about including bullying of a sexual nature being included as sexual harassment

7.13 Side Letter of Agreement for Temporary Transportation Director

BE IT RESOLVED, by the Board of Education of the Onteora Central School District that it hereby appoints Betty Hughes as the Temporary Director of Transportation at a per diem rate of $400. BE IT FURTHER RESOLVED that the Board of Education hereby approves the Side Letter of Agreement dated September 12, 2011 between Onteora Central School District and the Onteora Non-Teaching Supervisor's Union and authorizes the Superintendent to sign such agreement.

Motioned By: Trustee Osmond
Second By: Trustee Fletcher

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

9. Consent Agenda

Approve consent agenda item numbers 9.02-9.09

Motioned By: Trustee Fletcher
Second By: Trustee Osmond

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

9.02 Personnel Agenda

APPOINTMENTS: INSTRUCTIONAL

PROBATIONARY APPOINTMENT

NAME	TENURE AREA	PROBATIONARY PERIOD	SALARY	REMARKS
*DeSantis, Ernest	1.0 Teaching Assistant	09/01/11 – 08/31/14	Step 1	New Position-MS/HS

***Pending pre-employment processing**

PROBATIONARY APPOINTMENT

NAME	CERTIFICATION	TENURE AREA	PROBATIONARY PERIOD	SALARY/ STEP	REMARKS
Polacco, Nicole	Childhood Education (Grades 1-6)	Elementary	9/1/11 – 11/29/13	**2MA	New Position - WD

****Revision to correct initial appointment**

PART TIME APPOINTMENT

NAME	POSITION	EFFECTIVE DATE FROM – TO	SALARY	REMARKS
Gallin, Anne	**0.6 FTE LOTE	**09/01/11 – 6/30/12	1MA	New Position-MS/HS

****Revision to correct initial appointment**

PER DIEM SUBSTITUTES

NAME	POSITION	AMOUNT
*Galkin, Jessica	Uncertified Substitute Teaching Assistant	$9.00/hour

***Pending pre-employment processing**

TERMINATIONS: INSTRUCTIONAL

The Superintendent of Schools hereby recommends the TERMINATION of the following INSTRUCTIONAL staff member. This termination is in accordance with and subject to the Education Laws of New York State, the rules and regulations of the Commissioner of Education, and the policies of the Onteora Board of Education.

BE IT HEREBY RESOLVED by the Board of Education of the Onteora Central School District that the following individual, having the least seniority in the tenure area affected by the abolishment, shall be laid off from their positions with the District effective June 30, 2011.

Any individual who is laid off shall have his or her name placed on a preferred eligibility list consistent with the requirements of the Education Law.

NAME	FTE/TENURE AREA	REMARKS

Samuelsen-Grimm, Karen	***0.6/Family & Consumer Science
Samuelsen-Grimm, Karen	***0.2/English

*****Revision to correct termination**

EXTRA DUTY STIPENDS 2011-2012

NAME	POSITION	AMOUNT
Cavallaro, Linda	Seventh Grade Trip Co-Coordinator	$233.50
Hull, Julie	6th Teaching Assignment – MS/HS	$7,500.00
Kocher, Michael	Soccer Modified – Head Coach (Girls)	$1853.00
Loheide, Laura	Seventh Grad Trip Co-Coordinator	$233.50
Maouris, George	Football Modified – Assistant Coach	$2283.00
Messmer, Richard	Track – Cross Country – Assistant Coach	$1425.00
Primiano, Linda	Elementary Resource – Woodstock 2	$1977.00

APPOINTMENTS: NON-INSTRUCTIONAL

PROBATIONARY APPOINTMENT

NAME	POSITION	PROBATIONARY PERIOD	SALARY	REMARKS
*Cohn, Harris	Hall Monitor	09/01/11 – 03/31/12	Step 2	Replaces L. Nieves

***Pending pre-employment processing**

PART TIME APPOINTMENT

NAME	POSITION	EFFECTIVE DATE	SALARY	REMARKS
*Winne, Jennifer	Food Service Worker	09/01/11	Step 1	Replaces C. Rice

***Pending pre-employment processing**

APPOINTMENT

NAME	POSITION	EFFECTIVE DATE	SALARY	REMARKS
Wright, Julie	Claims Auditor	07/01/11 – 06/30/12	**$4,774	Replaces K.Wood

****Revision to correct initial appointment**

9.03 Instruction - Schedule U-The Committee on Special Education (CSE) and Committee on Pre-School Special Education (CPSE) Recommendations
The Board hereby approves the Instruction - Schedule U-The Committee on Special Education (CSE) and Committee on Pre-Special Education (CPSE) Recommendations, Schedule U, #9/11, Confidential, as reviewed by Trustee Fletcher

9.04 Acceptance of Bid for Boiler Reconstruction in Bus Garage
BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the award of the bid for Boiler Reconstruction in the Bus Garage based on the bid documents of August 17, 2011 to the lowest responsible bidder, Ackerman Plumbing Inc. in the amount of $148,181.

9.05 Approve the Revised 11-12 School Calendar
BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the revised 2011-2012 School Calendar The Board hereby approves the 11-12 Calendar

9.06 Financial Report June 2011
BE IT HEREBY RESOLVED, upon recommendation of the Superintendent of Schools, that the Board of Education accept the Financial Management Report for the month of June 2011.

9.07 Warrant Schedule F #9/11
BE IT HEREBY RESOLVED on the recommendation of the Superintendent of Schools that the Board of Education of the Onteora Central School District has reviewed and hereby accepts the Warrant Schedule F #9/11

9.08 Acceptance of Donations
The Board of Education hereby accepts the donation of a bicycle to the Onteora Physical Therapy Program from Michele Darling and a donation of 8 towels from Target.

9.09 Approve a Grant and Contract from Cornell Cooperative for Bennett Elementary
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 Cornell Cooperative Extension of Ulster County to accept the public education program grant for the Watershed Detectives Program at Bennett Elementary School in the amount of $4,500.00 for the 2011-2012 school year 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.

10. Committee Reports -5 min each

10.01 Audit Committee - Trustee Spencer to report. Next meeting is 4:30 at Central Administration on 9/21/11. (proposed 9:45)

Trustee Spencer reported:
- Committee will meet on the 9/24 at 4:30 to review Internal Auditor RFPs and External Auditor report. External auditor is scheduled to report to the Board on 10/11, but it needs to be accepted no later than 10/15
- Consensus to have the report at the 10/11 meeting

10.02 Facilities Committee - Trustee Kurnit to report. Next meeting is 3:30 at Central Administration on 10/11/11
10:05
Trustee Kurnit reported:
- The committee toured the Middle School/High School yesterday.
- Architect and engineer went on the tour
- Committee will meeting on 10/11/11 to create a priority list to begin to develop the 5 year facilities plan
- Rick Timbs Group and Amaresco may review plan as well
- NY Power Authority will assess buildings for Energy Performance Contract
- Presentation to Board will be in December

10.03 Green Committee - Trustee Osmond to report.
Trustee Osmond reported:
- Next meeting will be either 9/21 or 10/5 meeting at 2:40

10.04 Policy Committee - Trustee McGillicuddy to report. Next meeting is 9:30 at Central Administration on 10/3/11
Trustee McGillicuddy reported:
- Discussed the following policies: AIS, Gifts From the Public, Budget Planning

10.05 Legislative Action committee
Trustee McGillicuddy will report at the next Board meeting

10.06 District Committee: Health and Wellness Committee. Next meeting is in Conference Room of the High School at 3:30 on 9/15/11

10:15

Committee has not met since last Board meeting. Trustee Fletcher requested that a call goes out to parents to join the committee.

10.07 District Committee: Technology - Superintendent McGill to report.

Committee has not met since the last Board meeting

11. Old Business

11.01 The Board will discuss the topic for the Workshop meeting on 9/27/11 and other Old Business (proposed 10:05 duration 10 min)

Trustee McGillicuddy suggested:

- Presentation from teachers on Trout in the Classroom

Superintendent Phyllis McGill suggested:

- Financial Plan
- Common Core Learning Standards
    - Federal learning standards put into effect this year, but the student assessments will be on the New York State Learning Standards and the data from these assessments will be used in the evaluation for the teachers and principals

Trustee Kurnit suggested:

- APPR (Annual Professional Performance Review)

Trustee Fletcher suggested for a later meeting:

- International Baccalaureate

9/27 meeting will be the Financial Report and a simple explanation of the Common Core Learning Standards and APPR

Trustee Osmond reminded the Board for Trustee McKeon, who was not present, that the District received a grant for the completed Woody Bio Mass feasibility study and they would like to resurrect the subject in the facility plans

12. New Business

Trustee Kurnit discussed a NYSED document on School Library Media Program Evaluation and would like to have the librarians coordinate with each other to have a library curriculum and use the libraries more effectively. He indicated that the Libraries should be a department

- Superintendent Phyllis McGill will report on what the Library Media Specialists currently cover

Trustee Spencer indicated that many people are having trouble navigating the FEMA website. He suggested:

- Students interested in being a navigator for people in need of FEMA help
- Superintendent Phyllis McGill will talk to the town supervisors and High School Principal Lance Edelman

13. Request For Information

13.01 The Board will request information (proposed 10:25 duration 10 min)
10:40
Trustee McGillicuddy requested to put on web site and send to all PTAs:

- Free Ulster BOCES adult education class

14. Public Comment

14.01 The public will comment on any agenda or non-agenda item. Please limit comments to 3 minutes (proposed 10:35 duration 10 min)

No public or student comment was made

15. Adjournment

15.01 Adjourn Meeting. Next meeting is Tuesday, September 13, 2011 at the Woodstock Elementary School (proposed 10:45)
10:45
Motioned By: Trustee Fletcher
Second By: Trustee Spencer

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

Minutes Recorded By:
Fern Amster
District Clerk

Fern Amster