

**Shelter Island School Board of Education**

**Monday, April 20, 2020**

**Regular Meeting**

**4:30 pm, via Google Hangouts**

**Kathleen Lynch, President \* Jason Lones, Vice President**

**Margaret Colligan Linda C. Eklund Tracy McCarthy Katherine Rossi-Snook**

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Shelter Island School Mission Statement – Engage, Explore, Empower**

The following statement will be read:

We want our students to cherish our small Island community while applying and expanding their learning about, understanding of, and engagement with the wider world. To do this they must be: ethical and moral individuals; respectful and responsible communicators; creative and analytical thinkers; knowledgeable and literate readers, writers, mathematicians and scientists; participants in and audiences for art, drama, music, athletics, and other artistic, cultural, and social activities; skilled and successful workers and consumers; and committed and active citizens.

**4. Visitor Questions (Specific to the agenda)**

**5. Consent Agenda – The Board President may seek a motion to approve and/or accept the following agenda items:**

a. Approval of Minutes

1. Regular Meeting of March 25, 2020

**6. Correspondence - None**

**7. Presentation - None**

**8. Personnel – The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Personnel Action: 8.1**

8.1 Cafeteria Staff

WHEREAS, the Board of Education of the Shelter Island Union Free School District hereby recognizes that the cafeteria staff are needed to perform their functions despite school closures on account of the COVID-19 pandemic; and

WHEREAS, the Board of Education of the Shelter Island Union Free School District wishes to provide additional compensation to cafeteria staff as essential employees who report to work when requested by their supervisors;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Education of the Shelter Island Union Free School District hereby authorizes the payment of cafeteria staff essential employee's wages for every day worked during certain days of the school closure period in addition to the standard wage being paid to compensate said employees a total rate of double time; and

BE IT FURTHER RESOLVED, that this payment structure shall be in effect for Friday, March 13, 2020, Monday, March 16, 2020 and the week of Monday, April 6, 2020 through Friday, April 10, 2020; and

BE IT FURTHER RESOLVED, that this resolution shall only be applicable to the cafeteria staff positions; and

BE IT FURTHER RESOLVED, that employees may only work under the terms of this resolution having first received permission and assignment by the Superintendent of Schools or her designee; and

BE IT FURTHER RESOLVED, that the Board of Education reserves the right to vacate this resolution at any time should the needs of the District require it.

**9. Program** - The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Program Actions: 9.1 – 9.3

9.1 CSE Recommendations for the 2019-2020 School Year

a. Committee on Special Education

9.2 CSE Recommendations for the 2020-2021 School Year

a. Committee on Special Education

9.3 Second Reading and Adoption of Policy

a. Policy #6562 – Employment of Retired Persons

**10. Finance** - The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Finance Actions: 10.1 – 10.3

10.1 Financial Reports

a. Appropriation Status Report

b. Revenue Status Report

10.2 Budget Transfers & Journal Entries

a. Accept and approve Budget Transfers and Journal Entries, for the period of March 10, 2020 through April 13, 2020, in accordance with Board Policy, the Superintendent has approved, as well as the transfers that need specific Board approval.

10.3 TAX ANTICIPATION NOTES AND REVENUE ANTICIPATION NOTES

THE BOARD OF EDUCATION OF THE SHELTER ISLAND UNION FREE SCHOOL DISTRICT, IN THE COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than a majority of all the members of said Board of Education) AS FOLLOWS:

Section 1. In order to facilitate the issuance from time to time of tax anticipation notes and revenue anticipation notes to meet periodic cash-flow needs pursuant to Sections 24.00 and 25.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law"), the Board of Education of the Shelter Island Union Free School District (the "District"), in the County of Suffolk, New York, hereby delegates its power to authorize the issuance of tax anticipation notes and revenue anticipation notes (herein referred to collectively as the "Notes") to the President of the Board of Education, the chief fiscal officer of the District, pursuant to Section 30.00 of the Law.

Section 2. All Notes so authorized shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the District, and the faith and credit of the District are hereby pledged to the punctual payment of the principal of and interest on the Notes and unless the Notes are otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget of the District and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 3. Subject to the provisions of this resolution and the Law, and pursuant to Sections 50.00, 56.00 and 60.00 of the Law, the powers to sell and issue such Notes, including the renewals thereof, and to determine the terms, form and contents, including the manner of execution, of such Notes, and to execute tax certifications relative thereto, are hereby further delegated to the President of the Board of Education.

Section 4. All of such Notes shall be executed in the name of the District by the manual signature of the President of the Board of Education, the Vice President of the Board of Education, the District Treasurer, the District Clerk, or such other officer of the District as shall be designated by the chief fiscal officer of the District, and shall have the corporate seal of the District impressed or imprinted thereon which corporate seal may be attested by the manual signature of the District Clerk.

Section 5. The powers hereby delegated shall be exercised by the President of the Board of Education until such time as the Board of Education, by resolution, shall elect to reassume the same.

Section 6. This resolution shall take effect immediately.

**11. Business** – The Board President requests a motion to approve or accept the recommendations of the Superintendent on the following Business Actions: 11.1 – 11.2

11.1 Private School Transportation

a. Approval to transport twenty (20) students to the following private schools for the 2020-2021 school year:

1. Ross School – East Hampton, NY (3 students)
2. Hayground School – Bridgehampton, NY (3 students)
3. Our Lady of the Hamptons Regional Catholic School - Southampton, NY (14 students)

11.2 Contracts

- a. Approve the contract for Joint Municipal Cooperative Bidding (Resolution A) with Eastern Suffolk BOCES for the 2020-2021 school year; and authorize the District Clerk to execute said agreement on behalf of the Board President.
- b. Approve the agreement between the Board of Education of the Shelter Island Union Free School District and Southampton Union Free School District, for student services. The term of said agreement shall be effective September 4, 2020 through June 22, 2021; and authorize the District Clerk to execute said agreement on behalf of the Board President.
- c. Approve the agreement between the Board of Education of the Shelter Island Union Free School District and South Huntington Union Free School District, for student services. The term of said agreement shall be retroactive to July 1, 2019 through June 30, 2020; authorize the District Clerk to execute said agreement on behalf of the Board President.
- d. Approve the agreement between the Shelter Island Union Free School District and PLC Association of Naples, Florida, for diagnostic services, strategic planning and professional development, at \$23,100, to be covered by the 2019-2020 Title I School Improvement Grant. The term of said agreement shall be retroactive to March 3, 2020 through June 30, 2021; authorize the District Clerk to execute said agreement on behalf of the Board President.

**12. Facility – None**

**13. Items for Consideration - None**

**14. Old Business - None**

**15. Director of Athletics, Physical Education, Health, Wellness & Personnel Report**

**16. Director of Pupil Personnel, Data & Instruction Report**

**17. Superintendent Report**

**18. Board Member Reports**

**19. Student Liaison Report - None**

**20. Visitor Comments**

**21. Executive Session** - *It is expected that the Board of Education will enter Executive Session at the end of this scheduled public meeting, to discuss the employment of particular individuals.*

**22. Adjournment**

## Personnel

**SUBJECT: EMPLOYMENT OF RETIRED PERSONS**

A retired person may be employed and earn compensation in a position in the District, without any effect on his or her status as retired and without suspension or diminution of his or her retirement allowance subject to the conditions enumerated in Retirement and Social Security Law Section 211(1). However, there will be no earning limitations on or after the calendar year in which a retired person attains age 65.

No retired person may be employed in the District except upon approval of the Civil Service Commission or the Commissioner of Education unless otherwise authorized in accordance with law.

Two sections of the Retirement and Social Security Law (Sections 211 and 212) affect a retiree's return to public employment in New York State. If a retiree returns to public employment, he or she may still be able to collect his or her pension depending upon:

- a) How much is earned after returning to work; and
- b) The retiree's age.

If a retiree is under age 65, he or she can return to public employment without approval or reduction in retirement benefits as long as his or her calendar year earnings do not exceed the Section 212 limit. If a retiree's earnings will be more than the Section 212 limits, the employer must request and receive prior approval from the appropriate agency to hire the retiree under Section 211.

Section 211 waivers are provided for "unclassified service" positions. Retired police officers employed by a school district as a School Resource Officer (SRO) fall under the "classified service" but may have the earnings limitation waived at the discretion of the Commissioner of Education, as long as all of the requirements for waivers in the unclassified service are fulfilled.

There is generally no restriction on a retiree's earnings beginning in the calendar year he or she turns 65, unless returning to public office.

**Section 211 Approval Process**

Approval for post-retirement employment of a person under the age of 65 or a retired police officer employed as a SRO whose calendar year earnings exceed the Section 212 limit may be granted only on the written request of the District giving detailed reasons related to the standards set forth in Section 211; and on a finding of satisfactory evidence by the Civil Service Commission or the Commissioner of Education that the retired person is duly qualified, competent, and physically fit for the performance of the duties of the position in which he or she is to be employed and is properly certified where certification is required.

(Continued)

## Personnel

**SUBJECT: EMPLOYMENT OF RETIRED PERSONS (Cont'd.)**

The District will prepare a detailed recruitment plan to fill the vacancy on a permanent basis when the need arises and will undertake extensive recruitment efforts to fill the vacancy prior to making a determination that there are no available non-retired persons qualified to perform the duties of that position.

Approvals to hire retired individuals may be granted for periods not exceeding two years each, provided that a person may not return to work in the same or similar position for a period of one year following retirement. However, in accordance with Section 212, a retiree may return to work in the same or similar position within the same year following retirement if his or her earnings are under the Section 212 limit or if he or she receives a Section 212 waiver, or other conditions exist set forth in law.

**Reporting Requirements and Disclosure**

- a) The District will report all money earned by a retired person in its employ in excess of the earnings limitation outlined in Section 212 to the retirement system administered by the State or any of its political subdivisions from which the retired person is collecting his or her retirement allowance.
- b) The District, when employing a retired person who is eligible to collect or is already collecting a retirement allowance from a retirement system administered by the state or any of its political subdivisions, will report on an annual basis to the retirement system paying the retirement allowance and to the State Comptroller. This report will consist of the re-employed retiree's name, date of birth, place of employment, current position, and all earnings.

**Public Record**

Any request for approval of the employment of a retired person, including the reasons stated, and the findings and determination of the request will be a public record open for inspection in the Office of the Civil Service Commission, the Commissioner of Education, or the Board making the findings and determination as specified in Section 211.

Education Law §§ 525 and 3101  
Retirement and Social Security Law §§ 111, 211, 212, 217, and 411  
8 NYCRR § 80-5.5(b)

Adoption Date