

Residents may speak on any item in Public Session with these two exceptions: "Communications," on which only the letter writer may comment, and subjects listed "For Board Discussion."

**MEETING OF THE GREAT NECK, N. Y., BOARD OF EDUCATION
THURSDAY, SEPTEMBER 20, 2018
SOUTH HIGH SCHOOL LIBRARY
6:00*/8:30 P.M.****

*AT 6:00 P.M.: The Board of Education will officially begin its public meeting by accepting and voting on a motion to go into EXECUTIVE SESSION to discuss items appropriate for executive session pursuant to the Open Meetings Law. If no such motion is adopted, the Board will declare a recess.

**AT 8:30 P.M.: The Board of Education will resume its PUBLIC MEETING to act on agenda items necessary for the conduct of its business.

Pledge of Allegiance

1. APPROVAL OF MINUTES

a. August 28, 2018

2. OPEN TIME - (The purpose of "Open Time" is to permit any person in the audience to address the Board of Education on any item concerning the school district, whether or not the item appears on the printed agenda. Generally, up to three minutes will be granted to each speaker.)

PRESENTATION: CAPITAL PROJECTS UPDATE

3. BOARD/ADMINISTRATIVE AFFAIRS

- a. Superintendent's Report
- b. Policy on Controlled Substance and Alcohol Testing – Third Reading
- c. Elementary Student Teacher(s) – Fall 2018 Semester
- d. Secondary Student Observer(s) – Fall 2018 Semester
- e. Fee Schedule for the Fun For Fours Program
- f. Cuttermill Property Lease
- g. Emergency Response Plan
- h. Commemorative Plaque – Ronna Telsey
- i. Student Practicum - Psychology
- j. Donation – Monetary
- k. Donation – Monetary – South High Robotics

4. FACILITIES MATTERS

a. Public Use of District Facilities

5. FINANCE & OPERATIONS

- a. Bids and Contract
 - (1) Bid Rejection – Miscellaneous Food Service Equipment
 - (2) Contract – Instructional and Tuition
 - (3) Contracts – Instructional and Tuition
 - (4) Contracts – Maintenance
 - (5) Contracts – Outside Service Agreement Addenda
 - (6) Contracts – Tuition Addenda

FINANCE & OPERATIONS – Cont'd.

- b. Outside Service Agreements
- c. Claims Audit Report – August 2018 to the Board of Education
- d. Payment of Fees to Counsel – June 2018

6. STUDENT MATTERS

- a. Committee on Special Education Recommendations – School Year: 2018-19
- b. Committee on Preschool Special Education Recommendations – School Year: 2018-19

7. PERSONNEL MATTERS*

I. Certificated Employees

- Appointment(s)
- Change(s) in Salary/Payment/Status
- Retirement(s)
- Resignation(s)
- Termination(s)
- Leave(s)
- Other

II. Non-Certificated Employees

- Appointment(s)
- Change(s) in Salary/Payment/Status
- Retirement(s)
- Resignation(s)
- Termination(s)
- Leave(s)
- Other

8. BOARD DISCUSSION – NO ACTION TO BE TAKEN

NEXT MEETINGS

Monday, October 15, 2018 -	UPTC/PTA Presidents Meeting – 6:00 p.m. – Phipps Board Room
Thursday, October 18, 2018 -	Public Action Meeting – 8:30 p.m. – J.F. Kennedy School
Thursday, November 29, 2018 -	Public Action Meeting – 8:30 p.m. – Parkville School
Monday, December 10, 2018 -	GNTA Executive Board Meeting – 6:00 p.m. – Phipps Board Room
Monday, December 17, 2018 -	Public Action Meeting – 8:30 p.m. – Saddle Rock School

*Some items may be appropriate for Executive Session.

BOARD/ADMINISTRATIVE AFFAIRS

September 20, 2018

SUPERINTENDENT'S REPORT

**Dr. Teresa Prendergast
Superintendent of Schools**

September 20, 2018

CONTROLLED SUBSTANCE AND ALCOHOL TESTING

INFORMATION

Attached for Board of Education consideration is a revised policy: ***Controlled Substance and Alcohol Testing (8414.5)***. This policy was first adopted in 1995, and the revision addresses changes to legislative requirements for alcohol and drug testing as it applies to school bus drivers and other employees who hold positions that are considered safety-sensitive. As a result, the policy has been retitled ***Alcohol and Drug Testing for School Bus Drivers and Other Safety-Sensitive Employees*** and has been substantially rewritten to define which employees shall be subject to testing and how testing may be conducted, as well as the consequences for any violations of the policy. There have been no changes since its second reading on 8/28/18 and this revised policy and new accompanying regulation are being submitted for a third reading and possible adoption.

CONTROLLED SUBSTANCE AND ALCOHOL TESTING
ALCOHOL AND DRUG TESTING FOR SCHOOL BUS
DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES

The U.S. Department of Transportation has issued regulations (49 CFR parts 40, 382, 391, 392 and 395) (the "Regulations") pursuant to the Omnibus Transportation Employee Testing Act of 1991 (P.L. 102-143) (the "Omnibus Act") which governs the use of drugs and alcohol by commercial motor vehicle drivers, and which also require all school districts to conduct mandatory drug and alcohol testing of covered drivers. The regulations require testing to begin on January 1, 1996.

I. ~~It is the District's intention to comply fully with the Omnibus Act and DOT's regulations governing drug and alcohol use and testing, and the requirements of the DOT's regulations are hereby incorporated into this Policy. In the event DOT's regulations are amended, this Policy and the applicable term(s), condition(s) and/or requirement(s) of this Policy shall be deemed to have been amended automatically at that time, without the need for redrafting, in order to reflect and be consistent with DOT's regulations. In such case, the District reserves the right to apply the amended requirements immediately, and without giving prior notice to drivers and/or applicants, unless such notice is required by DOT or another applicable law. The District also intends to comply with the applicable requirements of the Drug Free Workplace Act of 1988, the Drug Free Schools and Communities Act, the Americans With Disabilities Act, the Family and Medical Leave Act, the Rehabilitation Act 504 and the New York State Human Rights Law.~~

II. ~~Administration shall promulgate administrative regulations to implement this policy and comply with the Omnibus Act, the Regulations and other applicable laws and collective bargaining agreements.~~

III. ~~Administration shall also develop Drug and Alcohol Testing Educational Material that complies with 49 CFR part 382, subpart F, for distribution to covered employees as required by the Regulations.~~

IV. ~~Administration shall provide written notice to the bus drivers' bargaining unit of the adoption of this policy and of any administrative regulations hereunder, and of the availability of the Educational Materials required by the DOT.~~

The Board of Education recognizes the dangers inherent in alcohol and controlled substance use by those in safety-sensitive positions. To ensure the safety of its students, staff and property, the Board requires alcohol and controlled substance testing of certain district employees, mainly "drivers." A "driver" is defined as any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers and independent owner-operator contractors.

The District shall directly, by contract with a third party administrator, or through a consortium, implement and conduct a program to provide alcohol and controlled substance testing of employees who operate a commercial motor vehicle, perform in a safety-sensitive position, and are required to hold a commercial driver's license. Such employees include:

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

Controlled substance and alcohol tests will be conducted at the time of employment and randomly throughout the school year. In addition, testing shall be conducted when a supervisor has a reasonable suspicion that an employee has engaged in prohibited alcohol or controlled substance use, after an accident, prior to return to duty when the employee has been found to violate District policy and Federal regulations, and after the employee's return to duty.

If a driver has an alcohol concentration in violation of Federal Department of Transportation (DOT) regulations or has engaged in prohibited alcohol or controlled substance use, he or she will be removed from driving duties, and referred to a Substance Abuse Professional (SAP). The employee may be required to complete a treatment program. No driver who has abused alcohol and/or controlled substances may return to duty unless he/she has successfully passed a required return to duty test. Thereafter, the driver will be subject to follow-up testing.

In no case should any covered employee, found to have an alcohol concentration in violation of Federal regulations or found to have engaged in controlled substance use, be permitted to resume duties until a return to duty alcohol and controlled substance test be completed. Follow up testing will be required as determined by the SAP but at a minimum, the employee will be subject to six unannounced alcohol and controlled substance tests in the first 12 months following the employee's return to duties.

Any violation of this policy, administrative regulations or procedures, or applicable Federal and New York State laws by a covered employee shall be grounds for disciplinary action including, but not limited to fines, suspension or discharge in a manner consistent with District policy, collective bargaining agreements and applicable law.

Great Neck Public Schools

Adopted: 11/27/95

Proposed Revision: 7/5/18; 8/28/18; 9/20/18

**ALCOHOL AND DRUG TESTING FOR SCHOOL BUS
DRIVERS AND OTHER SAFETY-SENSITIVE EMPLOYEES
REGULATION**

Any employee who operates a commercial motor vehicle and is in a safety-sensitive function shall be subject to alcohol and controlled substance testing. An employee having any questions concerning the District's policy or regulation, New York State law or Federal regulations shall contact the Superintendent of Schools.

Any treatment, rehabilitation program or discipline will be provided in accordance with District policy and/or collective bargaining agreements.

Drivers will be removed from their safety-sensitive functions if they violate the District's policy or federal regulations pertaining to the possession or consumption of alcohol or controlled substances. A driver is performing a safety-sensitive function when:

1. waiting to be dispatched, unless the driver has been relieved from duty;
2. inspecting, servicing or conditioning any commercial motor vehicle;
3. driving a commercial motor vehicle;
4. attending a vehicle being loaded or unloaded;
5. performing the driver requirements of the federal regulations pertaining to accidents; and
6. attending to a disabled vehicle.

Covered employees are required to be in compliance with District policy and regulation:

- when performing any on-duty safety-sensitive functions, including all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility; and
- during all time spent providing a breath sample, saliva sample or urine specimen and travel time to and from the collection site in order to comply with random, reasonable suspicion, post-accident, return-to-duty or follow-up testing.

Prohibitions and Consequences

The Director of Transportation or designee shall prohibit an employee from driving a listed vehicle or performing other safety-sensitive duties if the employee:

1. possesses, consumes or is reasonably believed to possess or have consumed alcohol or a controlled substance, while on duty;
2. has consumed or is under the influence of alcohol or a controlled substance within six hours before duty;