

# ONTEORA CENTRAL SCHOOL DISTRICT

BOARD OF EDUCATION  
BOICEVILLE, NEW YORK 12412

REGULAR MEETING

6:00 p.m.

**TUESDAY, MARCH 8, 2022**

TELECONFERENCING

## MINUTES

### 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 Storey, Trustee Bishop

Not Present: Trustee Osmond, Trustee DeJesus

### 2. Welcome

2.01 Woodstock School Principal, Scott Richards will welcome the Board

- Working on social emotional and academic development after the pandemic
  - Provide opportunity to help students interact and grow
- Last week Read Across America week – 2<sup>nd</sup> grade teachers
  - Set up a week of events and explored fairy tales, folklore, influential people in America, Book tasting children mark 3 books want, flashlight day – read in the dark under their desks
    - Surprised with one of the books they wanted
  - Reading teachers, Mr. Vail and Ms. Polacco read, “What Pet Should I Get?” At end pet is not revealed - asked what pet students would they choose and created a pet store in the Social Emotional Learning room
- 3<sup>rd</sup> grade engineering unit – teachers went to Rip Van Winkle Bridge to learn about engineering and bridge building, brought back to classroom
  - Children designed bridges with toothpicks and marshmallows
- Focusing on enjoying each other’s company- sleigh riding hill in use this year
- Recycling challenge – Phoenicia and Woodstock schools were ranked 7<sup>th</sup> nationally and 4<sup>th</sup> for the similar size of the elementary schools

### 3. Student Representative Report

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

- Supporting launch of an Anonymous App to create a safe space to report bullying or use of any illegal substances or any issue presented
  - Presenting to students tomorrow
- Tomorrow is 2<sup>nd</sup> Association of Student Government meeting

Discussion:

- Anxious to hear how the students feel about the Anonymous App
- Parents will be able to use the Anonymous App as well

### 4. Executive Session

4.01 Enter Executive Session (proposed 6:15 duration 1 1/2 hours)

*Recommended Action:* Motion to enter executive session to discuss the tenure of specific employees and the sale of real property

Motioned: Trustee Storey  
 Seconded: Trustee Sherry  
 Result: Unanimous  
 Yea: Trustee Salem, Trustee Sherry, Trustee Storey, Trustee Bishop  
 Not Present: Trustee Osmond, Trustee DeJesus

- 4.02 Exit Executive Session and Return to Public Session (proposed 7:45pm)  
*Recommended Action:* The Board of Education hereby exits executive session and return to public session at 7:10  
 Motioned: Trustee Bishop  
 Seconded: Trustee Sherry  
 Result: Unanimous  
 Yea: Trustee Salem, Trustee Sherry, Trustee Storey, Trustee Bishop  
 Not Present: Trustee Osmond, Trustee DeJesus

## 5. Acceptance of Minutes

- 5.01 Acceptance of Minutes  
*Recommended Action:* The Board of Education hereby accepts minutes of the February 22, 2022; February 28, 2022; March 1, 2022 and March 2, 2022 meetings  
 Motioned: Trustee Bishop  
 Seconded: Trustee Sherry  
 Result: Unanimous  
 Yea: Trustee Salem, Trustee Sherry, Trustee Storey, Trustee Bishop  
 Not Present: Trustee Osmond, Trustee DeJesus

## 6. Presentations

- 6.01 Interim Assistant Superintendent for Business, Dr. Don Gottlieb will update the Board on the 2022-2023 Budget (proposed 7:45 duration 20 min)

Introduced Assistant Superintendent for Curriculum & Instruction Stephanie Laffin on how the budget addresses educational priorities that administration hopes to accomplish in coming year

- Some things are a continuation of this year, some are renewed from other years
- Instructional priorities developed with input from instructional administrators and staff, District committee meetings
- Increase Student Supports to provide deep and meaningful enrichment to address student learning gaps experienced as a result of COVID-19
  - What are the effects, continues to evolve
  - Expand Summer Skills Academy for grades K-6
  - Explore a summer academic enrichment academy specific to the needs of our grades 7 & 8 students
- Increase Multi-Tiered Systems and Supports (MTSS) training for General education teachers
- Practice of providing high quality instruction and interventions use student needs to make decisions on education
- K-6 and expand professional learning on MTSS to the secondary level
- Continuing with Morningside Center

- Exploring mindfulness, trauma informed learning for staff and parents
  - Continuing to support our own staff and partner with Astor
- Continue to expand the curriculum to include Inquiry-Based Learning
  - Professional Development
- Expand Active Learning Spaces
- Purchase and implement new K-6 math curriculum
  - K-6 resources
- Professional Learning and Coaching around implementation.
- Reinforce Literacy instruction
  - Bring back Instructional Coaching in Literacy K-6
- Continue to expand and support our Co-Teaching Model to support diversity, equity, and inclusion for all students.
- Expand our Diversity, Equity and Inclusion work to fully implement the NYSED Culturally Responsive-Sustaining Education Framework
- Continued focus on the integration of technology into instruction
  - Support learning goals with technology

Discussion:

- Ulster BOCES Model Schools –BOCES instructional services offers professional development
  - Have Model School staff that goes into Buildings and coaches/does professional development
- Working on a return to post-pandemic model – what do we keep and what do we leave behind or refine with access to student, parent, educator voice
  - Complicated – refining and reflecting
    - Uniquely poised to support vision of future schools
  - Don't lose sight of parents – anxious about trying to catch students up quickly – glad parents input will be considered
  - Instructional Technology survey out – deadline Friday
    - Heard from parents that they are hesitant to take survey, that children will be home again on remote instruction
      - Survey is about integration of technology, thoughtful use when appropriate

Dr. Don Gottlieb on the 2022-2023 Budget

- Fund balance over last 5 years, relatively constant at \$15 million, except Capital Reserve
  - New Capital Reserve \$3 million, can be up to \$10 million created by voters
- Assigned fund balance \$2.9 unappropriated \$2.4 million – 4% of budget for next year
- Maintain fund balance, do not need to borrow
- Proposed 2022-2023 tax levy \$46,918,832
- Proposed 2022-2023 budget \$60,265,769

Discussion:

- Oil prices are so high, current budget handling it fine
  - Relatively mild winter – heating not too bad with increases

- Have budgeted increases in transportation, Operations & Maintenance for next year
- Tax payers will know at next meeting or one after tax estimates – communicate with county in new construction for increase in property values – too early for equalization rates
- Not looking at big increase after all – don't know what will happen town to town
- State aid numbers by the end of the month
  - Not looking at dramatic increase in numbers –put a lot in first one
- Look at and analyze State Aid numbers, which will impact taxes
  - If Foundation Aid fully funded, District may be in trouble

6.02 Assistant Superintendent for Curriculum & Instruction Stephanie Laffin will present on Social Media (proposed 8:05 duration 20 min)

- Supporting our students to make good social media choices
- Be more proactive than reactive with social media issues with our students
  - Impact of social media is present in student's lives 24, 7
  - Engage in healthy learning environment and be in a global community
  - Can't shut out, what to do to enhance students opportunities around social media
- Anonymous Alerts: Anti-bullying reporting App by empowering students to speak up
  - Link added to MS & HS web sites
  - Originated in Student Government., came up in several other settings
  - Conversations between submitters students, parents, community members, Oteora staff
    - Can be anonymous or give identity
  - Ability to submit and add attachment – screen shot, etc.
  - Live launch for 3/10/22 explaining process and information
    - Introduced to students in small group settings
    - Flyers put up in places most accessible to students with QR code - can use Chromebook
    - No way a substitute for 911 or hotlines– monitored from 7-3 Monday through Friday
- Iroc2 Social Media Curriculum
  - Award winning curriculum that covers preventing cyberbullying, sexting, poor social media & app behaviors, and many other cyber issues to reduce the risk of becoming a victim of cyber-crime
  - Begins with a student self-assessment followed by units on: understanding the digital climate; defining digital cause, effect and consequence; digital permanence & legacy; and developing digital citizenship and consciousness
    - 9-12 beginning, .4 Teacher on Special Assignment for the delivery
      - Helping to start conversations, what they have seen and heard and next steps
    - Parent forums around this topic – work with parents as partners
    - Using Restorative Circles on impact of social media

- In design and development for both programs
  - Excited to be proactive
  - Thank you to High School Principal Lance Edelman and Middle School Principal Jen O'Connor

Discussion:

- Thank you for being proactive – reaching crisis level with social media
- Anonymous App - If call comes over weekend, it gives alternatives to report immediately
  - Designing options to inform what should do – will be clear and remind anyone who might submit that there are other options
  - Will roll out through social media
  - Will be expanded to Middle School
    - Maybe get parent resources out to MS parents
- Good that student government and a variety of students getting the word out
- Can use COVID forums to engage public in these conversations
- The building level will be monitoring the Anonymous Alerts
  - Can't have 24 hour support – not what this is for
  - Can be downloaded as app or use on internet
- Broader media literacy is something the Technology committee is looking at and will be reflected in Technology Plan
  - Part of being a 21<sup>st</sup> century learner
- SRO Tom Sharon goes into K-6 classrooms to discuss cyberbullying
- Ontario website is difficult to navigate, website is not the future, accessibility by phone is important

## 7. Superintendent News

### 7.01 The Superintendent will report on District News

- Phoenicia School had 100 days of school presentations, late season snow shoeing, boiling maple sap in making maple syrup
- Bennett School had a Winter Festival on Friday, but snow was melted, Student Government pivoted from sleigh ride to snow shoeing and snow painting
- High School orchestra and band went to Empire State Plaza to perform
  - Letter from Assistant Secretary of Education received of how outstanding their performance was for a small district
- Last Friday Dr. Michael Fowlin did one man performance this week and a second one on 3/18/22
  - Takes audience on experimental journey to find core precepts developed since childhood
- Sports season starting
- NYS Department of Health and Ulster Department of Health revised mask mandate protocols
  - District became mask optional
    - Low percent of students at elementary schools are wearing masks, more at MS/HS
  - Maintaining weekly testing unvaccinated staff, daily reporting of positivity rate on web site, social distancing to extent possible, seating charts for contact

- tracing, alternative MS/HS eating spaces, providing at – home tests to parents, optional testing to staff and students
  - Maintain notification to parents if positive exposure
- Later Start Times – met with Director of Transportation, Nicole Sommer and elementary principals, came up with another possible schedule for time
  - Reached out to PTA of all elementary schools to present and gather any additional questions or concerns
    - Then one more forum in early April – communicate clearly with everyone
- Teacher’s College training for all grade 2 teachers
- Partnering with Morningside for menu of parent offerings to support families
- Invited by Bennett Student Government to speak about a day in the life of a Superintendent
  - Did brief presentation, then they posed thoughtful questions about the job but also how they can work with Superintendent going forward to promote projects and ideas
  - Discussed that they ran for Student Government because they wanted to be involved
  - Insights on how to improve spaces also great educational opportunities for all Bennett students
- Due to road closure and power outages, had to close school and could not provide remote instruction because of power outages
- Facilities Committee rescheduled

Discussion:

- After Later Start Times will have forums on communications

## 8. Board District News

- 8.01 The Board will report District News (proposed 8:30)  
No news was reported

## 9. Acknowledge Public Be Heard Comments

- 9.01 The Board will acknowledge the public be heard comments from the last meeting  
No one spoke

## 10. Public and Student Comment

- 10.01 Public and Students may comment on any agenda or non-agenda item (proposed 8:35)  
No comment was made

## 11. Discussion and Possible Action

- 11.01 Donations for Scholarships

*Recommended Action:* The Superintendent recommends acceptance of donations totaling \$4,600.00 CASH, from various donors as scholarship awards for the graduating class.

The Superintendent recommends approval of the following donations:

- \$200.00 Erica Boyer
- \$200.00 Jessica Mora

\$500.00 Community Bank  
 \$650.00 Estate of Lisa Valentini  
 \$100.00 Historical Society of Woodstock  
 \$2,000.00 Butler Realty Group  
 \$200.00 Lynn & Theodore Byron  
 \$500.00 Matthew Ostoyich  
 \$250.00 Jacquelyn Earley  
 Motioned: Trustee Bishop  
 Seconded: Trustee Sherry

- Thanks so much for boosting graduates

Result: Unanimous

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

Not Present: Trustee Osmond, Trustee DeJesus

#### 11.02 Memorandum of Agreement for .4 TOSA

*Recommended Action:* The Board of Education hereby approves MOA # 03082022 for the .4 Teacher on Special Assignment

Motioned: Trustee Sherry

Seconded: Trustee Bishop

Result: Unanimous

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

Not Present: Trustee Osmond, Trustee DeJesus

## 12. Policies (proposed 8:50)

### 12.01 Second Reading and Adoption of Policy 5961 Alcohol and Drug Testing of Drivers

*Recommended Action:* The Board of Education hereby adopts Policy 5961 as written

Motioned: Trustee Bishop

Seconded: Trustee Sherry

Result: Unanimous

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

Not Present: Trustee Osmond, Trustee DeJesus

~~2009~~—~~2022~~ 5961 Non-Instructional/Business Operations

#### **BLUE IS FROM THE ATTORNEY, REST IS NYSSBA ALCOHOL AND DRUG TESTING OF DRIVERS**

The Board of Education recognizes the dangers inherent in alcohol and controlled substance use by employees, especially those in safety-sensitive positions. To ensure the safety of its students ~~and to~~ ~~comply with federal regulations,~~ the Board requires alcohol and controlled substance testing of certain district employees, mainly "drivers," operators of "other school buses," and any other employee who is subject to such testing, in accordance with and as set forth in the applicable federal and state requirements as well as relevant collective bargaining agreements.

#### **Definitions**

1. "Driver" ~~is defined as~~ includes any person who operates a commercial motor vehicle. This includes, but is not limited to: Full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors.

2. "Other school buses" include those covered by applicable federal regulations (see list below) and any other motor vehicle either owned by the district or by a private company, operated to transport students, children of students, teachers, and other supervisory persons to or from school or school activities.

#### **Testing Responsibilities**

~~Consistent with federal regulations,~~ the district shall directly, by contract, or through a consortium, implement and conduct a program to provide alcohol and controlled substance testing of employees **who are drivers, or** who operate a commercial motor vehicle, perform in a safety-sensitive position, and are required to hold a commercial driver's license. ~~Such~~ Employees holding such positions include:

1. drivers of vehicles designed to transport 16 or more passengers, including the driver;
2. drivers of commercial motor vehicles whose manufacturer's rating is 26,001 lbs. or more; or
3. any other employee who may drive or service a listed vehicle (e.g. a mechanic who performs test drives, repairs, inspects, or loads or unloads a listed vehicle listed in 1 or 2 above).

Controlled substance and alcohol tests will be conducted for operators of all "other school buses" consistent with the procedures applicable to the implementation of federal regulations. Volunteers who drive a bus with passengers fewer than 30 days per year are not subject to such testing.

~~Generally, the required testing will be conducted~~ at or prior to the time of employment and randomly throughout the school year in accordance with any relevant collective bargaining agreements. In addition, ~~However, drivers are subject to additional testing under federal regulations~~ testing will be conducted when a supervisor has a reasonable suspicion that an employee-an employee a driver has engaged in prohibited alcohol or controlled substance use; after certain accidents; prior to return to duty when the employee employee driver has been found to violate district policy and federal regulations; and after the employee's employee's driver's return to duty.

#### Driving Prohibition

In accordance with federal and state law, a driver ~~will not be permitted to~~ may not drive if he or she:

1. possesses, consumes or is reasonably believed to possess or have consumed alcohol or a controlled substance, while on duty;
2. uses or is under the influence of alcohol or a controlled substance that is not lawfully prescribed within six hours or less before duty;
3. has an alcohol concentration of 0.02 or higher, or tests positive for a controlled substance; or
4. refuses to take a required alcohol or controlled substance test.

Also, no driver shall use alcohol after being involved in an accident in which there was a fatality or in which the driver was cited for a moving violation and a vehicle was towed from the scene or an injury was treated away from the scene until he/she has been tested or 8 hours have passed, whichever occurs first.

#### Enforcement of Driving Prohibitions

The school district will not require or permit employees drivers of vehicles listed above, as well as operators of all "other school buses" defined above, to be on duty or operate a listed vehicle or other school bus, if it appears that they have consumed a drug/controlled substance (except those lawfully prescribed) or alcohol within the preceding eight hours. This shall be based on the person's general appearance, conduct, or other substantiating evidence. Those who maintain, repair, or garage listed vehicles or school buses that involves incidental driving without passengers, are exempt from this requirement, but are still prohibited from consuming controlled substances and alcohol within six hours of going on duty.

#### Response to Positive Testing Results

Any ~~employee driver-employee~~ employee who is tested and found to have an alcohol concentration of at least 0.02, but less than 0.04, shall be removed from the position until his or her next regularly scheduled duty period, but not less than 24 hours following administration of the test.

Any ~~employee driver-employee~~ employee found to have violated this requirement may be disciplined in accordance with the provisions of the applicable collective bargaining agreement, district policy, and/or law. Operators of "other school buses" subject to random testing pursuant to New York Law will be subject to the same consequences based upon an alcohol concentration of at least 0.02 but less than 0.04 as drivers listed above.

If a driver has an alcohol concentration of 0.04 or greater, or has engaged in prohibited alcohol or controlled substance use, he or she will be removed from driving duties, and referred to a substance abuse professional. The ~~employee driver-employee~~ employee may be required to complete a treatment program and/or be disciplined pursuant to district policy and/or collective bargaining agreement. No driver who has abused controlled substances and/or alcohol may return to duty unless he/she has successfully passed a required return to duty test. Thereafter, the driver will be subject to follow-up testing. Operators of "other school buses" subject to random testing pursuant to New York Law will be subject to the same consequences based upon an alcohol concentration of 0.04 or greater or a positive drug test as drivers listed above.

#### Re-Testing

Should the district receive a dilute test result in which the creatinine concentration is greater than 5mg/dL in the case of any pre-employment, return-to-duty, follow-up, reasonable suspicion, or random test, it is the policy of the district that the individual shall be re-tested and that re-test will become the test of record.

If, however, the district wishes to retest, then you must specify the circumstances under which you wish to retest (i.e., pre-employment, follow-up testing, etc.). Please note that the regulations require that



you treat all individuals the same for this purpose and that you must inform individuals in advance of your decision on these matters. The BOCES Health and Safety Services group has recommended that districts retest in three areas: pre-employment, return-to-duty and follow-up testing. The sample paragraph above has been drafted to require retesting for all individuals in all five areas. Please modify to reflect your district's intended practice.

Districts should also note that there is a charge for the re-tests and decide who will bear the additional expense.

#### **Policy Distribution**

The Superintendent of Schools shall ensure that a copy of this policy, the district's policy on misuse of alcohol and use of controlled substances, information on alcohol and drug abuse and treatment resources and any other information prescribed by federal regulations is provided to all drivers and operators of "other school buses" prior to the initiation of the testing program and to each driver or operator of "other school buses" subsequently hired or transferred to a position subject to testing.

Cross-ref: 9320, Drug-Free Workplace; 9610, Staff Substance Abuse;

Ref: Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§31136; 31306; 49 U.S.C. §521(b); 49 CFR Part 391 (Qualifications/Disqualifications); 49 CFR Part 382 (Drug and Alcohol Testing Requirements); 49 CFR Part 40 (Testing Procedures); 49 CFR §395.2 (On-duty time defined); Vehicle and Traffic Law §§509-g; 509-l; 1192; 1193; *Will v. Frontier CSD Bd. of Educ.*, 97 N.Y.2d 690 (2002)

## 12.02 Second Reading and Adoption of Policy 7640 Student Individualized Education

*Recommended Action:* The Board of Education hereby adopts Policy 7640 as written

Motioned: Trustee Sherry

Seconded: Trustee Bishop

Result: Unanimous

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

Not Present: Trustee Osmond, Trustee DeJesus

~~2019~~2022 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**

**The Committee on Special Education shall make digital recordings of meetings regarding individualized education programs for students with disabilities upon the request of their parent or guardian.**

~~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)(I); 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

## 12.03 Second Reading and Adoption of Policy 3260 Booster Clubs

*Recommended Action:* The Board of Education hereby adopts Policy 3260 as written

Motioned: Trustee Sherry

Seconded: Trustee Bishop

Result: Unanimous

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

Not Present: Trustee Osmond, Trustee DeJesus

~~2018~~—~~2022~~ 3260 Community Relations **BOOSTER CLUBS**

### Purpose

The Board of Education recognizes and appreciates the cooperation and support given by booster clubs and parent organizations. The Board of Education, the administration and all other personnel of the district shall each endeavor to foster a positive and productive relationship with booster clubs and parent organizations.

### Title IX

The School District has a responsibility under Title IX to ensure that boys' and girls' programs are provided with equivalent benefits, treatment, services and opportunities regardless of their source. When determining equivalency, benefits, services and opportunities attained through the use of private funds (e.g., "booster clubs"), such funds are considered in combination with all benefits, services and opportunities.

Private fundraising, including student-initiated fundraising, is permissible under Title IX. Further, compliance with Title IX does not mean that teams must "share" proceeds from fundraising activities. It does, however, place a responsibility on the District to ensure that benefits, services, treatment and opportunities overall, regardless of funding sources, are equivalent for male and female athletes.

In accordance with the Office for Civil Rights, in order for the District to be in continuing compliance with Title IX requirements, the District must assure that services, benefits and opportunities in its athletic programs are provided on an equivalent basis to both boys and girls, including those services, benefits and opportunities that are provided through the use of outside financial assistance such as donations, fundraising by coaches, and booster clubs or other related organizations.

### Guidelines

While booster clubs and parent organizations are not controlled by the District, in order for this process to flow appropriately, the following guidelines are put in place by the Board:

### Organization

1. The Board shall provide booster clubs and parent organizations opportunities to support local school athletic, extracurricular, and student club efforts. Each booster club and parent organization must maintain current by-laws. Booster clubs and parent organizations shall also follow the district policies and Code of Conduct regulations when engaging in events on school property.
2. The district's Athletic Director **or Superintendent's designee** \*shall be the administrative liaison contact for booster clubs and parent organizations that support district athletic programs.
3. Building principals shall be the administrative liaison contact for building-based booster clubs and parent organizations that support district extracurricular and student club activities. The Superintendent shall designate the administrative liaison contact for all nonathletic district-wide booster clubs.

4. Each booster club and parent organization shall yearly submit a listing of its officers to the appropriate district administrative liaison contact after the annual organizational meeting of the booster club or the parent organization.

#### Other Guidelines and Restrictions

1. ~~The following classifications of individuals~~District students are not eligible for membership in booster clubs or parent organizations.
  - a. ~~District students.~~
  1. ~~Coaches of district athletics or teacher activity sponsors/advisors should, when possible, attend the meetings of booster clubs and parent organizations in an advisory capacity.~~
  2. When using any school facility for meetings, fundraising, socials, banquets, and other activities, booster clubs and parent organizations must make a request in writing as per Board Policy 3280 “Community Use of School Facilities.”
  3. Booster clubs and parent organizations are not permitted to use the district’s marks (-name, mascot or logo) without license or express permission granted in writing by the Superintendent. If an organization desires to use a logo mark other than the designated district logo mark for use by the club or organization on merchandise or for any other reason, such use must be approved in writing by the Superintendent.

#### Financial Records

1. All booster clubs and parent organizations must elect or otherwise designate a Treasurer.
2. ~~a)~~ Financial records must be maintained and made available, upon request, for Board and/or public inspection;
3. The organization must have its own tax identification number and may not use the school district’s tax identification number.

#### Concerns

Concerns or issues of individual members of booster clubs regarding the organization should be made following the chain of command as indicated below to the organization’s officers. If the member has a concern that relates to how the booster club interacted with the District, the member should contact the designated contact as described above.

- a. ~~Step 1 – Organization officers.~~
- a. ~~Step 2 – Director of Athletics, PE, Health & Dean of Students~~
- a. ~~Step 3 – Superintendent.~~
- a. ~~Step 4 – Board of Education~~

#### Fundraising

1. All fundraising activities shall comply with Policy #7450 “Fundraising by Students.”
2. Parents/Guardians should be given the option to participate, donate money of equal value, or not participate in any fundraiser. In other words, mandatory fundraisers are not permitted.

Improvements to the District Buildings and Grounds1. ~~Proposed improvements to the district buildings and grounds being made by the booster club or parent organization must have the approval of the Superintendent. Any improvement to the district’s buildings and grounds is ultimately the decision of the Board of Education. A booster club or parent organization who wishes to propose an improvement to the district’s buildings and grounds must first present their proposal to the Superintendent. Any improvements will be done by the Board of Education through the acceptance of a gift or donation in accordance with policy 5230 “Gifts, Grants and Donations to the School District.” Paid consultants to the boosters clubs or parent organizations for various projects, including but not limited to construction, should not be engaged without School Board approval.~~

#### Recognition Functions (Banquets)

Each booster club or parent organization may sponsor athletic, extracurricular, or club banquets to which all participating students shall be invited either with or without charging admission to such students. All banquets must be approved by the Superintendent and/or their designee.

#### Printed Programs

Booster clubs and parent organizations which print programs for any reason shall follow the procedures as outlined in the administrative regulation related to this policy in regard to such printed programs.

#### Expenditures for Equipment, Supplies, Etc.

1. All game uniforms shall be purchased by the district.
  - a. The "game uniform" includes any clothing that is worn during the athletic contest and that:
    - b. Displays the school colors or logo (except shoes) and
    - c. Is purchased by the district and
    - d. Is intended to be collected by the school at the conclusion of the season.
2. Any ancillary gear and apparel such as coaching aid equipment items, bags, totes, pre-game warm-ups, sweatshirts, etc., may be purchased and/or donated by booster clubs, parent organizations, corporate sponsors, or other non-school sanctioned entities to the district for use by the district team or student club must meet NYSPHSAA rules and guidelines and be approved by the Board of Education in accordance with paragraph 3 (BELOW) before they can be utilized by the students.
3. Items purchased or donated ~~other than by the district~~ by an outside organization must meet the criteria as established in Policies 3271 "Solicitation of Charitable Donations from School Children," 3272 "Advertising in the Schools" and 52230 "Gifts, Grants and Donations to the School District on donations.

#### Disbanding Booster Clubs or Parent Organizations

A booster club or parent organization may disband on its own accord by submitting a written notice to the designated administrative liaison. All monies remaining in the organization's account ~~must be turned over to the district for use in connection with the team or activity which the organization had supported to the extent permitted by law, with any residual amount going to support district athletics or other student activities~~ generally must be handled appropriately by the organization. This may include donating the money to the Board of Education.

#### Compliance

1. ~~No booster club or parent organization shall engage in any activity outside established Board policies and administrative regulations.~~
2. Violation of Board policy, Board administrative regulation, Title IX of the U.S. Code, as well as any other applicable state or federal laws and regulations may lead to revocation of a booster club's or parent organization's function in district activities.
3. Should any issues of compliance regarding this or other district policy or administrative regulation emerge between a booster club or parent organization and the district, the Superintendent shall resolve the situation.
4. The Board retains final responsibility and authority for the management and operations of school-sponsored activities and curriculum.

### 13. Independent Contract Retainers

#### 13.01 Approve all Independent Contract Retainers & Contracts

*Recommended Action:* The Board of Education hereby approves the ICRs in item #

13.02- 13.05

Motioned: Trustee Sherry

Seconded: Trustee Bishop

Result: Unanimous

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

Not Present: Trustee Osmond, Trustee DeJesus

#### 13.02 ICR - Jones

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Independent Contractor Retainer between the Onteora Central School District and Kitty Jones retained as Kit's Interactive Theatre effective May 6, 2022 from 9:00am to 3:00pm at a rate of \$1,200.00 and authorizes the Superintendent to sign such an agreement.

13.03 ICR - Dan Young

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District approve the Independent Contractor Retainer between the Onteora Central School District and Dan Young retained as Accompanist effective February 14, 2022 to June 24, 2022 at a rate of \$200.00 per concert to a maximum of \$800.00 and authorizes the Superintendent to sign such an agreement.

13.04 Health & Safety - Taconic Hills

*Recommended Action:* BE IT RESOLVED, that the Board of Education of the Taconic Hills Central School District establishes the rate of \$776.53 per pupil for the school year 2021-2022 for Health Services provided for Onteora resident pupils attending nonpublic schools in the Taconic Hills Central School District.  
 BE IT FURTHER RESOLVED, that the Board President and Clerk of the Board of Education be authorized to sign contracts for health services for the 2021-2022 school year.

13.05 Health & Safety - Arlington

*Recommended Action:* BE IT RESOLVED, that the Board of Education of the Arlington Central School District establishes the rate of \$888.28 per pupil for the school year 2021-2022 for Health Services provided for Onteora resident pupils attending nonpublic schools in the Arlington Central School District.  
 BE IT FURTHER RESOLVED, that the Board President and Clerk of the Board of Education be authorized to sign contracts for health services for the 2021-2022 school year.

**14. Consent Agenda**

14.01 Approve Consent Agenda (proposed 9:00)

*Recommended Action:* The Board hereby approves item numbers 14.02-14.04  
 Motioned: Trustee Sherry  
 Seconded: Trustee Bishop  
 Result: Unanimous  
 Yea: Trustee Salem, Trustee Sherry, Trustee Storey, Trustee Bishop  
 Not Present: Trustee Osmond, Trustee DeJesus

14.02 Personnel Agenda

**PART-TIME: INSTRUCTIONAL**

| NAME            | POSITION/SCHOOL                            | FTE | EFFECTIVE DATE | REMARKS |
|-----------------|--|-----|----------------|---------|
| Harkin, Brandon | TOSA- Responsible Social Media Instruction | 0.4 | 03/14/2022     | Step 3M |

**APPOINTMENT: NON-INSTRUCTIONAL PART-TIME**

| NAME           | POSITION/SCHOOL           | EFFECTIVE DATE | REMARKS |
|----------------|---------------------------|----------------|---------|
| Rivera, Robyn* | Food Service Helper/MS/HS | 03/09/22       | Step 2  |

\*Pending pre-employment processing\*

**APPOINTMENT: NON-INSTRUCTIONAL PROBATIONARY APPOINTMENT**

| NAME            | POSITION/SCHOOL | EFFECTIVE DATE      | SALARY | REMARKS             |
|-----------------|-----------------|---------------------|--------|---------------------|
| Albright, Nancy | Cook/Phoenicia  | 03/09/22 – 09/09/22 | Step 6 | Replace resignation |

**APPOINTMENT: NON-INSTRUCTIONAL**

| NAME       | POSITION/SCHOOL          | EFFECTIVE DATE | SALARY | REMARKS                            |
|------------|--------------------------|----------------|--------|------------------------------------|
| Rhea, Dawn | Typist/ B & G Department | 03/23/22       | Step 5 | Replace resignation<br>Provisional |

**TEMPORARY APPOINTMENT:  
NON-INSTRUCTIONAL**

| NAME            | POSITION/SCHOOL  | EFFECTIVE DATE      | REMARKS      |
|-----------------|------------------|---------------------|--------------|
| Jansen, Tina    | Summer Custodial | 06/28/22 – 09/01/22 | \$15.00/hour |
| Zygmunt, Andrew | Summer Custodial | 06/28/22 – 09/01/22 | \$15.00hour  |

**RESIGNATIONS: INSTRUCTIONAL**

| NAME           | POSITION/SCHOOL       | EFFECTIVE DATE | REMARKS    |
|----------------|-----------------------|----------------|------------|
| Schubert, Paul | Music Teacher/Bennett | 06/30/22       | Retirement |

**TERMINATION: NON-INSTRUCTIONAL**

| NAME          | POSITION/SCHOOL          | EFFECTIVE DATE | REMARKS     |
|---------------|--------------------------|----------------|-------------|
| Butler, Kevin | Building Maint. Mechanic | 02/28/22       | Termination |

The following named NON-INSTRUCTIONAL personnel have served a probationary status and are recommended to a PERMANENT STATUS consistent with the applicable laws and regulations of the State of New York:

| NAME                  | POSITION            | PROBATIONARY DATE | PERMANENT DATE |
|-----------------------|---------------------|-------------------|----------------|
| Lane, Kaitlin         | Food Service Helper | 09/01/21          | 03/01/22       |
| Tucciarone, Christine | Cook                | 09/01/21          | 03/01/22       |
| Davis, Richard        | School Monitor      | 09/01/21          | 03/01/22       |
| Sellers, Lauren       | School Monitor      | 09/01/21          | 03/01/22       |
| Karge, Kenne          | Groundskeeper II    | 09/15/21          | 03/15/22       |

**EXTRA DUTY STIPENDS:**

| NAME             | POSITION                         | Effective Date | AMOUNT       |
|------------------|----------------------------------|----------------|--------------|
| Buono, Gabriel   | Summer School Principal          | 07/11/22       | \$5,500.00   |
| Gustafson, Amy   | Mentor Coordinator               | 04/01/22       | **\$2,737.00 |
| Allison, Bridget | Fitness Room Advisor             | 04/04/22       | \$2,215.00   |
| Scherer, Rebecca | Varsity-Tennis-Head Coach (boys) | 03/14/22       | \$2,913.00   |
| Nerp, Kathleen   | Volunteer- Tennis Coach          | 03/14/22       | -\$0-        |
| Pezzello, Eric   | Volunteer- Track Coach           | 03/14/22       | -\$0-        |

\*\*pro-rated\*\*

**SUBSTITUTE**

| NAME         | POSITION                         | AMOUNT       |
|--------------|----------------------------------|--------------|
| Dornan, Mary | Teaching Assistant (uncertified) | \$85.80      |
| Dornan, Mary | School Monitor                   | \$85.80      |
| Dornan, Mary | Clerical                         | \$15.00/hour |

#### 14.03 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, #3/22, Confidential, as reviewed by Trustee Osmond



**14.04 Surplus Equipment**

*Recommended Action:* BE IT HEREBY RESOLVED on recommendation by the Superintendent of Schools that the Board of Education of the Onteora Central School District declare the attached list of out dated kitchen equipment from the Food Service Department as surplus and authorizes the sale or disposal of the equipment.

**15. Old Business****15.01 The Board will discuss Old Business**

- Discussion on in-person meetings and how to set-up technology
  - Try to live stream with no ability to hear the public due to the problems last time
  - Going back in-person loses community engagement
  - Allow public be heard letters to be read out loud
    - Put in notice – send letters to the District Clerk
      - Must be legible- not anonymous letters

**16. New Business****16.01 The Board will discuss New Business**

Informal conversation with Onteora Booster Club- they are figuring out when they can table at Onteora events – make sure they have access at any events they want

Honor staff and students for resolve in navigating the pandemic – have discussion when all 6 members are there

**17. Request For Information****17.01 Board members will request information of the Superintendent**

No information was requested

**18. Adjournment****18.01 Adjourn Meeting (proposed 9:10) Next meeting is Tuesday, March 22**

*Recommended Action:* The meeting is adjourned at 8:45

Motioned: Trustee Storey

Seconded: Trustee Bishop

Result: Unanimous

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

Not Present: Trustee Osmond, Trustee DeJesus

Minutes Recorded by Fern Amster,  
District Clerk



Board of Education: Laurie Osmond, Rob Kurnit, Valerie Storey, Kevin Salem, Bennet Ratcliff,  
Dafne DeJesus, Emily Sherry