

# ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION  
BOICEVILLE, NEW YORK 12412

REGULAR MEETING

6:00 p.m.

MINUTES

**TUESDAY, JANUARY 11, 2022**  
**TELECONFERENCING**

## 1. Opening Items

1.01 Call to Order 6:00

1.02 Tobacco Policy Statement

1.03 Roll Call:

Present: Trustee Salem, Trustee Sherry, Trustee Osmond, Trustee Storey Trustee DeJesus, Trustee Bishop

Not Present: Trustee DeJesus

## 2. Acceptance of Minutes

2.01 Acceptance of Minutes

*Recommended Action:* The Board of Education hereby accepts minutes of the meeting of December 21, 2021.

Motioned: Trustee Bishop

Seconded: Trustee Sherry

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Osmond, Trustee Storey Trustee DeJesus, Trustee Bishop

Not Present: Trustee DeJesus

## Now Present

Trustee DeJesus arrived at 6:10

## 3. Superintendent News

3.01 The Superintendent will report on District News

- Prior to 1:30 this afternoon, sent a communication to shift temporarily to remote learning starting tomorrow to end of week
  - Decision based on staff limitations, be certain maintain safest learning environment for students
  - Allowing after school sporting events that have been scheduled to continue
  - Fully remote instruction, all staff are in buildings working regular schedule- full in session
  - All elementary students were told to take home Chromebooks
    - If absent today, contact main office
  - Form for families that need food for these 3 days
  - Return Tuesday, 1/18/22 – Monday is a legal holiday
- Guidance from Ulster County changed and we are in the process of contacting individuals to determine their status
- Contact tracing a big challenge, many steps that need to be done under umbrella of contact tracing
  - Thanks to Central Confidential Staff in helping to make calls
- Send more information about guidance and put on website – put in language

more acceptable to everyone

#### Discussion:

- How do families get food support next few days, sports practices protocol– transportation
  - Put a link out to parents with Google Form to sign up for food
    - Included an email address to contact Food Services Director
  - All Out of District programs will continue to run, including Ulster BOCES CTE – sent information to email Transportation with questions
  - Sports – optional participation – coaches will be contacting their athletes
  - Parents can drop off students for practices/meets and take 5:20 bus home
    - No penalty for students who cannot get to school

#### Superintendent's Report Continued

- Yesterday and today were the beginning of a series of workshops –by Jevon Hunter Making Culturally Responsive Sustaining Education Real
  - Reached out to all district staff and Shared Decision Making Committee to join these workshops
  - Series is a way to revive and strengthen diversity, equity and inclusion
    - Self-assessment - leverage work and future needs
    - Will update at each board meeting
- New Athletic Director started Friday with a snow day – he has been very active
  - Made contact with all coaches and coach meetings; tour of HS; social media sports accounts again; introduction at Faculty Meeting; setting priorities that he will communicate
  - Will provide full update in management letter to Board

#### 4. Board District News

4.01 The Board will report District News (proposed 6:15)

Trustee Salem welcomed the new Athletic Director, Ryan Naccarato – look forward to hearing from you

- Thank colleagues on Communication Committee, administrators, students and staff as well as Marc Rider for COVID forum last Tuesday
- Reinforce commitment in hearing from and working with everyone

#### 5. Student Representative Report

5.01 The student Representative on the Board, Noelle Crandell, will give a report

- This week in Student Government meeting with Dr. Bill Christenson, Board's consultant for the Superintendent search
  - To give student perspective on Superintendent – very successful
- Joey Driscoll worked with Victoria Gardens for outdoor space
- COVID worries to ease now that we are going remote

Dr. Christensen will be presenting at the next Board meeting

#### 6. Acknowledge Public Be Heard Comments

- 6.01 The Board will acknowledge the public be heard comments from the last meeting  
Sarah Yanosh

## 7. Public and Student Comment

- 7.01 Public and Students may comment on any agenda or non-agenda item (proposed 6:25)

Linda Gardell Michela – Parent of 9<sup>th</sup> grade student. COVID outbreak – numbers seem to be lagging. Finally pivot to remote instruction – numbers are exponentially larger every day. Look at extending remote until wave has passed. People getting sick and dying. District was woefully bad at notification of her daughter as being exposed to a positive person.

Christina Brown – 2 students in MS and elementary school. Made aware that there was a positive case in her daughter’s classroom last week – her teacher reached out to say she should be quarantining. In school last 2 days with positive students. Not being communicated well enough

Lindsay Shands – first grader at Woodstock. Understand why shift to remote – last minute notification sent is incredibly difficult. To find care givers with 18 hours of going remote. Not fair to working families. Not being told in a timely fashion. Never told when there was a positive COVID case in her class.

Sarah Yanosh – 7<sup>th</sup> grader – Echo what Lindsay said about last minute pivot. Lack of readiness plan. Take a 3 day break? Why not 2 weeks? Shortage of tests, PPE, nurses. Arlington brought COVID in from a game. Why let sports go on?

Brett Barry – 2 daughters MS and HS. Lend support with what everyone else has said. So little testing is going on, numbers are far worse than reported. Wait until wave passes to come back, not Tuesday.

## 8. Discussion and Possible Action

- 8.01 Approve Agreement for Ulster BOCES Capital Project

*Recommended Action:* The Board of Education hereby approves of the resolution below for BOCES Capital Project

Motioned: Trustee Sherry

Seconded: Trustee DeJesus

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Osmond, Trustee Storey, Trustee DeJesus, Trustee Bishop

*This resolution has been reviewed by Attorney, Dan Pettigrow, The Bernard P. Donegan Group, and the Bond counsel. Didn't think that this resolution was necessary since we would expect that Onteora would meet its obligation via cash payments. Mr. Pettigrow checked with the Bond Counsel and they wanted this as an insurance policy if the District were to change its mind. For the Board what I am planning to propose is that BOCES Capital costs be increased in the 22/23 budget by our annual obligation and the the Appropriated Fund Balance be increased by a like amount. Hence no direct impact on the property tax:*

WHEREAS, the Ulster County Board of Cooperative Educational Services, Ulster County, New York (the “BOCES”) has determined to undertake a project consisting of the reconstruction and renovation of various buildings, facilities and sites owned by BOCES, and the acquisition of original furnishings, equipment, machinery and apparatus required in connection with the purposes for which such buildings, facilities and improvements are to be used (the “Project”), at a maximum estimated cost of \$39,000,000 with the consent of the each component school districts of BOCES; and WHEREAS, BOCES has entered into a Joint Agreement (the “Joint Agreement”) with the eight component school districts of BOCES (the “Component School Districts”), including the Onteora Central School District (the “District”) with respect to the Project; and

WHEREAS, the Joint Agreement (i) sets forth the maximum estimated cost of the Project, (ii) provides for an allocation and apportionment of said costs among the Component School Districts pursuant to the Resident Weighted Average Daily Attendance (RWADA) value assigned to each Component School District for the 2020-21 fiscal year, and (iii) sets forth the proportion of said costs to be provided by each such Component School District in accordance with such allocation and apportionment; and WHEREAS, the District's proportionate share of the costs of the Project is \$2,433,683; and WHEREAS, the District's Board of Education desires to authorize the issuance of obligations to finance the District's proportionate share of the costs of the Project;

NOW THEREFOR, BE IT RESOLVED BY THIS BOARD OF EDUCATION AS FOLLOWS:

Section 1. The District is hereby authorized to issue its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$2,433,683 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 2. The class of objects or purposes to be financed pursuant to this Resolution (the "Purpose") is the District's proportionate share of the costs of the Project.

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Board of Education, is \$2,433,683, (b) no money has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the District plans to finance the cost of the Purpose from the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 4. It is hereby determined that the Purpose is one of the class of objects or purposes described in subdivision (t) of paragraph (4) of Section 1950 of the Education Law, and that the period of probable usefulness of the Purpose is thirty (30) years.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the President of the Board of Education, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said President of the Board of Education, consistent with the provisions of the Local Finance Law.

Section 6. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the President of the Board of Education. The President of the Board of Education is hereby authorized to sign and the District Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the District Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the District.

Section 7. The faith and credit of the District are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the District, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 8. This Resolution shall constitute the declaration of the District's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2.

Section 9. This Resolution, or a summary thereof, shall be published by the District Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the District. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the District is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 10. This Resolution shall take effect immediately upon its adoption.

## 8.02 Approve Memorandum of Agreement with Ulster County For Test Kits

*Recommended Action:* The Board of Education hereby approves the MOA between

Ulster County and the Onteora Central School District for COVID Test Kits

Motioned: Trustee DeJesus

Seconded: Trustee Bishop

Result: Unanimous

Yea: Yea: Trustee Salem, Trustee Sherry, Trustee Osmond, Trustee Storey, Trustee DeJesus, Trustee Bishop

#### 8.03 Discuss Board Vacancy Timeline (proposed 6:35 duration 15 min)

6:35

- Trustee Ratcliff's seat became empty due to his being elected to the Woodstock Town Board
- Schedule session to review applications – get in touch with people and schedule interviews
- Board to revise application
- Meet first week of February to review applications and then schedule interviews
  - Thank you to everyone that sent a letter of interest
- Use application from 2016 for these candidates – meet first week of February to go over application and set timeline for interviews

#### 8.04 Discussion on Remote vs. In-Person Board Meetings (proposed 6:50 duration 10 min)

6:45

- State extended the online meeting option until the Governor declares an end to the emergency
  - Not more convenient to meet on line, more for access
    - Would be hearing from building administrators
    - Should continue even if we are not in-person
      - Community can hear as well
- At an in-person board meetings, no one came, but people join remotely
  - Must better attendance through remote model
  - People can join whenever available
  - Totally transparent
  - People can join for part they want to see, people with children
  - Had a lot of technical issues when in-person with Google Meet
  - Briefly met at HS, could not properly socially distant and had masks on
  - A lot parents participating now that really couldn't before
  - Public is better served with being on-line

### 9. Policy

#### 9.01 First Reading of Policy 7640 Student Individualized Education Program (proposed 7:00)

- Policy Committee decided to not waive second readings unless it is an emergency or hot topic
- Call Board's attention to "Recording the Meetings" – put in place due to discrepancy in what was happening at meetings and reports from meetings
  - Decided to add it because in years past had recorded every meeting
- Board to discuss leaving in or taking it out
  - Leave it up to the parents – beneficial to parents and district

- Some parent were uncomfortable having meeting recorded
  - Have letter for parents if they want the meeting recorded
- Have had to reach out to attorney about recording IEPs - they do not recommend recording every meeting
- Parents have the option to request recording and have ability to record in a moment
- Change language to Meetings will be recorded at parents' request
- Receive invitation to the Special Education meeting, called prior written notice, with option to record meeting
- Add protocol: In the introduction to meetings, parents can be asked if want recorded or not
  - Recording helpful to parents to listen to the meeting again to be sure absorb everything
- Be explicit about what meetings need to be recorded, protocol for recording, if not a mandated recording, anyone else's consent to be recorded
  - Where stored, when destroyed, other particulars
- Why does it say Board of Education records meetings?

~~2010~~2021 7640 Students **STUDENT INDIVIDUALIZED EDUCATION PROGRAM**  
**Development of Individualized Education Program**

The Board of Education directs that the Committee on Special Education (CSE) or Committee on Preschool Special Education (CPSE) shall have prepared a written statement (program) for each child with a disability.

Such an Individualized Education Program (IEP) will be developed by the CSE or CPSE upon referral, and reviewed or revised, whichever is appropriate, for every child with a disability at least annually or in the event that the program no longer appears to be appropriate to meet the student's needs and ability level.

The District shall ensure that each student with a disability has an IEP in effect at the beginning of each school year.

IEPs developed on or after January 1, 2009 will be on the form prescribed by the Commissioner.

Functional Behavioral Assessments/Behavioral Intervention Plans

A functional behavioral assessment (FBA) ~~is may be~~ an integral part of the evaluation and reevaluation of a student with a disability **which and** should be used throughout the process of developing, reviewing and revising a student's IEP when the student's behavior impedes learning of the child or others. The FBA is the process of determining why a student engages in challenging behavior and how the student's behavior relates to the environment.

The FBA provides a baseline of the student's problem behaviors with regard to frequency, duration, intensity and/or latency across activities, settings, people and times of the day and includes:

- a) The identification of the problem behavior;
- b) The definition of the behavior in concrete terms;
- c) The identification of the contextual factors that contribute to the behavior (including cognitive and affective factors); and
- d) The formulation of a hypothesis regarding the general conditions under which a behavior usually occurs and probable consequences that serve to maintain it.

The CSE/CPSE will ensure that functional behavioral assessments, when appropriate, are conducted and reviewed to:

- a) Identify supplementary aids and services, modifications and/or related services appropriate to address the identified behaviors to promote the student's involvement and progress in the general curriculum;
- b) Determine a student's eligibility for special education services;
- c) Develop the IEP which includes behavioral goals and objectives and positive behavioral supports and strategies.

In the case of a student whose behavior impedes his/her learning or that of others, the CSE/CPSE shall consider strategies, including positive behavioral interventions and supports and other strategies to address that behavior. The need for a behavioral intervention plan (BIP) shall be documented on the IEP and such plan shall be reviewed at least annually by the CSE/CPSE. In addition, regular progress monitoring of the frequency, duration and intensity of the behavioral interventions shall be conducted at scheduled intervals, documented and reported to the parents and CSE/CPSE.

A behavioral intervention plan may not include the use of aversive interventions or time out rooms except in accordance with specific Board policy regulating these techniques.

**Individual Evaluations**

Parental consent must be provided for an initial evaluation. If such consent is not received within thirty (30) calendar days of receipt of the referral, the CSE/CPSE Chairperson will document all attempts made to obtain the

consent and, if appropriate, advise the Board of its right to utilize the due process procedures to conduct an evaluation without parental consent.

Unless a referral is withdrawn, an individual evaluation at no cost to the parent will be completed by the CSE/CPSE within sixty (60) calendar days after written parental consent has been obtained or a parental refusal to consent is overridden, unless:

- a) An extension is mutually agreed to by the parent and the CSE/CPSE for the following situations:
  - 1. Transfer students: A student enrolls in the District after sixty (60) days and prior to a determination by the student's previous school district as to whether the student has a disability, but only if the new school district is making sufficient progress to ensure a prompt completion of the evaluation and the parent and the new district agree to a specific timeframe for completion; or
  - 2. Students suspected of having learning disabilities; or
- b) The parent or student repeatedly fails or refuses to produce the student for evaluation.

No student shall be required to obtain a prescription for a drug or other substance identified as a controlled substance by the federal Controlled Substances Act as a condition of receiving an evaluation.

The individual evaluation will include a variety of assessment tools and strategies, including information provided by the parent. The purpose of the evaluation is to gather relevant functional, developmental and academic information that may assist in determining whether the student is a student with a disability and the content of the student's IEP. This shall include information relating to enabling the student to participate and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities.)

As part of any evaluation, a group that includes the CSE/CPSE and other qualified professionals, as appropriate, shall review existing evaluation data on the student including evaluations and information provided by the parents of the student, current classroom-based assessments, local or state assessments, classroom-based observations, and observations by teachers and related services providers. In addition, the group will consider information about the student's physical condition, social or cultural background, and adaptive behavior.

On the basis of that review, and input from the student's parents, the group shall identify what additional data, if any, are needed to determine:

- a) Whether the student has or continues to have a disability;
- b) The present levels of academic achievement and related developmental needs of the student, including:
  - 1. Academic achievement, functional performance, and learning characteristics;
  - 2. Social development;
  - 3. Physical development; and
  - 4. Management needs.
- c) In the case of a reevaluation of a student, whether the student continues to need special education; and
- d) Whether any additions or modifications to the special education services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.

If additional data are not needed, the District must notify the parents of that determination and the reasons for it and of the right of the parents to request an assessment to determine whether, for purposes of services provided in accordance with law and Commissioner's Regulations, the student continues to be a student with a disability and to determine the student's educational needs. The District is not required to conduct the assessment unless requested to do so by the student's parents.

The determination that a student has a learning disability will be made in accordance with the procedures outlined in Section 200.4(j) of Commissioner's Regulations.

#### **Individual Re-evaluations**

A CSE/CPSE shall arrange for an appropriate re-evaluation of each student with a disability:

- a) If the District determines that the educational or related services needs, including improved academic achievement and functional performance of the student warrant re-evaluation;
- b) If the student's parent or teacher request a re-evaluation;
- c) At least once every three (3) years, unless the District and the parent/person in parental relation agree in writing that such re-evaluation is unnecessary.

A re-evaluation shall not be conducted more frequently than once a year unless the parent and the District representative appointed to the CSE/CPSE agree otherwise.

The re-evaluation will be conducted by a multi-disciplinary team or group of persons, including at least one (1) teacher or other specialist with knowledge in the area of the student's disability. The re-evaluation shall be sufficient to determine the student's individual needs, educational progress and achievement, the student's ability to participate in instructional programs in regular education and the student's continuing eligibility for special education. The results of any re-evaluations must be addressed by the CSE/CPSE in reviewing, and as appropriate, revising the student's IEP.

To the extent possible, the District shall encourage the consolidation of re-evaluation meetings for the student and other CSE/CPSE meetings for the student.

#### **Amendments to the IEP**

Amendments to the IEP made after the annual review by the CSE/CPSE may be made by reconvening the CSE/CPSE and rewriting the IEP or by developing a written document to amend or modify the student's current IEP, provided that:

- a) The parents/persons in parental relation request an amendment to the IEP and the District and parents/persons in parental relation agree to the amendment in writing; or
- b) The District provides the parents/persons in parental relation a written proposal to amend a provision or provisions of the IEP conveyed in language understandable to the parents/persons in parental relation in their native language or other dominant mode of communication, informs and allows the parents/persons in parental relation the opportunity to consult with the appropriate personnel or related service providers concerning the proposed changes, and the parents/persons in parental relation agree in writing to the amendments.

If the parents/persons in parental relation agree to amend the IEP without a meeting, they shall be provided prior written notice (notice of recommendation) of the changes to the IEP and the Committee notified of the changes. If the changes are made by rewriting the entire IEP, the District shall provide the parents/persons in parental relation a copy of the rewritten IEP. If the amendment is made without rewriting the entire document, the District shall provide a copy of the document that amends the IEP or, upon request, a revised copy of the entire IEP with the amendments incorporated.

**Use of Recording Equipment at IEP Meetings**

~~Unless otherwise refused by the parent/guardian, in writing, The Board of Education shall make digital recordings of all meetings regarding individualized education programs for students with disabilities.~~

~~If the parent/guardian wishes to receive a digital audio copy of the meeting, they shall promptly be supplied with such a copy.~~

**Provision of Individualized Education Program**

The Board of Education directs that the Superintendent/designee(s) establish administrative practices and procedures to ensure that each regular education teacher, special education teacher, related service provider and/or other service provider who is responsible for the implementation of a student's IEP is provided a paper or electronic copy of such student's IEP (including amendments to the IEP) prior to the implementation of such program. For purposes of this policy, "other service provider" means a representative of another public school district, charter school, Board of Cooperative Educational Services (BOCES) or school enumerated in Education Law Articles 81, 85 or 89 where the student receives or will receive IEP services. Further, the District will designate at least one (1) school official who shall be responsible for maintaining a record of the personnel who have received IEP copies for each student.

Any copy of a student's IEP shall remain confidential in compliance with the Individuals with Disabilities Education Act, the Family Educational Rights and Privacy Act, and District policy regarding confidentiality of student records; and shall not be disclosed to any other person other than the parent of such student, except in accordance with federal and state laws and/or regulations. Appropriate training and information will be provided to designated school personnel, as applicable, to ensure the confidentiality of such information. Procedures will be established to ensure that copies of students' IEPs are stored in secure locations and retrieved or destroyed when such professionals are no longer responsible for implementing a student's IEP.

The Chairperson of the CSE, CSE subcommittee, or CPSE shall designate for each student one (1) or, as appropriate, more than one (1) professional employee of the School District with knowledge of the student's disability and education program who will be responsible to, prior to the implementation of the IEP, inform each regular education teacher, special education teacher, related service provider, other service provider, supplementary school personnel (i.e., a teaching assistant or a teacher aide as defined in Commissioner's Regulations), and other provider and support staff person of his/her responsibility to implement the recommendations on a student's IEP, including the responsibility to provide specific accommodations, program modifications, supports and/or services for the student in accordance with the IEP. In selecting the professional staff person(s), the Chairperson could select him/herself for this responsibility, another administrator, or a teacher, related service provider or other professional based on the particular circumstances of the student's disability and education program.

The School District shall also ensure that each teaching assistant, teacher aide and each other provider responsible for assisting in the implementation of a student's IEP has the opportunity to review a copy of the student's IEP (including amendments) prior to the implementation of such program. Further, each teaching assistant, teacher aide and such other provider responsible for assisting in the implementation of a student's IEP shall have ongoing access to a copy of the IEP, which may be the copy provided to the student's special education teacher or the teacher or related service provider under whose direction the supplementary school personnel or other provider works. However, the District may, at its discretion, provide a copy of the IEP to teaching assistants and/or teacher aides.

A copy of a student's IEP shall be provided to the student's parents at no cost to the student's parents.

Individuals with Disabilities Education Improvement Act of 2004, Public Law 108-446 Section 615(k)(l); Individuals with Disabilities Education Act (IDEA), 20 United States Code (USC) Section 1400 et seq.; 21 United States Code (USC) Section 812(c); Education Law Articles 81, 85 and 89 and Sections 3208 and 4402(7); 8 New York Code of Rules and Regulations (NYCRR) Sections 200.1(hh), 200.2(b)(11), 200.4(b)(4), 200.4(d)(3)(i), 200.4(e)(3), 200.4(f), 200.4(j), 200.16(e)(6) and 200.22 NOTE: Refer also to Policy #7619 -- Use of Time Out Rooms

## 9.02 First Reading of New Policy 7133 Admission of Non-resident Students

- Change word "homeless" in policy manual to housing insecure

**Cross outs are from the NYSSBA Policy**



**2022 7133 Students ADMISSION OF NON-RESIDENT STUDENTS**

The Board of Education affirms that its primary responsibility is to provide the best possible educational opportunities for the children who are legal district residents and who are of legal age to attend school.

~~However, a non-resident student may be admitted to district schools upon payment to the district of the Board-adopted tuition charge, if and only if, in the judgment of the Superintendent of Schools:~~

- ~~1. there is sufficient space to accommodate the non-resident student;~~
- ~~2. no increase in the size of faculty or staff will be necessary to accommodate them;~~
- ~~3. the non-resident student meets the district's criteria for admission; and~~
- ~~4. the admission of such non-resident student is and continues during the enrollment period to be in the best interests of the district.~~

This policy is not applicable to homeless students entitled to attend district schools under federal and state law and regulations, who may not be currently residing in the district (see policy 5151, Homeless Children). Homeless students who are not entitled to attend district schools under federal and state laws may be considered for non-resident enrollment under this policy. This policy is also not intended to cover students who are placed in district programs by agreement with, and paid for by, another school district.

*Future Residents*

The children of families who have signed a contract to buy or build a residence in the school district may be enrolled during the semester in which they expect to become residents. ~~without payment of tuition.~~

*Former Residents*

Students whose families have moved out of the district may continue to attend districts schools under the following circumstances:

~~Former residents who move prior to April 1 may continue enrollment upon the payment of tuition from the date of the departure to the end of the school year.~~

- ~~• Former residents who move after April 1 will be permitted to finish the school year without charge.~~
- ~~• Former residents enrolled in grades 11 or 12 at the time of departure from the district may be permitted to finish high school and graduate with their class provided the former resident meets the criteria of this policy and upon the payment of tuition for the 12th grade year.~~
- ~~• Former residents enrolled in grade 12 at the time of departure from the district may be permitted to finish high school and graduate with their class provided the former resident meets the criteria of this policy and their residency changes after May 1.~~

However, homeless students who are no longer district residents due to homelessness are addressed in policy 51547132, Homeless Children.

*Transportation*

~~NOTE: The policy should specify whether the district will provide transportation to non-resident students and, if so, under what conditions. The following provision is optional.~~

~~Transportation will be provided for non-resident students if and only if existing bus routing is used, and there is sufficient room on the bus.~~

Cross-ref: 5151, Homeless Children; Ref: Education Law §3202(2); 8 NYCRR Part 174  
Appeal of Akiwowo, 48 Ed Dept Rep 34 (2008)

## 9.03 First reading of Policy 6550 Leaves of Absence

FROM NYSSBA

**2002—2022 6550 Personnel LEAVES OF ABSENCE**

In general, leaves of absence shall be administered by the Superintendent of Schools or his or her designee. The Board of Education reserves the right to grant leaves of absence for purposes or under conditions not contemplated or considered in this policy statement. Under laws and rules governing such action, the Board may undertake appropriate disciplinary action where a leave of absence is falsely requested or improperly used. Except by permission of the Superintendent, as expressed in writing, the purpose or conditions of a leave of absence may not be altered.

Contractual leaves of absence shall be granted to employees who are members of a negotiating unit. In such cases, authorization to approve requests for leaves of absence submitted shall be pursuant to provisions of contracts in effect between the district and each bargaining unit.

- In the case of employees who are not members of a negotiating unit, authorization is granted to approve requests for leaves of absence submitted by such employees where the requests are consistent with provisions of contracts in effect between the district and the bargaining unit most compatible with the employment status of the employee.
- In the case of employees who are under contract to the district, authorization is granted to implement provisions for leaves of absence contained in each such contract.

Unpaid leaves of absence not covered above shall be subject to limitations enumerated in this policy statement. Such authorization is granted for the following unpaid leaves of absence:

- For a period of time not to exceed one school year for approved graduate study, such leave to include any required internship experience.
- At the expiration of a paid sick leave of absence, to extend such a leave of absence for a period of time not to exceed the end of the school year next succeeding the school year in which the paid leave of absence commenced.

Unpaid leaves of absence shall not be used to extend vacation periods, to take vacations, to engage in other occupations, or to provide additional personal leaves except that the Superintendent shall have discretion, where circumstances warrant, to approve leaves of absence for such purposes.

Unpaid leaves of absence shall not be granted unless the services of a substitute employee, satisfactory in the discretion of the Superintendent, are able to be secured.

Except where it interferes with an employee's legal or contractual rights, the timing of unpaid leaves of absence will be granted at the convenience of the district.

The district will notify employees of their right to leaves as indicated by federal law, state law or regulation.

#### **Other Leaves:**

##### Blood Donation

In accordance with state law, employees desiring to make blood donations shall be granted three (3) hours of leave in any twelve (12) month period. The leave may not exceed three (3) hours unless agreed to by the Superintendent or his or her designee. Additional leaves for the purpose of blood donation under any other provision of law shall not be prevented.

Leave granted to employees for off premises blood donation is not required to be paid leave. Leave taken by employees for "donation leave alternatives" (which is what the law terms on-site blood donation) shall be paid leave given without requiring the employee to use accumulated vacation, personal, sick or other existing leave time.

Employees wishing to utilize the leave time for offsite blood donation shall give a minimum of three (3) working days notice to the Superintendent or his or her designee. Employees wishing to utilize the leave time for alternate donations shall give a minimum of two (2) working days notice.

The district will provide reasonable accommodations in emergency situations where an employee needs to donate blood for his own surgery or that of a family member.

##### Cancer Screening:

Employees shall be granted up to four (4) hours of leave on an annual basis to undertake a screening for cancer. This leave shall be paid leave and shall not be charged against any other leave to which the employee is entitled.

Certification of testing may be requested from the employee of the district. Verification shall be produced in a timely fashion.

Ref: Civil Service Law §159-b; Labor Law § 202-j; *Matter of Cruz et al v Wappingers CSD*, slip opinion (Supreme Court, Dutchess County, July 14, 2008); *Matter of Fringuello v Wappingers CSD.*, slip opinion (Supreme Court, Dutchess County, July 15, 2008)

## 9.04 First Reading of Policy 3310 School District Records

Combines policies 3310, 3320 and 5670

~~2002-2021~~ 3310 Community Relations **SCHOOL DISTRICT RECORDS**  
**[FORMALLY 3310 PUBLIC ACCESS TO RECORDS]**

##### Public Access To Records

Access to records of the District shall be consistent with the rules and regulations established by the State Committee on Open Government and shall comply with all the requirements of the New York State Public Officers Law Section 87.

A Records Access Officer shall be designated by the Superintendent, subject to the approval of the Board of Education, who shall have the duty of coordinating the School District's response to public request for access to records.

The District shall accept request for records submitted in the form of electronic mail.

The District shall respond to a request within five (5) business days of the receipt of a request. Should all or part of the request need to be denied, the District shall respond in the manner set forth by the rules and regulations stipulated by the Committee on Open Government.

#### Requests for Records via E-mail

If the District has the capability to retrieve electronic records, it must provide such records electronically upon request. The District shall accept requests for records submitted in the form of electronic mail and respond to such requests by electronic mail using the forms supplied by the District. This information shall be posted on the District website, clearly designating the e-mail address for purposes of receiving requests for records via this format.

When the District maintains requested records electronically, the response shall inform the requester that the records are accessible via the internet and in printed form either on paper or other information storage medium.

The District shall respond to a request within five (5) business days of the receipt of a request. Should all or part of the request need to be denied, the District shall respond in the manner set forth by the rules and regulations stipulated by the Committee on Open Government.

#### **[FORMERLY 3320 CONFIDENTIALITY OF COMPUTERIZED EQUIPMENT]**

The development of centralized computer banks of educational data gives rise to the question of the maintenance of confidentiality of such data while still conforming to the New York State Freedom of Information Law. The safeguarding of confidential data from inappropriate use is essential to the success of the District's operation. Access to confidential computerized data shall be limited only to authorized personnel of the School District.

It shall be a violation of the District's policy to release confidential computerized data to any unauthorized person or agency. Any employee who releases or otherwise makes improper use of such computerized data shall be subject to disciplinary action.

However, if the computerized information sought is available under the Freedom of Information Law and can be retrieved by means of existing computer programs, the District is required to disclose such information.

#### **[FORMALLY 5670 SCHOOL DISTRICT RECORDS MANAGEMENT]**

##### School District Records Management

It is the policy of the Board of Education to inform members of the public about the administration and operation of the public schools in accordance with the Freedom of Information Law of the State of New York.

The Superintendent of Schools shall develop regulations ensuring compliance with the Freedom of Information Law and setting forth the procedures to be followed to obtain access to district records. Such regulations shall address ensuring applicable confidentiality and security of district information. The Superintendent shall designate, with Board approval, a Records Access and Records Management Officer, pursuant to law.

#### **Retention and Destruction of Records**

The Board hereby adopts the Records Retention and Disposition Schedule ED-1 issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, which contains the legal minimum retention periods for district records. In accordance with Article 57-A, the district will dispose of only those records described in the schedule after they have met the minimum retention periods set forth in the schedule. The district will dispose of only those records that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond the established legal minimum periods.

The manner of destruction will be determined by the format of the record (i.e., paper, digital, etc.). In addition, destruction will be appropriately documented.

##### Litigation-Hold

The Superintendent will establish procedures in the event that the school district is served with legal papers. The Superintendent will communicate with applicable parties, including the school attorney and the records management official, to ensure that, when appropriate, a litigation-hold is properly implemented. The litigation-hold is intended to prevent the destruction or disposal of records that may need to be produced as part of discovery. It is the intention of the Board of Education to comply with applicable rules and regulations regarding the production of necessary documents, data, files, etc. The Board directs the Superintendent to institute such procedures to implement this policy.

The Superintendent or his/her designee, with assistance from the Records Management Officer, shall be responsible for developing and disseminating department-specific retention schedules and guidance to staff, as necessary, to ensure adherence to this policy.

Public Officers Law Sections 84 et seq.; Education Law Section 2116; Public Officers Law Section 87 and 89; 21 New York Code of Rules and Regulations (NYCRR) Parts 1401 and 9760; Cross-ref: 5672, Computer Resources and Data Management

Ref: Public Officers Law §84 et seq. (Freedom of Information Law); Education Law §2116 Arts and Cultural Affairs Law §57.11; Arts and Cultural Affairs Law Article 57-A (Local Government Records Law); Federal Rules of Civil Procedure, 16, 26; 8 NYCRR Part 185 (Appendix I) – Records Retention and Disposition Schedule ED-1

~~9.05 Rescind Policies~~

~~*Recommended Action:* The Board of Education hereby rescinds the following policies because they are now in Policy 3310:~~

~~Policy 3320 Confidentiality of Computerized Information~~

~~Policy 5670 School District Records Management~~

9.06 Policies Reviewed and are ok as is- FYI

*Recommended Action:* The Board of Education hereby accepts Policies 3281, 3290 and 3273 as reviewed.

Motioned: Trustee Salem

Seconded: Trustee Osmond

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Osmond, Trustee Storey, Trustee DeJesus, Trustee Bishop

**10. Independent Contract Retainers**

10.01 Approve All ICRs

*Recommended Action:* The Board of Education hereby approves the ICRs in item numbers 10.02-10.03

Motioned: Trustee Sherry

Seconded: Trustee Bishop

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Osmond, Trustee Storey, Trustee DeJesus, Trustee Bishop

10.02 ICR - Werner

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Ontario Central School District approve the Independent Contractor Retainer between the Ontario Central School District and Kathy L. Werner retained as Instructor effective November 15, 2021 to June 30, 2022 at a rate of \$400.00 per day to a maximum of \$20,000.00 and authorizes the Superintendent to sign such an agreement.

10.03 ICR - Sheth

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Ontario Central School District approve the Independent Contractor Retainer between the Ontario Central School District and Snehal R. Sheth, MD retained as Child and Adolescent Psychiatrist effective January 12, 2022 to June 30, 2022 at a rate of \$350.00 per hour to a maximum of \$7,000.00 and authorizes the Superintendent to sign such an agreement.

**11. Consent Agenda**

11.01 Approve Consent Agenda (proposed 7:25)

*Recommended Action:* The Board hereby approves item numbers 11.02-11.05

Motioned: Trustee Bishop

Seconded: Trustee Sherry

- Congratulations to Carol Grima

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Osmond, Trustee Storey, Trustee DeJesus, Trustee Bishop

11.02 Personnel Agenda

**APPOINTMENT: INSTRUCTIONAL  
 FULL-TIME PROBATIONARY APPOINTMENT**

Be it hereby resolved that the Board appoints:

\*REVISED\* Carroll, Brittany certified in Music, to a 4-year probationary period in the tenure area of Music at a salary of 5BA (replaces Eldridge, Jonathan) commencing on 09/01/2018 and ending on 08/31/2022.

Be it further resolved that, to the extent applicable under Education Law Section 3012-d and the accompanying Commissioner's Regulations, in order to be considered for tenure, the above teacher must have received an APPR rating of effective or highly effective in three of the four probationary years and must not receive an ineffective in the fourth year.

**APPOINTMENT: ADMINISTRATIVE**

NAME	POSITION/SCHOOL	EFFECTIVE DATE	REMARKS
Grima, Carol	Asst. Director of PPS	07/01/2021	Increase annual rate to \$124,000. 10 month to 12 month position (pro-rated)

**APPOINTMENT: NON-INSTRUCTIONAL  
 PROBATIONARY APPOINTMENT**

NAME	POSITION/SCHOOL	EFFECTIVE DATE	REMARKS
Butler, Kevin	Bldg Maint. Mechanic/B &G	01/31/22 – 07/31/22	Step 5

\*Pending pre-employment processing\*

**EXTRA DUTY STIPENDS:**

NAME	POSITION	Effective Date	AMOUNT
Krause, Falcon	Assistant Ski Coach-Volunteer-Varsity	01/12/22	\$-0-

\*Pending certification and pre-employment processing\*

**LEAVE OF ABSENCES: INSTRUCTIONAL**

EMPLOYEE NUMBER	EFFECTIVE DATE *approximate dates*	REASON
1915	01/02/22 – 02/03/22	Sick Bank Paid, intermittent days

**SUBSTITUTE**

NAME	POSITION	AMOUNT
Hughes, Jaclyn	Teacher (uncertified)	\$90.00/day

11.03 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, #1/22, Confidential, as reviewed by Trustee DeJesus

11.04 Warrants

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

11.05 Financial Report

*Recommended Action:* The Board of Education has reviewed and hereby accepts the Financial Report from July 2021

**12. Old Business**

12.01 The Board will discuss Old Business  
No old business was discussed

**13. New Business**

13.01 The Board will discuss New Business

- Letter says intent to return on Tuesday, if this changes will tell people ASAP
  - Maybe don't give date to return, say will let you know
- Do a better job at anticipating changing protocols
  - Try to let people know before end of business Friday
- Looking for a new date for COVID Testing event at the High School
  - Reminded parents in letter that there is free testing for all students and staff at Woodstock Apotecary

**14. Request For Information**

14.01 Board members will request information of the Superintendent  
No requests for information was made

**15. Adjournment**

15.01 Adjourn Meeting. Next meeting Tuesday January 25, 2022 (proposed 7:40)

*Recommended Action:* Motion to adjourn meeting at 7:25

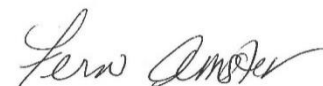
Motioned: Trustee Storey

Seconded: Trustee DeJesus

Result: Unanimous

Yea: Trustee Salem, Trustee Sherry, Trustee Osmond, Trustee Storey, Trustee DeJesus, Trustee Bishop

Minutes Recorded by Fern Amster,  
District Clerk



Board of Education: Kevin Salem, Emily Sherry, Laurie Osmond, Valerie Storey, Dafne DeJesus, Cindy Bishop