



Hastings ~ on ~ Hudson
UNION FREE SCHOOL DISTRICT

Board of Education
Policy Committee

Valerie J. Henning-Piedmonte, Ed.D.
SUPERINTENDENT OF SCHOOLS

Date: Friday, September 25, 2020

Committee: Policy Committee

Present at Meeting: Valerie Henning-Piedmonte, Superintendent of Schools
Melissa Szymanski, Assistant Superintendent for
Curriculum & Instruction
Jeremy Galland, Board of Education Trustee
Florian Konig, HHS Science Educator
Lisa Eggert Litvin, Community Member
Candice Aloisi, Community Member
Unknown Participant

The virtual meeting began at 3:00 p.m. via Google Meet.

Superintendent of Schools and Policy Committee Chairperson, Dr. Valerie Henning-Piedmonte:

- welcomed all to the first meeting of the Policy Committee for the 2020-2021 school year;
- introduced Committee members present;
- welcomed newly elected Board of Education Trustee Jeremy Galland to the Committee; and,
- informed all that Board of Education President and Committee member Lauren Berman, while not attending today's meeting due to a prior conflict, will continue participating on the Committee; and,
- indicated that Confidential Secretary Fi Goodman has been invited to attend meetings to take notes and provide any historical knowledge.

New Business

- **New York State School Boards Association (NYSSBA) Compliance Audit Review**

Dr. Henning-Piedmonte provided historical context and an update on New York State School Boards Association's (NYSSBA) Compliance Audit.

Last year, the Policy Committee discussed which policies should be looked at first. At that time, NYSSBA, the District's e-policy service, provided the Committee with process protocols from the initial Board of Education discussions/review stage (first reads, second reads, adoptions) to the uploading adopted policies within the District's e-manual stage. However, the process of determining which policies to review first, which policies have lapsed, which policies are missing, etc., was at the discretion of the Committee. During a separate Board of Education Committee meeting (Audit), a conversation prompted Dr. Henning Piedmonte to look into organizations that perform comprehensive policy audits for school districts. Dr. Henning-Piedmonte contacted NYSSBA to find out whether or not they also perform audit review service for school districts' policy manuals.

NYSSBA is approximately 70% done with their compliance audit review and a seven to ten page report is expected by the end of next week or soon thereafter. It is anticipated that the report will reveal what policies are missing, obsolete, required, need updating, etc. This will help the Committee move forward, focusing its time and resources to those policies needing attention in order to be school district policy compliant.

- **A review of the following policies were conducted:**

1. Policy 4452 - Tutoring for Pay
2. Policy 1300 - Employee Activities
3. Policy 2230 - Duties of the District Clerk, Treasurer, and School Physician
4. Policy 2330 - Executive Session
5. Policy 4750 - Promotion and Retention of Students

Policy 4452 Tutoring for Pay. The practice of having District educators tutor District students for pay, on site was discussed, including the tutoring survey conducted by PTSA/SEPTA, conflicts of interest, liability of using District resources, the arbiter of tutors (i.e., Superintendent, Counseling offices, building principals), and AIS (Academic Intervention Services) at the secondary level. It became clear that legal counsel should look at this policy and advise.

Next Steps: Revisit once NYSSBA's compliance audit report is received.

Policy 1300 - Employee Activities. A recent social media exchange led Dr. Henning-Piedmonte to this District policy. Discussions centered on questions such as: Do we need to strengthen this policy? What is the District's responsibility for an employee's engagement through social media when things

potentially get heated? What are the employee's rights to engage in different activities? At what point is the employee speaking for the District? What if someone's behavior requires the use of District resources; i.e., legal fees, etc.? Considering the large part social media plays in our lives, concluding discussions focused on the need for a policy facelift.

Next Steps: Dr. Henning-Piedmonte will speak to counsel about updating the policy to include references to social media and strengthening the policy's language to protect the District and its resources.

Policy 2230 - Duties of the District Clerk, Treasurer, and School Physician.

Dr. Henning-Piedmonte informed the Committee that, with the District Clerk's recent resignation, a better understanding of the Clerk's role should be considered. Regarding the duties of the Treasurer and School Physician, Committee members were canvassed and it was determined that no concerns existed at this time.

Next Steps: This policy, as is, will be presented to the Board of Education for their review and/or further discussion.

Policy 2330 - Executive Session. Dr. Henning-Piedmonte summarized the appropriateness of Executive Sessions, including some specific, required reasons the Board of Education would have for conducting them. Mr. Galland pointed out that, while the Board does need to hold Executive Sessions, the policy should make sure the Board is using this venue appropriately.

Next Steps: This policy, as is, will be forwarded to the Board of Education for their review and further discussion.

Policy 4750 - Promotion and Retention of Students. As written, the policy does not reference the District's MTSS (Multi-Tiered Support Services) plan. Dr. Henning-Piedmonte discussed that every student in the District should have a MTSS plan. And, while the policy does mention RTI (Response to Intervention), it neither acknowledges social, emotional programs, such as PBIS, etc., the District has in place nor does it speak to what happens to children March through June.

The District's focus and priority is to make sure a strong MTSS plan is in place and that it is articulated within its policies; i.e., it's language, how it's implemented, and what it means to truly work towards children not falling between the cracks. Attention should also be given to those policies that reference MTSS to make sure that the language and reference materials known include, encourage, and support MTSS. Student Attendance is an example of a relevant policy that should include MTSS language (for reference, current policy #5100).

Regarding the 'Promotion/Retention' paragraph language, Ms. Szymanski articulated the research and concerns regarding retention, including how the research does not support retention. Specifically, we should not have a wait-to-fail model; in other words, we should not wait this long (and MTSS does push against that). Retention is a concern socially, emotionally and academically.

The policy should speak more directly to the District's educational beliefs requiring the need for the language to be tweaked; i.e., we do not have a pass/fail model at the elementary school. Mr. Galland noted that, insofar as Retention is concerned, if consensus cannot be reached, the decision of the building principal should be final, which circled back discussions to MTSS and how it is a team of people who know about and are concerned for the student. The policy will need to be modified to reflect a strong reference to MTSS.

Dr. Henning-Piedmonte indicated that the District uses researched best practices. With legal counsel guidance, the policy will need to be modified to reflect a strong reference to MTSS.

Next Steps: Dr. Henning-Piedmonte and Ms. Melissa Szymanski will provide MTSS language for inclusion within the policy.

With the meeting's agenda complete, Jeremy Galland, at this time, recognized community member Candice Aloisi. Ms. Aloisi stated that she appreciated that this Committee meeting was public, indicating how interesting it was to see and learn how the District works. Dr. Henning-Piedmonte noted that this venue gave one a sense of the school district and thanked Ms. Aloisi for her observations. Dr. Henning-Piedmonte then thanked all present for their participation.

Action items for the Board of Education at Upcoming Meeting: October 14, 2020

- Policy numbers 2230 and 2330 will be included on the October 14, 2020 Board of Education agenda, under 'New Business,' for review and discussion.

The meeting adjourned at 4:01 p.m.

Respectfully submitted,



Franziska (Fi) Goodman
Confidential Secretary to the
Superintendent of Schools
Hastings-on-Hudson U.F.S.D.

Next Meeting

- The next (virtual) meeting of the Policy Committee is scheduled for Wednesday, October 21, 2020, at 3:00 p.m. The link information to join via *Google Meet* is:

Meeting ID

meet.google.com/gnn-wzav-rxp

Phone Numbers

(US)+1 929-277-9709

PIN: 685 965 858#

4452 TUTORING FOR PAY

(formerly 6111)

Tutoring of students enrolled within the School System by school employees for extra remuneration is generally not considered a desirable practice. There are, however, cases where extenuating circumstances indicate outside tutoring to be needed. In such cases, if a member of the staff is considered the best person available for doing this job, the following conditions should be met:

- a) Recommendation by the classroom teacher as to the need for such services;
- b) Approval of this need by counselor or psychologist and the building principal;
- c) Filing with the Superintendent of Schools a statement by the building principal of the conditions thereto and the procedures to be followed.

Under no circumstances should an employee tutor his/her own students for pay or received pay for tutoring which is done on the premises of the School District.

Adopted: 1/13/03

Renumbered: 2/5/14

Hastings-on-Hudson Union Free School District

1300 EMPLOYEE ACTIVITIES

(formerly 6430)

Political Activities

The Board of Education recognizes the right of its employees, as citizens, to engage in political activities and to exercise their constitutionally-protected rights to address matters of public concern.

However, a District employee's constitutional rights to raise matters of public concern are limited when the speech or action occurs on school grounds and/or during school times. When such speech or action occurs on school grounds and/or during school time, the Board of Education can impose reasonable restrictions on the time, place and manner of the speech or action, and can further regulate the content of such speech when it materially imperils the efficient operation of the school.

Teachers may not use their classrooms or school surroundings as a means to promote their personal political views and beliefs. However, teachers are encouraged to address issues of current events for their instructional and informational value to students, to invite public and/or political figures to visit the classroom as a community resource, and to motivate students to participate in the political process.

Solicitations by Staff Personnel

Staff members shall not be engaged in advertising or commercial solicitations on school time, except as authorized by the Superintendent and/or designee.

Activities of Personnel in the District

Employees of the Board are encouraged to take an active role in community affairs. Such activities, however, should not interfere with the employee's regular responsibilities.

Adopted: 1/13/03

Renumbered: 2/5/14

Hastings-on-Hudson Union Free School District

2230 DUTIES OF THE DISTRICT CLERK, TREASURER, AND SCHOOL PHYSICIAN

(formerly 1331, 1332, 1333 and 1338)

Duties Of The District Clerk

The District Clerk will be appointed by the Board at its Annual Organizational Meeting and will serve for a period of one (1) year. The Clerk's duties include the following:

- a) Attends all meetings of the Board and keeps a record of its proceedings and records, by name, those in attendance;
- b) Prepares minutes of the meetings of the Board and obtains approval of the minutes by the Board at the next meeting;
- c) Sends notices of special meetings to members of the Board; contacts and communicates with members as required;
- d) Sees that the proper legal notices and announcements are published on all specifications and items out on bid, in accordance with state law;
- e) Maintains an up-to-date record of Board policies;
- f) Delivers to, and collects from, the President (or Vice President) such papers for signature as may be necessary;
- g) Distributes notices to the public announcing availability of copies of the budget to be presented at the annual District meeting in compliance with the requirements of the State Education Law;
- h) Administers oaths of office, as required by [Section 10, Public Officers Law](#);
- i) Gives written notice of appointment to persons appointed as inspectors of election;
- j) Calls all meetings to order in the absence of the President and Vice President;
- k) Assumes other duties customary to the office.

The above duties of the District Clerk are not intended to be complete but should serve as a comprehensive guide in undertaking the duties of this office. The District Clerk shall perform such other duties as may be assigned from time to time by the Board.

Duties Of The School District Treasurer

The Treasurer is appointed by the Board of Education at the Annual Organizational Meeting and will be covered by a blanket bond. In addition to the routine duties of accounting, filing, posting and preparing reports and statements concerning District finances, the District Treasurer shall perform other specific tasks as follows:

- a) Acts as custodian of all moneys belonging to the School District and lawfully deposits these moneys in the depositories designated by the Board;
- b) Pays all authorized obligations of the District as directed;
- c) Maintains proper records and files of all checks, approved payment of bills and salaries;
- d) Makes all such entries and posts all such financial ledgers, records and reports as may be properly required to afford the District an acceptable and comprehensive financial accounting of the use of its moneys and financial transactions;
- e) Signs all checks drawn on District fund accounts;
- f) Assumes other duties customary to the office.

Duties Of The School Physician

The School Physician shall be appointed by the Board of Education. The duties of the School Physician may include, but are not limited to, the following:

- a) Performs professional medical services in the examination and care of school children;
- b) Supervises routine examinations of school children by the school nurse to detect the presence of contagious diseases and physical defects;
- c) Serves as an on call member on the Committee on Special Education;
- d) May report to the Board on school health services;
- e) Coordinates scheduling for physical examinations to all students participating in interscholastic athletics;
- f) May conduct medical evaluation on any employee at the request of the Board of Education.

Ref:

[Education Law Sections 2126](#) and [2130](#)

[Real Property Tax Law Sections 922, 924, 1322, 1330, and 1338](#)

[Education Law Section 2122](#)

[Education Law Section 2130, Part 5](#)

[8 New York Code of Rules and Regulations \(NYCRR\) Section 170.2\(o\) and \(p\)](#)

[Education Law Section 2121](#)

[Public Officers Law Section 104](#)

[Education Law Sections 902 and 913](#)

Adopted: 5/21/01

Revised: 11/16/09

Combined and Renumbered: 2/5/14

Revised: 12/6/16

Hastings-on-Hudson Union Free School District

2330 EXECUTIVE SESSIONS

(formerly 1730)

The Board of Education may hold executive session at which only the members of the Board or persons invited by the Board shall be present. However, the executive session is only available for the purpose of discussion, and except as the law allows, formal action must be taken in an open meeting.

Executive sessions can be requested by any member of the Board or the Superintendent of Schools.

A Board member must make a motion during an open meeting to convene in executive session. Upon a majority vote of its members, the Board may convene in executive session at a place which the Board President or said members may designate within the district to discuss the subjects enumerated below.

- a) Matters that will imperil the public safety if disclosed;
- b) Any matter that may disclose the identity of a law enforcement agent or informer;
- c) Information relating to current or future investigation or prosecution of a criminal offense that would imperil effective law enforcement if disclosed;
- d) Discussions regarding proposed, pending or current litigation;
- e) Collective negotiations pursuant to [Article 14 of the Civil Service Law](#);
- f) Medical, financial, credit or employment history of any particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of any particular person or corporation;
- g) Preparation, grading or administration of examinations;
- h) Proposed acquisition, sale or lease of real property or the proposed acquisition of securities, or sale or exchange of securities, but only when publicity would substantially affect the value thereof.

The vote to go into executive session shall be detailed enough to allow the public to understand the topic the Board will be discussing, without disclosing specifics. Discussion in executive session shall be limited to the topic(s) identified in the motion.

A Board may not take action in executive session except to vote on disciplinary charges against a tenured teacher.

Individual Board members, acting on their own, shall not disclose matters discussed in executive session. However, the Board, acting as a whole, may decide to disclose such information where disclosure is not prohibited under the law.

Minutes shall be recorded at executive sessions of any action taken by a formal vote and should consist of a summary of the final determination of such action and the date and vote thereon, provided, however, that such summary shall not include any matter that is not required to be made public by the Freedom of Information Law. Minutes taken shall be available to the public within one week from the date of the executive session.

Cross-ref:

2160, Code of Ethics

Ref:

[Education Law §1708\(3\)](#)

[Public Officers Law §§100et seq.](#)

Application of the Board of Education, 57 EDR Dec. No. 17,147 (2017)

Application of Nett and Raby, 45 EDR 259 (2005)

Formal Opinion of Counsel No. 239, 16 EDR 457 (1976)

Adopted: 5/21/01

Renumbered: 2/5/14

Revised: 3/19/18

Hastings-on-Hudson Union Free School District

4750 PROMOTION AND RETENTION OF STUDENTS

(formerly part of 7210)

It is essential that each child experience both challenge and success from school activities. To this end, the district will make every effort to place each student at the most appropriate learning level for a successful educational experience.

District curriculum guides indicate goals for achievement by the "average" student at each grade level. However, academic growth, like physical growth, does not take place at the same pace or time for all individuals. Certain students may achieve mastery in a shorter period, while others need additional time. Early identification, intervention, and retention are methods of meeting the needs of children who require additional time to master one or more subjects.

The following guidelines shall govern student progression:

Early Identification/Intervention

Classroom teachers are expected to make every effort, consistent with the district's implementation of response to intervention (RTI), to identify early those students at risk of failing. The Building Principal and the parents/guardian must be notified promptly if retention is anticipated, and a special support program shall be designed for each child identified as in danger of failing. Such support services may include, but are not limited to, individualized assistance before, during or after the school day; a change in instructional approach; remedial classes; and, where appropriate, referral to the Committee on Special Education for evaluation.

Promotion/Retention

Elementary school: At the elementary level, students who pass all subjects will be promoted. Students who do not make satisfactory progress in one or more basic subjects - language arts, mathematics, social studies and science - shall have their cases considered on an individual basis and may be retained. Retention shall be limited to those situations where the best interest of the child is reasonably assured. Diligent effort shall be made to use all available resources to determine the child's appropriate placement.

Middle school: Students who fail one or more subjects will have their situation evaluated on an individual basis by a team including, but not limited to, teacher(s), principal, and guidance counselor. This team will be responsible for developing a plan to address the failure and will make a determination on retention.

High School: In general, promotion from one grade to the next shall be contingent upon the passing of all required subjects and the accumulation of 4 or 5 units of credit at each level. A student progresses throughout high school as a member of his or her cohort,

i.e., the group of students with which they entered ninth grade. In order to fulfill the requirements for graduation, students must meet all guidelines and requirements set forth by the New York State Education Department and the Board of Regents. A student who does not satisfy the requirements for graduation at the conclusion of grade 12 will have the option of being retained in order to complete his or her diploma requirements. Such option is offered until the child reaches the age of 21.

Retention. A decision to retain shall be arrived at by consensus from a case conference approach involving the teacher, Building Principal, school psychologist, and parent/guardian. Factors to be considered include teacher recommendation; classroom achievement and attitude; standardized test scores; social and emotional development; results of the family conference; and, for identified students, recommendations by the Committee on Special Education. Standardized test scores will not be the sole or primary factor in the decision. If consensus cannot be reached, the decision of the Building Principal shall be final.

No student will be retained without an appropriate educational plan defining what will occur that is instructionally different for the student. Once the educational plan has been implemented, the student will be monitored regularly. The educational plan will be revised until the student demonstrates acceptable performance.

In order to inform parents/guardians about the district's approach to promotion and retention, this policy will be posted on the district website and included in student and/or parent handbooks.

Cross-ref:

4321.2, School-wide Pre-referral and Intervention

Ref:

[Education Law §§ 305\(47\); 1709; 2503\(4\); 3202](#)

[8 NYCRR §100.4](#)

Isqwith v. Levitt, 285 App. Div. 833; 137 N.Y.S.2d 497 (1955)

Matter of Eckert, 13 EDR 270 (1979)

Op. Counsel, 1 EDR 775 (1952)

Adopted: 2003

Renumbered: 2/5/14

Revised: 10/22/14

Hastings-on-Hudson Union Free School District