



**BOARD OF EDUCATION MEETING
TUESDAY, APRIL 23, 2013
JR./SR. HIGH SCHOOL LIBRARY – 6:30 P.M.**

1. Meeting Call to Order

- 1.1 Pledge to the Flag
- 1.2 Acceptance of Agenda

2. Communications

- 2.1 From the Floor
- 2.2 President's Messages

3. Consent Agenda

- 3.1 Board of Education Minutes for meeting held April 2, 2013
- 3.2 Business Office Reports for Month ending February 2013
- 3.3 CSE Reports - N/A

4. Old Business

- 4.1 2nd reading of Policy #4506, Student Fundraising Activities; 7100, Concussion Policy; 7100.1, Concussion Guidelines and Procedures; 7200, Student Medications; 7201.1, Student Medication Authorization Form; 7201.2, Parent/Guardian Authorization of Another Adult for Administration of Medication; 7201.3, Self-Medication Permission Form; 7202, Student Alcohol and Drug Abuse; and 7203, Student Pregnancy (*copies of policies with changes from 1st reading are the only copies included*)

5. New Business

- 5.1 Adoption of Property Tax Report Card
- 5.2 Parochial Transportation Request for 2013-14
- 5.3 2013-14 Revised School Calendar
- 5.4 Ratification of CSEA Agreement
- 5.5 1st reading of Policy #2002, Qualifications of a Board of Education Member; #7300, Reporting Possible Child Abuse or Maltreatment; 7300.1, Report of Suspected Child Abuse or Maltreatment; 7301, Child Abuse in an Educational Setting; 7301.1 Child Abuse in an Education Setting; 7301.2, Notification of Teacher's Duty to Report Child Abuse in Education Setting and Immunity from liability; 7301.3, Child Abuse in an educational Setting Statement of personal Delivery; 7301.4 Child Abuse in an Educational Setting Confidential Report of Allegation
- 5.6 BOCES Administrative Budget - \$2,242,555.61
- 5.7 Elect Four Members to the BOCES Board – Mr. Michael J. Moore, Clinton Central School District; Mr. Gary P. Nelson, Holland Patent Central School; Dr. Gary W.

Porcelli, New York Mills Union Free School District; and Mr. Russell Stewart,
Waterville Central School

6. **Building Reports – N/A**
7. **Superintendent's Report – N/A**
8. **Board Discussion**
9. **Visitors Comments**
10. **Executive Session**
11. **Adjournment**

Jacqueline Edwards
President

Dr. Gary Porcelli
Vice President



3.1

Gail Rice
Richard Ross
Janet Wroblecki

**BOARD OF EDUCATION MINUTES
TUESDAY, APRIL 2, 2013
JR./SR. HIGH SCHOOL LIBRARY – 6:30 P.M.**

PRESENT: Ms. Jacqueline Edwards, President, Dr. Gary Porcelli, Vice President, Mr. Gary Markowicz, Mr. Richard Radomski, Mrs. Gail Rice, Mr. Richard Ross, and Mrs. Janet Wroblecki

Also Present: Ms. Kathy Houghton, Mr. Gary Hadfield, Dr. René Wilson, Mrs. Lisa Stamboly, Mr. William Lachut, Mrs. Paula Ann May and 15 visitors and guests.

1. Meeting Call to Order

Ms. Edwards called the meeting to order at 6:30 p.m.

1.1 Pledge to the Flag

Dr. Porcelli led the Pledge of Allegiance.

1.2 Acceptance of Agenda

Dr. Porcelli made the motion to accept the agenda seconded by Mr. Markowicz.

Yes 7 No 0
Motion carried.

1.3

a. Support Staff Introductions

Ms. Houghton introduced the new Office Specialist I, Laura D'Amore. Laura said that she has three school age children and began working as a school monitor in New Hartford when her children started kindergarten. She enjoyed the school atmosphere and was offered a full time job in Whitesboro Central School. Because of budget cuts, her job was reduced. She is happy to be here at New York Mills.

b. Budget Workshop

Ms. Houghton presented the following PowerPoint on the proposed 2013-14 Budget.

NEW YORK MILLS UNION FREE SCHOOL DISTRICT

2013-14 PUBLIC BUDGET WORKSHOP #3
TUESDAY, MARCH 19, 2013

SCHOOL DISTRICT MISSION

The mission of the New York Mills Union Free School District is to help students become motivated, responsible, caring individuals by *providing resources* and a safe, supportive environment that encourages students to pursue excellence.

DISTRICT GOALS

Provide programs, resources, and facilities that will ensure all students are given equal opportunities to achieve higher district, state, and national standards.

Provide staff development to all employees that will enable them to elevate their skills, knowledge, and attitude in order to help our students achieve excellence.

Promote school pride and spirit through a partnership with the community.

REQUESTED INFORMATION FISCAL YEAR 2012-13

2012-13 BUDGET	2012-13 TAX RATES
1% to 2012-13 Budget = \$125,550,381	New Hartford = \$26.42/\$1,000
1% to 2012-13 Levy = \$67,473	Whitestown = \$31.35/\$1,000
	2012-13 Tax on True = \$22.28/\$1,000

EXPENDITURE INCREASES

\$343,417

- BOCES
Regents Reform Agenda
Occupational Education
- Textbooks
- Health Insurance
- Payroll/Contractual Obligations
- ERS/TRS

PROPOSITION #1

Budget

2.74% Increase

To vote upon the adoption of the Budget of the School District for the Fiscal year ending June 30, 2014, which will include two (2) Bus (5) year leases of up to \$37,130.20 yearly for one (1) seventy-two passenger bus and one (1) 36 passenger wheel or bus, for which the required funds shall be appropriated and the necessary real property taxes shall be raised by a tax on taxable property in the District, which will appear as Proposition No. 1 - Budget on the voting machines.

PROPOSITION #2

Full-time School Resource Officer

RESOLVED that the New York Mills Union Free School District be authorized to expend a sum, not to exceed \$75,000 to hire a full-time School Resource Officer, and to pay for such sum, to the extent necessary, through the necessary real property taxes which shall be raised by a tax on taxable property in the District?

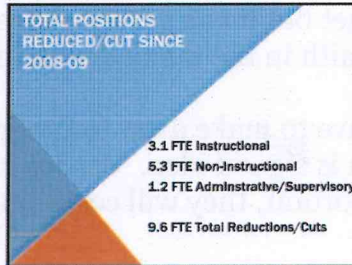
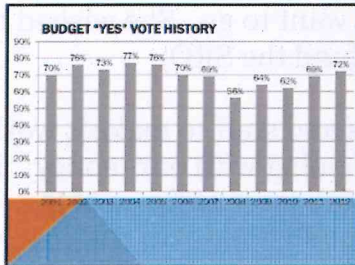
80% Additional Increase

ANNUAL TAX INCREASE WITH BASIC STAR

	\$75,000 House	\$100,000 House	\$125,000 House
Increase of	Increase of	Increase of	
NH/Whites. Budget	NH/Whites. Budget	NH/Whites. Budget	
\$54.29/\$64.42	\$72.39/\$85.90	\$90.49/\$107.37	
\$65.98/\$76.30	\$87.98/\$104.40	\$106.97/\$130.40	

HISTORY

School Year	Budget to Budget Inc	Tax Levy
2007-2008	3.35%	4.45%
2008-2009	4.08%	3.64%
2009-2010	-0.2%	2.98%
2010-2011	3.15%	3.00%
2011-2012	2.06%	3.00%
2012-2013	2.55%	2.72%



TAX LEVY LIMIT

Not really a "cap" or a "limit"
A threshold for level of voter support needed

"Tax Levy Limit"
Calculated by each district
Every district has a different tax levy limit

"Super Majority"
Over "tax levy limit" 60% of voters must approve

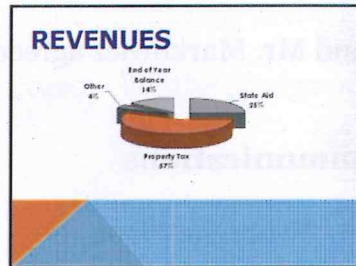
"Simple Majority"
Under "tax levy limit" more than 50% of voters must approve

PROPOSITIONS AND THE TAX CAP

If any proposition, or propositions collectively that are subject to a vote on the same date, would require an expenditure of money that would require a tax levy and would result in the tax levy limit being exceeded for the corresponding school year then such proposition shall be approved if sixty percent of the votes cast thereon are in the affirmative.

BUDGET TAX LEVY LIMIT

2012-13 Budget	\$12,000,038
Proposition #1 Proposed 2013-14 Budget	\$12,098,455
Budget to Budget Increase	2.74%
Proposition #2 Full Time School Resource Officer	\$75,000
Proposition #1-#2 Tax Rate Increase	3.2%
Allowable Tax Levy Limit (due to PILOTS)	7.27%



BUDGET ADOPTION NEEDED

BUDGET TIMELINE

- Tuesday, April 2 - Board of Education Approval of Budget
- Saturday, April 6 - Legal Notice Budget Hearing & Board Member Election
- Monday, April 22 - Deadline for Board of Education Candidate Filings
- Tuesday, April 23 - Regular Board Meeting to elect BICES Board Members and Approve or Disapprove of the Tentative Administration Budget
- Tuesday, May 7 - Public Budget Hearing
- Wednesday, May 8 - Budget Notices mailed
- Tuesday, May 21 - Annual Budget Vote & Board Member Election

Mr. Radomski said that said that this is a great budget and a lot of school districts would like to be in our shoes. He is in favor of the proposed budget.

Mrs. Rice thinks that this is a lean budget but it can get us where we want to go. She wished the proposition was in the budget but has faith in the taxpayers to fully fund the SRO,

Ms. Edwards concurred. We did not have to make a cut to programs and staff to make it work. She said that she does think the proposition is a good idea. We are not dealing with our money. The tax payers will say yes or not. If this is important, they will come out in full force in favor of the proposition.

Dr. Porcelli said that he has been here for 10 years and is the senior Board member. Every year he is amazed with the work that the Superintendent, Business Official, and Board of Education do. This is an excellent budget and he does support it.

Mrs. Wroblecki said that she is in agreement with the rest of the Board; being frugal and right sizing, it is a lean budget and it is good to go.

Mr. Ross and Mr. Markowicz agreed with everyone.

2. Communications

2.1 From the Floor

Mr. Shrey read the following statement:

I'll be brief. I don't want to occupy your time, just your conscience.

I am here essentially because someone in our schools has to begin to push back against the forced take-over of our schools, and our kids' educational futures.

Governor Cuomo, Ed. Commissioner King, the NYS Board of Regents, and our legislators have committed, and continue to commit, millions of tax payer dollars to unproven and unreliable methods for educating students and evaluating teacher performance.

They've done it all without having to make any sort of fact-based, data-supported presentation as to why we are suddenly in need of spending and sending our tax dollars to Pearson, Inc., or the Texas Education Service Center Curriculum Collaborative. How ironic is that? We have to provide data-driven EVERYTHING...but the Governor and Commissioner only have to have a microphone, a naïve press-corps, and some clever, hysteria-driven sound bites in order to convince all of us that our entire system of education, affected parents and students, are all in dire need of an over-haul.

The New York State education system is one of the finest public education systems in the country...and, the world. "But, Steve," you say..."we've fallen behind in all of the comparisons globally!" Look closely, most countries don't include their poorest, lowest scoring students in their data. Some of those other countries don't even make the effort to educate ALL of their children, like we do in the U.S.

Our education professionals have always been responsible and held to account by our governing agencies. And, we're proud of our results.

What has changed in the game is that this billionaires' boys club has decided that they'd like a slice of the 21 billion dollars that NY State spends on education every year. And, believe me, they're not as interested in seeing the state spend less on education, as much as they're interested in re-directing big portions of that tax money into their private accounts as charter and private school owners and managers, and as publishing companies. If you doubt that, consider this...(read from Houghton-Mifflin-Harcourt electronic solicitation).

Losing managing control of our own education system means that we're going to also lose control of what's being taught and what's being learned. I think it's a very dangerous thing to hand over control of the system and all its contents to a few test companies, whose existence is going to depend upon making sure that you and I must remain reliant upon them; because they've begun to gain access to everything that we are...our money, our personal and professional data. And now, they're gaining total access to our kids.

So, I came here tonight to begin my own campaign to try to wake people up about all of this, and to be able to say that I tried. Please do your own investigating. Just Google: "STOP OVER-TESTING," and you'll learn a lot.

Thanks very much for your service and your time.

2.2 President's Messages

Ms. Edwards said that Dr. Porcelli will be formally nominated for the BOCES Board on April 3rd at the BOCES Annual Meeting. April 22nd is the National Honor Society, April 30th is the Regional Program for Excellence, and May 9th is a General Membership meeting for School Boards Institute.

Ms. Edwards read the following statement:

The Board of Education has a long standing practice of allowing visitor comments. As a board we pride ourselves on being attentive and listening to the concerns and comments of the community. That being said, we go above and beyond allowing this to occur at the beginning of the meeting and at the end of the meeting despite the fact

we are not obligated to do so by law. We have a board policy of not responding or engaging in conversation until we have conversation among us, careful reflection or

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time to discuss such matters with the superintendent. This practice has served us well. However, comments made on March 5th by our athletic director and High School principal reflected in the meeting minutes put the full complement of the board at a disadvantage and the record must be cleared up.

The athletic director stated that she could not believe that the board would not approve Mr. Fiorini as the baseball coach. This should not have been a surprise to her as the superintendent assured us that Mrs. Dziekan and Mr. Hadfield were well aware of the board's concerns. They were so aware that the Board of Education received unsolicited correspondence from the County Executive via a packet from Mrs. Dziekan asking us to bring him back as a coach. Our concerns over this coach relate to not an isolated incident and are not of a personal nature as implied. Our concerns relate to the Dignity for All Students Act and a litany of complaints enenerated by community members and former players. It also relates to the fact that two sitting board members, elected officials of this district, witnessed his inappropriate behavior in the past and it was not dealt with as there is no mention in any file anywhere. I view this as an insult as I am accountable to the taxpayers and the district is accountable to the board of education.

Additionally it was discovered that after many years of coaching that this man did not get certified. When mentioned, after more than a decade here, he then decided to start the process. We have addressed these concerns to Ms. Houghton, who assured us that all this information was relayed to Mr. Hadfield and Mrs. Dziekan and she assured this board that both understood our feeling. We did not feel compelled to speak with Mrs. Dziekan and Mr. Hadfield again as Ms. Houghton indicated to the board she would handle this and we have every confidence that she did.

To portray this board as a group that has anything else in the forefront of their decisions other than what is best for children is inaccurate and unfair. We may annoy some adults but we always keep in mind the children. Having been an athlete once a very long time ago and having siblings that were stellar athletes, I can say winning isn't everything, it is the transferable skills that our students take into their adult life that matters the most. Ask any of the former players that went to the Dome or to Glens Falls. They will say it was a memorable experience but it didn't define their life. Most have gone on to become successful in other areas. I as well as this board want coaches that treat all students with dignity, respect and model behavior that we wish for our students to emulate. We want coaches who put the students before their own egos and their win/loss record. It is about the children after all. In closing I pose the question if winning is everything, how many professional athletes has New York Mills produces?

a. Committee Report(s)

1. Building & Grounds – R. Ross

Mr. Ross said the Building & Grounds Committee met March 27th. The committee toured Beekman Gym and the Bus Garage. They will continue to tour of the grounds and fields as the weather permits. The next meeting is April 26th at 6:30 p.m.

2. Health & Safety – R. Radomski

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Mr. Radomski said that he had nothing to report. The next meeting is April 17th at 6 p.m.

3. Policy – J. Wroblicki

Mrs. Wroblicki said that the Policy Committee met a couple of weeks ago. There are a few late corrections that you will see added to 4.1. The next meeting is scheduled for Thursday, April 4th.

4. Transportation – J. Edwards

Ms. Edwards said she had nothing to report.

b. Board Calendar

c. BOCES Representative Report

Dr. Porcelli said that as a member of the BOCES Board we work very hard to keep our budget down so that putting children first that doesn't hit our pocketbook too hard. The Annual Board Meeting is scheduled for April 3rd. Agenda begins at 5:15 p.m. with dinner being served by our own students. Dr. Porcelli thanked the Board for their nomination. Dr. Porcelli passed around a booklet from BOCES developed for the Annual meeting.

3. Consent Agenda

Mr. Rice made the motion to accept the Consent Agenda seconded by Mrs. Wroblicki. which includes:

- 3.1 Board of Education Minutes
 - a. Minutes of Meeting held March 5, 2013
 - b. Minutes of Meeting held March 19, 2013
- 3.2 Business Office Reports - N/A
- 3.3 CSE Reports
 - a. Minutes of meeting held 3/4/13
 - b. Minutes of meeting held 3/11/13
 - c. Minutes of meetings held 3/14/13

Yes 7 No 0
Motion carried.

4. Old Business

- 4.1 2nd reading of Policy #7001, School Census; 7002, Admission Requirements; 7003, Determination of Student Residency; 7003.1, Principles and Procedures

for Determining Student Residency; 7003.2, Student Affidavit of Emancipation; 7003.3, Parent Affidavit; 7004, Resident and Nonresident Student Policy; 7005, Education of Homeless Children; 7005.1, Procedures for Achieving Education of Homeless Children; 7005.2, Designation of School District of Attendance for a Homeless Child; 7006,

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Student Attendance; 7007 Student Dismissal; and 7007.1 Student Dismissal Release Form

Mrs. Wroblecki made the motion to approve the 2nd reading of the above mentioned polices with the addendums submitted, seconded by Dr. Porcelli.

Yes 7 No 0
Motion carried.

5. New Business

5.1 Personnel Report

Mr. Ross made the motion to approve the Personnel Reported seconded by Dr. Porcelli.

EMPLOYEE	CERTIFICATION AREA	CERT	SALARY*	EFFECTIVE DATE
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I. Coaching Appointments

Padula, Peter	Asst. Volunteer Modified Baseball	T	\$0.00	2012-13 School Year
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II. Instructional Substitute Appointments

Polarolo, Melinda	Technology and Music	Y	\$60	4/3/2013
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III. Non-Instructional Substitute Appointment

Frankland, Robert	Bus Driver		\$10.70	4/15/2013
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IV. Election Inspectors

Ritz, Mary			\$7.25	5/21/2013
Blaszek, Jane			\$7.25	5/21/2013
Porcelli, Gerald			\$7.25	5/21/2013
Thomas, Patricia			\$7.25	5/21/2013
Jordan, Marilyn			\$7.25	5/22/2013

Yes 6/ 7 Abstain 1 No 0 1
Dr. Porcelli abstained from IV. #3
Because he is a relative
Motion carried.

5.2 Resolution to Abolish School Monitor Positions – Action

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Dr. Porcelli made the motion to approve the following resolution seconded by Mr. Markowicz.

RESOLVED: That upon recommendation of the Superintendent, the Board of Education abolish two (2) 4.25 hour per day positions in the category of School Monitor effective June 30, 2013.

Yes 7 No 0
Motion carried.

- 5.3 1st reading of Policy #4506, Student Fundraising Activities; 7100, Concussion Policy; 7100.1, Concussion Guidelines and Procedures; 7101, Jr. Sr. High School Extra Curricular Policy; 7101.1, Parental Notice for Athletes; 7101.2, Athletic Release Form; 7101.3, Athletic Medication Information; 7200, Student Medications; 7201.1, Student Medication Authorization Form; 7201.2, Parent/Guardian Authorization of Another Adult for Administration of Medication; 7201.3, Self-Medication Permission Form; 7202, Student Alcohol and Drug Abuse; and 7203, Student Pregnancy

5.4 Adopt 2013-14 Proposed Budget – Action

Mrs. Rice made the motion to adopt the 2013-14 Proposed Budget in the amount of \$12,898,455 seconded by Dr. Porcelli.

Yes 7 No 0
Motion carried.

6. Building Reports

- 6.1 Elementary Building Report
a. Teddy Bear Clinic

Dr. Wilson said that on March 25th The Child Life Services department of Utica College in accordance with BOCES Safe Schools Healthy Students CORE Grant, held a Teddy Bear Clinic for kindergarten students. They learned about hospitals, doctors and had some fun with medical equipment. Students brought their favorite stuffed animal and were able to medically treat them in various ways such as: cast them, give them oxygen, listen to their hearts, feel for reflexes, and weigh them. This was a

wonderful experience for our younger children who often are afraid of medical personnel and organizations.

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c. Science Fair

This March we celebrated our 16th annual New York Mills Elementary Science Fair. For about 15 years the science fair has been an amazing science event for students in kindergarten through sixth grades supporting our school science curriculum by promotion activities that engage students in scientific research and inquiry. This year's science fair was made possible by the hard work and tremendous volunteer efforts of our parents, families, teachers, community members, and especially with my co-chair Mr. Burgess. We had about 35 entries and almost sixty students participate. Ms. Dunn, Mrs. Sparacino, Mrs. Belmar, Mrs. Hamarowicz, Mrs. Galime, Mrs. Steffen, and Mrs. Jarosz were also present at the function to help welcome and review the projects. Congratulations to all of our participants for on an outstanding job.

6.2 Secondary Building Report

a. Jr. National Honor Society

Mr. Hadfield said that 14 students were inducted into the Jr. National Honor Society. This is a pretty good sized number.

a. Military Promotion Ceremony

Last Thursday Captain Mark Allard was promoted to Major and the ceremony was held here in the auditorium. Students stayed after school to watch the ceremony. Major Allard had a good message for students. He spoke about being a late bloomer. His mother confided that he almost didn't make it. Currently he is designing systems for the Air Force that he cannot talk about. He presents his designs to high level dignitaries. His message was always do your best and move forward in your live. Mrs. Wroblicki added that Major Allard presented the School District with a flag that flew over Afghanistan.

7. Superintendent's Report

7.1 Jr. – Sr. High School Musical Performances

Ms. Houghton said that he was impressed with the Jr. – Sr. High School musical performance of Beauty & the Beast. This group of students is extremely talented and she wanted to compliment everyone involved in the production.

7.2 Winter Sports Award Ceremony

Sunday was the Winter Sports Ceremony and all the teams were reorganized by their coaches for their achievements.

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7.3 CORE Communities Schools Model

Safe Schools/Healthy Students grant monies are gone from BOCES as of June 2013. Ms. Houghton told the Board she recently attended an Alignment Nashville Community Schools Model Workshop at BOCES. CORE is looking at Nashville's approach for aligning our resources (school, community organizations) in order to support successful and healthy children. Their focus is on business engagement in academics, life by learning skills, and creating a culture of wellness. She will keep the Board informed as BOCES further investigates this model for service sustainability.

7.4 Jr. – Sr. High School Principal Position

Ms. Houghton asked the Board for salary parameters for the position. She reviewed salary information from area schools.

Mr. Markowicz said to keep the salary of the Jr. – Sr. High School Principal cheap.

Mr. Ross would like to see more information from other districts.

Mrs. Wroblecki said in the same ballpark.

Mrs. Rice is fine with the parameters. Comparative salary that is competitive. Look at staff and number of years commensurate with experience. The range looks pretty good but what is competitive.

Mr. Radomski agrees but we need to act quickly. The new person needs to pick Mr. Hadfield's brain.

Mr. Markowicz asked if the new individual will have time to acclimate himself.

Mr. Hadfield said that depends on the time that person comes on board.

7.5 Regents Reform Agenda/APPR

The PEC's continuing to work on next year's APPR. However NYSUT has a movement afoot to speak out and say enough to opt out of the testing. If we don't test 95% of our students, will not make AYP (Adequate Yearly Progress) of our School District Report Card.

8. Board Discussion

Mrs. Wroblecki said she has been around for a long time, witness a few plays and this play was top shelf.

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Mrs. Rice said this was a wonderful production. It all came together. This was her last one being a parent. It is very emotional. My son did an excellent job, as did everyone else. She wanted to thank people who have had a hand in helping Casey hone his craft; Mr. Shrey, Mr. King, Mrs. Lovecchio since the 5th grade. We have had a wonderful experience I know he will miss it. We'll be back and thank you for everything you have done.

9. Visitors Comments

Mr. Lachut wanted to complement everyone on the fabulous job they did breaking down and cleaning up the auditorium after the play to get it ready for Sunday' Sports Awards.

Mr. Talerico asked who the Board was referring to on the Personnel Report.

10. Executive Session – to discuss an Equal Employment Opportunity Commission Charge and potential pending litigation

Mrs. Rice mad the motion to go into Executive Session to discuss an Equal Employment Opportunity Commission Charge, potential pending litigation, and a particular person at 8:22 p.m. seconded by Mrs. Wroblecki.

Yes 7 No 0
Motion carried.

Ms. Edwards appointed Ms. Houghton the Clerk Pro-tem.

Respectfully submitted,



Paula Ann May
District Clerk

Ms. Edwards called the meeting into Regular Session at 9:35 p.m.

Ms. Houghton stated that Mr. Markowicz and Mrs. Wroblecki left Executive Session at 9:26 p.m.

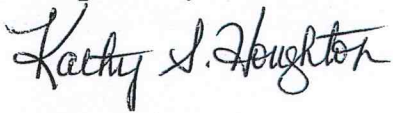
11. Adjournment

Mr. Ross made the motion adjourn at 9:37 p.m. seconded by Mr. Radomski.

Yes 5 No 0
Meeting adjourned.

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Respectfully submitted,



Kathy Houghton
Clerk Pro-tem

DRAFT

Regulation

Draft 04/04/2013

STUDENTS

7301.1 Renumbers/Replaces policies 7052.1, 7052.5

CHILD ABUSE IN AN EDUCATIONAL SETTING

This notice is provided pursuant to Education Law §1128 and sets forth parental rights and the responsibilities and procedures of school districts, the District Attorney's Office and the Commissioner of Education under Article 23-B of the Education Law relative to child abuse that occurs in an educational setting.

I. Duties of Employees

The law imposes reporting requirements on teachers, administrators, school nurses, school guidance counselors, school psychologists, school social workers, school board members and all other school personnel required to hold a teaching or administrative license or certificate. When these employees receive an allegation of child abuse by an employee or volunteer in an educational setting, they must take the following steps:

- A. Upon receipt of an oral or written allegation of child abuse in an educational setting, the employee must promptly complete the "Child Abuse in an Educational Setting" report form (Regulation 7202.4).
- B. Upon completion of the report form, the employee must personally deliver it to the site administrator of the school in which the child abuse allegedly occurred.
- C. If the allegation(s) involves a child who was allegedly abused by an employee or a volunteer of a school in another school district, the employee must promptly forward the report form to the superintendent of schools or his/her designee of the school district of attendance and the school district where the abuse allegedly occurred.

II. Site Administrators

In all cases, upon receipt of a report form, the school building administrator must review the form and determine if there is reasonable suspicion to believe that an act of child abuse, as defined by law, has occurred. If he or she finds reasonable suspicion to believe that an act of child abuse has occurred, additional steps must be taken which differ depending upon the individual who has made the allegation.

A. Child makes the Allegation

1. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.

REGULATION

Draft 04/04/2013

STUDENTS

7301.1 Renumbers/Replaces policies 7052.1, 7052.5

CHILD ABUSE IN AN EDUCATIONAL SETTING

2. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
3. Promptly provide a copy of the completed report form to the District Superintendent or his/her designee.
4. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the District Superintendent.

B. Parent Makes the Allegation

1. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
2. Promptly provide a copy of the completed report form to the District Superintendent or his/her designee.
3. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the District Superintendent.

C. Person other than the Parent or the Child Makes the Allegation

1. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made
2. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
3. Ascertain from the reporting employee the source and basis for the allegation and complete that portion of the report form.
4. Promptly provide a copy of the completed report form to the Superintendent.
5. Promptly forward a copy of the completed report form to appropriate law enforcement authorities. The report to law enforcement may not be

CHILD ABUSE IN AN EDUCATIONAL SETTING

delayed by reason of inability to contact the Superintendent or his/her designee.

III. Duties of the Superintendent

In most cases, the site administrator will receive the completed report form from an employee and make the reasonable suspicion determination. However, there are situations in which the Superintendent will receive the report form directly and he or she will be responsible for making the reasonable suspicion determination such as:

- A. Where the site administrator receives the oral or written allegation and is required to complete the report form;
- B. Where it is alleged that a child was abused by an employee or volunteer of a school other than a school within the school district where the child attends.
- C. In addition, the Superintendent or his/her designee may receive an oral or written allegation of child abuse in an educational setting from local law enforcement officials or from child protective services. In these cases, the Superintendent or his/her designee would be responsible for completing the report form and, subsequently, making the reasonable suspicion determination.
- D. If the Superintendent finds reasonable suspicion to believe that an act of child abuse has occurred, as defined by law, additional steps must be taken which differ depending on the individual who has made the allegation.

1. Child makes the Allegation

- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
- b. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
- c. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.

2. Parent Makes the Allegation

REGULATION

Draft 04/04/2013

STUDENTS

7301.1 Renumbers/Replaces policies 7052.1, 7052.5

CHILD ABUSE IN AN EDUCATIONAL SETTING

- a. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
 - b. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.
3. Person other than the Parent or the Child Makes the Allegation
- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
 - b. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8NYCRR §100.2(hh)).
 - c. Ascertain from the reporting employee the source and basis for the allegation and complete that portion of the form.
 - d. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.
- E. In all cases where a completed report is forwarded to the appropriate law enforcement authorities and the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the Department of Education, the Superintendent or his/her designee must also refer such report to the Commissioner of Education.

IV. Expungement

A report that does not, after investigation, result in a criminal conviction shall be expunged from any record which may be kept by a school or school district with respect to the subject of such a report after a period of five years from the date of the making of such report or at such earlier time as the Board of Education determines.

V. Penalty Provisions

The requirements set forth within the law are mandatory. Willful failure of an employee to prepare and submit a report form as required by the law is a Class A misdemeanor. The law also provides that a willful failure of a school building administrator or District

CHILD ABUSE IN AN EDUCATIONAL SETTING

Superintendent to forward a copy of the report form to the appropriate law enforcement authority is a Class A misdemeanor. In addition, the Commissioner of Education can also fine a school building administrator or a superintendent up to \$5,000 for failure to forward a copy of the completed report form to the appropriate law enforcement authorities.

VI. Immunity Provisions

The law provides immunity from civil liability for employees, volunteers, District site administrators and the Superintendent or his/her designee if they, reasonably and in good faith make a report of child abuse in an educational setting in the manner described in the law. The law also provides immunity from civil liability to District site administrators and the Superintendent, if they reasonably and in good faith forward a copy of the report form to a person or agency as required by law and in the manner described in the law.

VII. Confidentiality of Records

In general, the only persons authorized to receive the written report form and any related materials are the District site administrator and the Superintendent. The law requires that all reports, records, photographs and other material submitted remain confidential and may not be disclosed except to law enforcement authorities involved in the criminal investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. Willful disclosure of a written record required to be confidential, to a person not authorized to receive or review such record is a class A misdemeanor. The law requires that the District site administrator and Superintendent exercise reasonable care to prevent unauthorized disclosure.

VIII. Duties of District Attorneys

- A. Where a criminal investigation is undertaken in response to a report forwarded to the appropriate law enforcement authorities, the district attorney must notify the Superintendent where the acts of child abuse occurred and the superintendent of the school district where the child attends, if different, of the following:
1. an indictment;
 2. the filing of an accusatory instrument;
 3. the disposition of the criminal case; or,
 4. the suspension or termination of the investigation.
- B. Where a criminal conviction is obtained for a crime involving child abuse in an educational setting by a licensed or certified school employee, the district attorney is required to notify the Commissioner of Education, as well as the

REGULATION

Draft 04/04/2013

STUDENTS

7301.1 Renumbers/Replaces policies 7052.1, 7052.5

CHILD ABUSE IN AN EDUCATIONAL SETTING

Superintendent if the acts of child abuse occurred at a District site and the superintendent of the school district where the child attends, if different.

IX. Duties of the Commissioner of Education

- A. Upon receiving notification of conviction from a district attorney, the Commissioner of Education must begin proceedings against the convicted individual pursuant to Part 83 of the Commissioner's regulations to determine whether the individual possesses good moral character. The determination may result in additional action taken against the individual related to his or her license or certification.
- B. The Commissioner has also issued the attached form that must be used for the recording and transmission of allegations of child abuse in educational settings.
- C. The Commissioner and the Board of Regents also promulgated §100.2(hh)(2), which sets forth the training requirements relating to child abuse in an educational setting.

X. Unreported Resignations or Voluntary Suspensions

The law prohibits the District site administrator or Superintendent from agreeing to withhold from the appropriate law enforcement authorities, the Superintendent or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by law, in return for the resignation or voluntary suspension of the alleged perpetrator. Violation of this prohibition can result in a class E felony charge and a civil penalty of up to \$20,000.

New York Mills Union Free School District

Adopted: 11/05/02

Revised: _____

Entity Name: _____
 BEDS Code: _____
 Claim Year: 2012-2013 SET VALUES



Welcome Kathy Houghton (School Entity User) 04/19/2013 10:57 AM Home | Issue Reporting | Help | Logout

You Have Selected the 'Official' Data Area.

[Print Legacy](#) | [Print Form](#) | [Print Blank](#) | [Print Text Only](#)

District Name: NY MILLS UFSD District Code: 411504
 Contact Person: LISA STAMBOLY Telephone: (315) 768-8127 Ext: _____

Form Saved Successfully on 04/19/2013 10:57:21 AM

Property Tax Report Card

Important Note: Chapter 97 of the Laws of 2011 requires school districts to report data elements necessary to calculate a Property Tax Levy Limit. Data elements for the Property Tax Report Card have been renamed and redefined in accordance with these changes. Please see <http://www.p12.nysed.gov/mgt/serv/propertytax/taxcap/> for additional guidance.

Form Due - April 27, 2013

School District Contact Person: LISA STAMBOLY
 School District Telephone Number: (315)768-8127

	Budgeted 2012-13 (A)	Proposed Budget 2013-14 (B)	Percent Change (C)
Total Proposed Spending	12,555,038	12,898,455	2.74 %
Total Proposed School Year Tax Levy, Including Tax Levy to Support Library Debt ¹	6,747,313	7,175,000	6.34 %
Permissible Exclusions to the School Tax Levy Limit	163,888	253,774	
Proposed School Year Tax Levy, Not Including Levy for Permissible Exclusions or Levy to Support Library Debt	6,583,425	6,921,226	
School Tax Levy Limit ²	6,662,837	6,983,811	
Difference (positive value requires 60.0% voter approval)	-79,412	-62,585	
Public School Enrollment	624	624	0.00 %
Consumer Price Index			2.1 %

¹ All proposed levies should exclude any prior year reserve for excess tax levy, including interest.

² For 2013-14, includes any carryover from 2012-13 and excludes any tax levy for library debt or prior year reserve for excess tax levy, including interest.

	Actual 2012-13 (D)	Estimated 2013-14 (E)
Adjusted Restricted Fund Balance	1,742,108	1,742,108
Assigned Appropriated Fund Balance	1,375,000	1,375,000
Adjusted Unrestricted Fund Balance	495,516	515,938
Adjusted Unrestricted Fund Balance as a Percent of the Total Budget	3.95 %	4.00 %

Save | Reset | Save & Ready

NEW YORK MILLS UNION FREE SCHOOL DISTRICT

2013-14

September 2013

Sun	Mon	Tue	Wed	Thur	Fri	Sat
1	2 H	3 I	4 I	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

9/2 Labor Day
9/3-4 Supt Inservice
9/5 1st Day/Students
Sept. 20 Days

2/17-21 Mid Winter
Break
Feb. 15 Days

February 2014

Sun	Mon	Tue	Wed	Thur	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17 H	18	19	20	21	22
23	24	25	26	27	28	

March 2014

Sun	Mon	Tue	Wed	Thur	Fri	Sat
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21 I	22
23	24	25	26	27	28	29
30	31					

10/14 Columbus Day

Oct. 22 Days

3/21 Supt Inservice

March 21 Days

October 2013

Sun	Mon	Tue	Wed	Thur	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14 H	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

November 2013

Sun	Mon	Tue	Wed	Thur	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11 H	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

11/112 Veteran's Day
11/27-29 Thanks-
giving Break
Nov. 17 Days

4/14-21 Spring
Recess

4/18 Good Friday
April 16 Days

April 2014

Sun	Mon	Tue	Wed	Thur	Fri	Sat
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18 H	19
20	21	22	23	24	25	26
27	28	29	30			

December 2013

Sun	Mon	Tue	Wed	Thur	Fri	Sat
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

12/23-31 Winter
Recess
Dec. 15 Days

5/26 Memorial Day
May 21 Days

May 2014

Sun	Mon	Tue	Wed	Thur	Fri	Sat
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26 H	27	28	29	30	31

January 2014

Sun	Mon	Tue	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20 H	21	22	23	24	25
26	27 R	28 R	29 R	30 R	31	

1/1 New Years
1/2-3 Winter Recess
1/20 Martin Luther
King Jr.'s B-Day
Jan. 19 Days

6/26 Regents
Rating/Supt Insv Day
June 19 Days
Total 185 Days
NO SCHOOL

June 2014

Sun	Mon	Tue	Wed	Thur	Fri	Sat
1	2	3 R	4*	5	6	7
8	9	10	11	12	13	14
15	16	17 R	18 R	19 R	20 R	21
22	23 R	24 R	25 R	26 R/I	27	28
29	30					

*State Removed Regents Day

H denotes Holidays

New York Mills Union Free School District

Resolution to Ratify CSEA Agreement

At a regular meeting of the Board of Education of the New York Mills Union Free School District Board of Education held on April 23, 2013 at the Jr. Sr. High School Library, New York Mills, New York

Upon the motion of _____, seconded by _____

RESOLVED THAT, the Board having been fully briefed regarding the tentative agreement reached between the District's negotiating committee and the negotiating committee for the New York Mills Unit of the CSEA, the Board hereby ratifies that tentative agreement and authorizes the Superintendent to execute a successor agreement that faithfully incorporates the terms of the tentative agreement.

Ayes: _____ Nays: _____ Abstentions: _____

5.5

New York Mills Union Free School District

Board of Education Policy Audit
Section 7000 (2002, 7300-7301.4) Students
Wednesday April 3, 2013

		DELETE	
No.	Name	Previous No.	Proposed Action
2002	Qualifications of a Board of Education Member		REVISE Approved Y N Date Approved: _____
7300	Reporting Possible Child Abuse or Maltreatment	7051 7051.1	REVISE Approved Y N Date Approved: _____
7300.1	Report of Suspected Child Abuse or Maltreatment Language in Policy 7300 (pg 2, III. B. 3) references this be a Superintendent's Regulation not requiring Board action.		NEW Approved Y N Date Approved: _____
7301	Child Abuse in an Educational Setting Renumbered	7052	REVISE Approved Y N Date Approved: _____
7301.1	Child Abuse in an Educational Setting	7052.1 7052.5	REVISE Approved Y N Date Approved: _____
7301.2	Notification of Teacher's Duty to Report Child Abuse in an Educational Setting and Immunity from Liability Renumbered	7052.2	REVISE Approved Y N Date Approved: _____
7301.3	Child Abuse in an Educational Setting Statement of Personal Delivery Renumbered	7052.3	REVISE Approved Y N Date Approved: _____
7301.4	Child Abuse in an Educational Setting Confidential Report of Allegation Renumbered	7052.4	REVISE Approved Y N Date Approved: _____

SCHOOL BOARD OPERATIONS

QUALIFICATIONS OF A BOARD OF EDUCATION MEMBER

- I. Board of Education members of the New York Mills Union Free School District must meet the following qualifications under Education Law:
- A. Be able to read and write (§2102);
 - B. Be at least 18 years of age (§2012);
 - C. Be a qualified voter of the school district(§2012);
 - D. ~~Must~~ Be a U.S. citizen (§2012);
 - E. ~~Must~~ Be a resident of the district for at least one year immediately preceding the date of election(§2102);
 - F. Not reside with a family member who is a member of the New York Mills Union Free School District Board of Education (§2103). ~~more than one member of a family shall be a member of the same Board of Education;~~
 - G. Not be an employee of the Board of Education (§2103) ~~may be a member of the Board of Education;~~
 - H. May not simultaneously hold another incompatible public office, including, but not limited to Superintendent, clerk, tax collector, treasurer or librarian, or any employee of the Board (Matter of Schoch & Betheil, 21 Ed Dept Rep 300 (1981)); and
 - I. May not have been removed from any school district office within one (1) year preceding the date of appointment or election to the Board (§2103).
- II. Training:
- A. Members of the Board of Education, shall, within the first year of their term, complete the minimum required hours of training on the fiscal oversight, accountability and fiduciary responsibilities of a school board member, as set forth by the New York State Education Department. Such training may be offered as part of a general course of training for the purpose of educating Board members on their powers, functions and duties.
 - B. Each member shall demonstrate compliance with this requirement by filing with the District Clerk a certificate of completion of such course issued by the provider. Actual and necessary expenses incurred in complying with this requirement shall be a charge against the school district.

New York Mills Union Free School District

Legal Ref: Public Officer's Law, Section 3(1), 2101, 2102, 2103, 2130(1), and 2502 (7);
Rosenstock v. Scaringe, 40 NY2d 563 (1976); 48 NY St Dept Rep 132, Opns Atty Gen [inf]; 48 NY St Dept Rep 779, Opns Atty Gen [inf], Matter of Schoch & Betheil, 21 Ed Dept Rep 300 (1981).

Adopted: 03/05/02

Revised: 12/07/10, _____

Policy

Draft 04/04/2013

STUDENTS

7300 Renumbers/revises/replaces policies 7051, 7051.1

REPORTING POSSIBLE CHILD ABUSE OR MALTREATMENT

~~Any teacher, administrator or other District employee who has reasonable cause to believe that a student has been abused or maltreated shall make an immediate report of his or her concern to the building principal or immediate supervisor. The building principal or supervisor shall verify the report, and in accordance with administrative regulations supporting this policy, contact the appropriate protective agency.~~

~~In the case of suspected abuse or maltreatment by District teachers, administrators or employees, reports shall be made directly to the Superintendent, who shall immediately contact the appropriate law enforcement authorities.~~

I. STATEMENT OF POLICY

- A. The District maintains an orientation program for all current and new school officials to inform them of their obligations regarding reporting suspected child abuse or maltreatment, and the District's procedures for reporting possible child abuse or maltreatment.
- B. The District recognizes that every school official holding a license or certificate has a legal duty to make a report when they have reasonable cause to suspect that a child coming before them in their professional or official capacity is an abused or maltreated child, and to then immediately notify the designated District administrator that a report has been made. References to "school officials" in this Policy refer to that group of District personnel. The District also recognizes that any person may make such a report.
- C. The District does not take adverse employment action against any District employee who makes a report of suspected child abuse or maltreatment in the belief that he or she has reasonable cause to make such a report.

II. SCOPE OF POLICY

- A. This Policy, with its procedures, applies when the suspected child abuse or maltreatment has resulted from the action (or inaction) of the child's parent, or of another person who is legally responsible for the child (e.g. guardian or custodian). When the issue arises from action (or inaction) by a District employee or volunteer, the obligation to report, and the procedures for reporting, are those described in Policy 7301, Child Abuse in an Educational Setting.
- B. For purposes of this Policy, and its procedures, a child is considered "abused" or "maltreated" according to the definition of those terms in Section 412 of the New York State Social Services Law.

POLICY

Draft 04/04/2013

STUDENTS

7300 Renumbers/revises/replaces policies 7051, 7051.1

REPORTING POSSIBLE CHILD ABUSE OR MALTREATMENT

1. The Superintendent shall insure that the District's orientation program for school officials regarding their duty to report suspected child abuse or maltreatment accurately informs them of the applicable definitions.

III. PROCEDURES (STUDENT UNDER 18 YEARS OF AGE)

- A. When a school official has reasonable cause to suspect child abuse or maltreatment, that person is required to take the following steps:
 1. Make an oral report to the Statewide Central Register of Child Abuse or Maltreatment ("hotline"). The District's orientation program shall provide all school officials with current information regarding how to contact the Central Register.
 2. Immediately after making the report to the central child abuse registry, notify the Building Principal or immediate supervisor that a report has been made, providing the Building Principal or supervisor with the name of each District employee who is believed to have direct knowledge of the allegations in the initial oral report.
- B. Upon being notified that an initial report of suspected child abuse or maltreatment has been made to the Central Registry, the Building Principal or supervisor shall:
 1. Notify the Superintendent,
 2. If the situation involves possible physical injury,
 - (a) arrange for the child to be examined by the school nurse, and a record of the examination made, and
 - (b) take, or cause to be taken, color photographs of the affected area, and, if medically indicated, make arrangements to have a radiological examination (x-ray) of the child performed, and
 3. File a written report with the County Department of Social Services, within 48 hours of the initial report, using Form LDSS 2221A or such other form as may be required by the Department of Social Services. A copy of Form LDSS 2221A is attached to this Policy as Regulation 7300.1. The Superintendent shall update the attachment as required, without further Board action.
 - (a) The District's copy of this form shall be maintained separately from the child's other educational records.

POLICY

Draft 04/04/2013

STUDENTS

7300 Renumbers/revises/replaces policies 7051, 7051.1

REPORTING POSSIBLE CHILD ABUSE OR MALTREATMENT

- C. If the investigation by the Child Protective Service includes interviewing the child, or other students, at school, the interview shall be attended by the Building Principal or other designated administrator.
- D. The District's investigation of the suspected child abuse or maltreatment shall be conducted so as to minimize the number of times the child is asked to provide information.

IV. REPORTING PROCEDURES (STUDENT OVER 18 YEARS OF AGE)

For reports of abuse and/or maltreatment of students over the age of eighteen, the respective Principal shall make an oral report to the appropriate Adult Protective Services Department.

V. CONSEQUENCES OF FAILURE TO REPORT

- A. By law, a school official who fails to report suspected child abuse or maltreatment may be subject to criminal action, as well as civil liability for any further harm that comes to the child.
- B. A failure to report to the Central Register and follow the procedures described in this Policy, when a school official has reasonable cause to suspect that a child coming before him or her in his or her professional or official capacity is an abused or maltreated child, will be considered unsatisfactory performance of the school official's duties, subject to possible discipline.

New York Mills Union Free School District

Legal Ref: Social Services Law Section 412, 413; Education Law Sections 3003; 8 NYCRR 80-1.4

Adopted: 06/90

Revised: 11/05/02, _____

New York Mills Union Free School District

SUPERINTENDENT'S REGULATION

New Draft 04/04/2013

STUDENTS

7300.1

REPORT OF SUSPECTED CHILD ABUSE OR MALTREATMENT

This attached form is accessible on the web at: <http://www.ocfs.state.ny.us>

Approved by the Superintendent: _____

STUDENTS

CHILD ABUSE IN AN EDUCATIONAL SETTING

- I. Article 23-B of the NYS Education Law requires certain school district employees and school board members to report allegations of child abuse committed by an employee or volunteer on school grounds, in a school vehicle, at a school function or any other location where direct contact between an employee or volunteer and a child has allegedly occurred.

- II.
 - A. Notice of Staff

School districts must annually provide a written explanation of the reporting obligation, including the entitlement to immunity for reports made in good faith, to teachers and all other school officials. A copy of this notice is attached as 7047.2.

 - B. Notice to the Parent

The principal must promptly notify the parent of the student victim of the allegation of child abuse and provide the parent with a written statement setting forth their parental rights, responsibilities and the procedures under Article 23-B of the Education Law. The Commissioner has issued regulations relative to the required components of this written statement. A copy of the parental notice is attached as 7047.1.

 - C. Training in Reporting of Child Abuse in an Educational Setting

Each school district and each Board of Cooperative Educational Services shall establish, and implement on an ongoing basis, a training program regarding the procedures set forth in Article 23-B of the Education Law for all current and new teachers, school nurses, school counselors, school psychologists, school social workers, school administrators, other personnel required to hold a teaching or administrative certificate or license, and school board members.

- III. Any employee or volunteer who reasonably and in good faith makes a report of allegations of child abuse in an educational setting to a person and in a manner described in this section shall have immunity from civil liability which might otherwise result by reason of such actions.

New York Mills Union Free School District

Legal Ref: Article 23-B, NYS Education Law 8 NYCRR 100.2(hh)

Cross Ref: Child Abuse/Maltreatment Policy #7051

Adopted: 11/05/02

Revised: _____

Regulation

Draft 04/04/2013

STUDENTS

7301.1 Renumbers/Replaces policies 7052.1, 7052.5

CHILD ABUSE IN AN EDUCATIONAL SETTING

This notice is provided pursuant to Education Law §1128 and sets forth parental rights and the responsibilities and procedures of school districts, the District Attorney's Office and the Commissioner of Education under Article 23-B of the Education Law relative to child abuse that occurs in an educational setting.

I. Duties of Employees

The law imposes reporting requirements on teachers, administrators, school nurses, school guidance counselors, school psychologists, school social workers, school board members and all other school personnel required to hold a teaching or administrative license or certificate. When these employees receive an allegation of child abuse by an employee or volunteer in an educational setting, they must take the following steps:

- A. Upon receipt of an oral or written allegation of child abuse in an educational setting, the employee must promptly complete the "Child Abuse in an Educational Setting" report form (Regulation 7202.4).
- B. Upon completion of the report form, the employee must personally deliver it to the site administrator of the school in which the child abuse allegedly occurred.
- C. If the allegation(s) involves a child who was allegedly abused by an employee or a volunteer of a school in another school district, the employee must promptly forward the report form to the superintendent of schools or his/her designee of the school district of attendance and the school district where the abuse allegedly occurred.

II. Site Administrators

In all cases, upon receipt of a report form, the school building administrator must review the form and determine if there is reasonable suspicion to believe that an act of child abuse, as defined by law, has occurred. If he or she finds reasonable suspicion to believe that an act of child abuse has occurred, additional steps must be taken which differ depending upon the individual who has made the allegation.

A. Child makes the Allegation

1. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.

CHILD ABUSE IN AN EDUCATIONAL SETTING

2. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
3. Promptly provide a copy of the completed report form to the District Superintendent or his/her designee.
4. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the District Superintendent.

B. Parent Makes the Allegation

1. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
2. Promptly provide a copy of the completed report form to the District Superintendent or his/her designee.
3. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities. The report to law enforcement may not be delayed by reason of inability to contact the District Superintendent.

C. Person other than the Parent or the Child Makes the Allegation

1. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made
2. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
3. Ascertain from the reporting employee the source and basis for the allegation and complete that portion of the report form.
4. Promptly provide a copy of the completed report form to the Superintendent.
5. Promptly forward a copy of the completed report form to appropriate law enforcement authorities. The report to law enforcement may not be

CHILD ABUSE IN AN EDUCATIONAL SETTING

delayed by reason of inability to contact the Superintendent or his/her designee.

III. Duties of the Superintendent

In most cases, the site administrator will receive the completed report form from an employee and make the reasonable suspicion determination. However, there are situations in which the Superintendent will receive the report form directly and he or she will be responsible for making the reasonable suspicion determination such as:

- A. Where the site administrator receives the oral or written allegation and is required to complete the report form;
- B. Where it is alleged that a child was abused by an employee or volunteer of a school other than a school within the school district where the child attends.
- C. In addition, the Superintendent or his/her designee may receive an oral or written allegation of child abuse in an educational setting from local law enforcement officials or from child protective services. In these cases, the Superintendent or his/her designee would be responsible for completing the report form and, subsequently, making the reasonable suspicion determination.
- D. If the Superintendent finds reasonable suspicion to believe that an act of child abuse has occurred, as defined by law, additional steps must be taken which differ depending on the individual who has made the allegation.

1. Child makes the Allegation

- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
- b. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
- c. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.

2. Parent Makes the Allegation

CHILD ABUSE IN AN EDUCATIONAL SETTING

- a. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8 NYCRR §100.2(hh)).
- b. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.

3. Person other than the Parent or the Child Makes the Allegation

- a. Promptly notify the parent of the child that an allegation of child abuse in an educational setting has been made.
- b. Promptly provide the parent with the written statement setting forth parental rights, responsibilities and procedures prepared in accordance with the Commissioner's regulations (8NYCRR §100.2(hh)).
- c. Ascertain from the reporting employee the source and basis for the allegation and complete that portion of the form.
- d. Promptly forward a copy of the completed report form to the appropriate law enforcement authorities.

E. In all cases where a completed report is forwarded to the appropriate law enforcement authorities and the employee or volunteer alleged to have committed an act of child abuse holds a certification or license issued by the Department, the Superintendent or his/her designee must also refer such report to the Commissioner of Education.

IV. Expungement

A report that does not, after investigation, result in a criminal conviction shall be expunged from any record which may be kept by a school or school district with respect to the subject of such a report after a period of five years from the date of the making of such report or at such earlier time as the Board of Education determines.

V. Penalty Provisions

The requirements set forth within the law are mandatory. Willful failure of an employee to prepare and submit a report form as required by the law is a Class A misdemeanor. The law also provides that a willful failure of a school building administrator or District

CHILD ABUSE IN AN EDUCATIONAL SETTING

Superintendent to forward a copy of the report form to the appropriate law enforcement authority is a Class A misdemeanor. In addition, the Commissioner of Education can also fine a school building administrator or a superintendent up to \$5,000 for failure to forward a copy of the completed report form to the appropriate law enforcement authorities.

VI. Immunity Provisions

The law provides immunity from civil liability for employees, volunteers, District site administrators and the Superintendent or his/her designee if they, reasonably and in good faith make a report of child abuse in an educational setting in the manner described in the law. The law also provides immunity from civil liability to District site administrators and the Superintendent, if they reasonably and in good faith forward a copy of the report form to a person or agency as required by law and in the manner described in the law.

VII. Confidentiality of Records

In general, the only persons authorized to receive the written report form and any related materials are the District site administrator and the Superintendent. The law requires that all reports, records, photographs and other material submitted remain confidential and may not be disclosed except to law enforcement authorities involved in the criminal investigation of child abuse in an educational setting or as expressly authorized by law or pursuant to a court-ordered subpoena. Willful disclosure of a written record required to be confidential, to a person not authorized to receive or review such record is a class A misdemeanor. The law requires that the District site administrator and Superintendent exercise reasonable care to prevent unauthorized disclosure.

VIII. Duties of District Attorneys

- A. Where a criminal investigation is undertaken in response to a report forwarded to the appropriate law enforcement authorities, the district attorney must notify the Superintendent where the acts of child abuse occurred and the superintendent of the school district where the child attends, if different, of the following:
1. an indictment;
 2. the filing of an accusatory instrument;
 3. the disposition of the criminal case; or,
 4. the suspension or termination of the investigation.
- B. Where a criminal conviction is obtained for a crime involving child abuse in an educational setting by a licensed or certified school employee, the district attorney is required to notify the Commissioner of Education, as well as the

CHILD ABUSE IN AN EDUCATIONAL SETTING

Superintendent if the acts of child abuse occurred at a District site and the superintendent of the school district where the child attends, if different.

IX. Duties of the Commissioner of Education

- A. Upon receiving notification of conviction from a district attorney, the Commissioner of Education must begin proceedings against the convicted individual pursuant to Part 83 of the Commissioner's regulations to determine whether the individual possesses good moral character. The determination may result in additional action taken against the individual related to his or her license or certification.
- B. The Commissioner has also issued the attached form that must be used for the recording and transmission of allegations of child abuse in educational settings.
- C. The Commissioner and the Board of Regents also promulgated §100.2(hh)(2), which sets forth the training requirements relating to child abuse in an educational setting.

X. Unreported Resignations or Voluntary Suspensions

The law prohibits the District site administrator or Superintendent from agreeing to withhold from the appropriate law enforcement authorities, the Superintendent or the Commissioner of Education, where appropriate, an allegation of child abuse in an educational setting on the part of any employee or volunteer as required by law, in return for the resignation or voluntary suspension of the alleged perpetrator. Violation of this prohibition can result in a class E felony charge and a civil penalty of up to \$20,000.

New York Mills Union Free School District

Adopted: 11/05/02

Revised: _____

Regulation

Draft 04/04/2013

STUDENTS

7301.2 Renumbered from 7052.2

NOTIFICATION OF TEACHER'S DUTY TO REPORT CHILD ABUSE IN AN EDUCATIONAL SETTING AND IMMUNITY FROM LIABILITY

This notice is to be annually provided to teachers and other school officials pursuant to Educational Law §3028-b to provide a written explanation of their duty to report incidents of child abuse in an educational setting, and of their entitlement to immunity from civil liability for making such reports in good faith.

Where an oral or written allegation is made to any teacher, administrator, school guidance counselor, school social worker, school nurse, school psychologist, or board member that a school district employee or volunteer has subjected a student to child abuse, that person must complete a written report of such allegation (Regulation 7301.4). The author of the written report must then personally deliver a copy of it to the building principal where the student currently attends school, whether or not the abuse occurred on school district premises.

If the abuse occurred at a school outside the school district, the report must be promptly forwarded to both the Superintendent of the school district where the student attends school and to the Superintendent of the school district where the abuse occurred.

School employees or volunteers who reasonably and in good faith make a report of child abuse in an educational setting as set forth above have immunity from civil liability.

New York Mills Union Free School District

Adopted: 11/05/02

Revised: _____

Regulation

Draft 04/04/2013

STUDENTS

7301.3 Renumbered from 7052.3

CHILD ABUSE IN AN EDUCATIONAL SETTING STATEMENT OF PERSONAL DELIVERY

I, _____, hereby state that I have personally delivered a copy of the attached report of Allegation (Regulation 7301.4) of child abuse to _____, building principal of _____ School, on _____, 20____ at _____ am/pm.

Signature of Employee

New York Mills Union Free School District

Adopted: 11/05/02

Revised: _____

STUDENTS

7301.4 Renumbered from 7052.4

**CHILD ABUSE IN AN EDUCATIONAL SETTING
CONFIDENTIAL REPORT OF ALLEGATION**

SUBJECT CHILD	PARENT OF SUBJECT CHILD
Name _____ Last First MI	Name _____
Address _____ _____	Address (if different) _____ _____
School _____	
Grade _____ Sex (M, F, Unknown) _____	
Age or Birthday (Mo/Day/Yr) _____	

SOURCE OF ALLEGATION (Check as Appropriate)	
<input type="checkbox"/> Child <input type="checkbox"/> Parent <input type="checkbox"/> Other - Name _____	Relationship to Child (if any) _____

ALLEGED PERPETRATOR (EMPLOYEE OR VOLUNTEER)	
Name _____	School District _____
School Building _____	School Position _____

SPECIFIC ALLEGATION
Use this space to provide information to describe or explain the circumstances surrounding the allegation. (attach additional sheets if necessary)

REPORTER INFORMATION	
Name _____	School District _____
School Address _____	School Telephone _____
Relationship to Child (if any) _____	
<input type="checkbox"/> Teacher <input type="checkbox"/> School Guidance Counselor <input type="checkbox"/> School Nurse <input type="checkbox"/> School Psychologist <input type="checkbox"/> Administrator <input type="checkbox"/> School Board Member <input type="checkbox"/> School Social Worker <input type="checkbox"/> School personnel required to hold teaching or administrator license or certification	
Date Submitted to Administrator ____ / ____ / ____ /	Signature _____

FOR ADMINISTRATOR USE ONLY	FOR SUPERINTENDENT OF SCHOOL USE ONLY
Reasonable Suspicion ____ Yes ____ No	Reasonable Suspicion ____ Yes ____ No
Date Submitted to Superintendent ____ / ____ / ____	Date Submitted to Law Enforcement ____ / ____ / ____
Name/Signature _____	Name/Signature _____
Date Submitted to Law Enforcement ____ / ____ / ____	Date Submitted to Commissioner ____ / ____ / ____
Name/Signature _____	Name/Signature _____

REGULATION

Draft 04/04/2013

STUDENTS

7301.4 Renumbered from 7052.4

CHILD ABUSE IN AN EDUCATIONAL SETTING
CONFIDENTIAL REPORT OF ALLEGATION

CHILD ABUSE IN AN EDUCATIONAL SETTING
DEFINITIONS

Definitions contained in Section 1125 of Article 23-B, Title I of the Education Law

1. "Child abuse" shall mean any of the following acts committed in an educational setting by an employee or volunteer against a child:
 - a. intentionally or recklessly inflicting physical injury, serious physical injury or death, or
 - b. intentionally or recklessly engaging in conduct which creates a substantial risk of such physical injury, serious physical injury or death, or
 - c. any child sexual abuse as defined in this section, or
 - d. the commission or attempted commission against a child of the crime of disseminating indecent materials to minors pursuant to Article 235 of the Penal Law.
2. "Child" shall mean a person under the age of 21 years enrolled in a school district in this State, other than a school district within a city having a population of one million or more.
3. "Employee" shall mean any person receiving compensation from a school district or employee of a contracted service provider or worker placed within the school under a public assistance employment program, pursuant to title nine-B of article five of the social services law, and consistent with the provisions of such title for the provision of services to such district, its students or employees, directly or through contract, whereby such services performed by such person involve direct student contact.
4. "Volunteer" shall mean any person, other than an employee, who provides services to a school or school district, which involve direct student contact.
5. "Educational setting" shall mean the building and grounds of a public school district, the vehicles provided by the school district for the transportation of students to and from school buildings, field trips, co-curricular and extra-curricular activities, both on and off school district grounds, all co-curricular and extra-curricular activity sites, and any other location where direct contact between an employee or volunteer and a child has allegedly occurred.
6. "Administrator" or "school administrator" shall mean a principal of a public school, charter school or board of cooperative educational services, or other chief school officer.
7. "Law enforcement authorities" shall mean a municipal police department, sheriff's department, the division of state police or any officer thereof. Notwithstanding any other provision of law, law enforcement authorities shall not include any child protective service or society for the prevention of cruelty to children as such terms are defined in section four hundred twenty-three of the social services law.
8. "Parent" shall mean either or both of a child's parents or other persons legally responsible for the child.
9. "Child sexual abuse" shall mean conduct prohibited by article one hundred thirty or two hundred sixty-three of the penal law.

New York Mills Union Free School District

Adopted: 11/05/02

Revised: _____

To be returned on April 24, 2013
to Mrs. Deborah Kimball
Clerk of the Board
Oneida BOCES
Box 70 – Middle Settlement Road
New Hartford, NY 13413
FAX 793-8541

I, _____, District Clerk of the
_____ School District, do
hereby certify that at a public meeting held on April 23, 2013, the Board of
Education of the _____ School District
adopted the following two resolutions:

RESOLUTION NO. 1

WHEREAS, the BOCES tentative administration budget is adopted by public
resolution; and

WHEREAS, copies of the tentative administration, capital and program budgets
were received on March 23, 2013 and an information meeting was presented at
Oneida BOCES on April 3, 2013.

(Vote by making an X in one of the boxes below.)

NOW THEREFORE BE IT RESOLVED, that the Board of
Education **APPROVES** the tentative administration budget
Of the Board of Cooperative Educational Services, Sole
Supervisory District of Oneida, Herkimer and Madison
Counties, in the amount of \$2,242,555.61 for 2013-2014.

NOW THEREFORE BE IT RESOLVED, that the Board of
Education **DISAPPROVES** the tentative administration
budget of the Board of Cooperative Educational Services,
Sole Supervisory District of Oneida, Herkimer and Madison
Counties, in the amount of \$2,242,555.61 for 2013-2014.

RESOLUTION NO. 2

WHEREAS, the election of Cooperative Board members is to occur by resolution; and

WHEREAS, notification was received on April 4th of the slate of candidates, and an information meeting was presented at Oneida BOCES on April 3rd.

NOW THEREFORE BE IT RESOLVED, that the Board of Education casts its vote(s) in the annual election of members of the Board of Cooperative Educational Services, Sole Supervisory District of Oneida, Herkimer and Madison Counties, for the person or persons indicated on the attached ballot.

(Signature)

**BALLOT OF THE
NEW YORK MILLS UNION FREE SCHOOL DISTRICT
PAGE 1 OF 2 PAGES
APRIL 23, 2013**

<p>For the Board of Cooperative Educational Services election, April 23, 2013, for participating schools of the Sole Supervisory District, Oneida, Herkimer and Madison Counties, Box 70, Middle Settlement Road, New Hartford, New York.</p> <p>To fill the vacancy caused by the expiration of the term of Mr. Michael J. Moore (Clinton Central School District), please cast one vote for a three-year term as a member of the Board of Cooperative Educational Services, Sole Supervisory District of Oneida, Herkimer and Madison Counties:</p>	<p>For the Board of Cooperative Educational Services election, April 23, 2013, for participating schools of the Sole Supervisory District, Oneida, Herkimer and Madison Counties, Box 70, Middle Settlement Road, New Hartford, New York.</p> <p>To fill the vacancy caused by the expiration of the term of Mr. Gary P. Nelson (Holland Patent Central School District), please cast one vote for a three-year term as a member of the Board of Cooperative Educational Services, Sole Supervisory District of Oneida, Herkimer and Madison Counties:</p>	<p>For the Board of Cooperative Educational Services election, April 23, 2013, for participating schools of the Sole Supervisory District, Oneida, Herkimer and Madison Counties, Box 70, Middle Settlement Road, New Hartford, New York.</p> <p>To fill the vacancy caused by the expiration of the term of Dr. Gary W. Porcelli (New York Mills Union Free School District), please cast one vote for a three-year term as a member of the Board of Cooperative Educational Services, Sole Supervisory District of Oneida, Herkimer and Madison Counties:</p>
<p>Vote by making an X in the box below.</p> <div style="border: 1px solid black; width: 100px; height: 40px; margin: 0 auto;"></div>	<p>Vote by making an X in the box below.</p> <div style="border: 1px solid black; width: 100px; height: 40px; margin: 0 auto;"></div>	<p>Vote by making an X in the box below.</p> <div style="border: 1px solid black; width: 100px; height: 40px; margin: 0 auto;"></div>
<p>Mr. Michael J. Moore 7540 Foote Road Clinton, NY 13323</p>	<p>Mr. Gary P. Nelson 9384 Coates Road Holland Patent, NY 13354</p>	<p>Dr. Gary W. Porcelli 29 West Drive New York Mills, NY 13417</p>

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THIS IS AN UNOFFICIAL COPY OF THE BALLOT
FOR THE BOARD OF SUPERVISORS
APRIL 23, 2013

**BALLOT OF THE
NEW YORK MILLS UNION FREE SCHOOL DISTRICT
PAGE 2 OF 2 PAGES
APRIL 23, 2013**

For the Board of Cooperative Educational Services election, April 23, 2013, for participating schools of the Sole Supervisory District, Oneida, Herkimer and Madison Counties, Box 70, Middle Settlement Road, New Hartford, New York.

To fill the vacancy caused by the expiration of the term of Mr. W. Craig Tilbe (Waterville Central School District), please cast one vote for a three-year term as a member of the Board of Cooperative Educational Services, Sole Supervisory District of Oneida, Herkimer and Madison Counties:

Vote by making an X in the box below.

**Mr. Russell Stewart
1993 State Rt. 12-B
Deansboro, NY 13328**