

REGULAR MEETING (Thursday, December 17, 2020)

Generated by Patricia Wright on Monday, January 4, 2021

A. MEETING OPENING

**HEMPSTEAD PUBLIC SCHOOLS
BOARD OF EDUCATION
REGULAR MEETING
DECEMBER 17, 2020
MINUTES**

The regular meeting of the Hempstead Public Schools Board of Education was held via live stream and Zoom ID # 94195558037, the meeting was called to order at 7:16 P.M. moved, by Trustee Pratt and seconded by Trustee McNeill, all of the Board Members were present. The Interim Superintendent offer remarks and thanked the President for his work with Toys for Tots in securing gifts for students. She also offered congratulations to two Teaching Assistants, Ericka Seymour and Anita Reynolds for receiving the Ujima award from the town of Hempstead. She informed the Board and community of the launching of the districts media outlets, Facebook and Instagram. There was a presentation from the middle school International Baccalaureate District Coordinator. Ms. Sonia Hood. Following the presentation proceeded to the agenda.

BOARD MEMBERS PRESENT:

LaMont Johnson, President
Patricia Spleen, Vice President
Carmen Ayala, Trustee
Patricia McNeill, Trustee
Victor Pratt, Trustee

SED MONITOR:

Dr. William Johnson

STAFF MEMBERS PRESENT:

Regina Armstrong, Interim Superintendent
Jamal Scott, Assistant Superintendent for Business & Operations
Rodney Gilmore, Associate Superintendent for Human Resources
Ahuna Akoma, Assistant superintendent of Technology
Djuana Wilson, Assistant Superintendent for Special Education
James Clark, Assistant Superintendent for Special Assignments
Sonia Hood, International Baccalaureate District Coordinator
Allan Wakefield, Facilities Consultant
Patricia Wright, District Clerk
Gary Gentles, District Treasurer
John Sheahan, General Counsel
Jonathan Scher, Labor Counsel
Stephen Strachan, Principal High School
Lisaura Moreno, Assistant Principal High School

Procedural: 1. Pledge of Allegiance

Procedural: 2. Moment of Silence

B. INTERIM SUPERINTENDENT'S REMARKS**C. PRESIDENT'S REMARKS**

Trustee Spleen moved, seconded by Trustee Pratt to approve the consent calendar including hand carry items #'s 1 & 4.

MOTION**YES 5****MOTION CARRIED**

To approve the cosnsent
calendar including hand carry 1 & 4

Trustee McNeill moved, seconded by Trustee Ayala to convene to executive session at 8:20 P.M. to discuss personnel, a particular individual and advice of legal counsel.

MOTION**YES 5****MOTION CARRIED**

To convene to
executive session

D. OTHER AGENDA ITEMS

Action, Minutes: 1. MINUTES

1. RESOLVED, that the Board of Education accept the minutes of the meetings held November 12, 19, 30, 2020 and December 5, 2020 as submitted by the District Clerk.

E. COMMENDATIONS/PRESENTATIONS**F. BOARD OPERATIONS**

1. RESOLVED, that the Board of Education approves the 2nd reading of policy # 6700, 6700-R replacement policy recommended by the NYSSBA. (Attached)

G. BUSINESS & OPERATIONS**WARRANTS**

1. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to review the **Register of Bills** as follows:

General Funds (Warrants #17); **Cafeteria/Lunch** (Warrants #5); **Federal** (Warrants #11); **Capital** (Warrants #9, 8).

TREASURER'S REPORT

2. RESOLVED, that the Board of Education accept the Reports as submitted by the District Treasurer. **Treasurer's Report for the month of October 2020. (Attached)**

REVENUE BUDGET STATUS REPORT

3. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to receive the **Revenue Budget Status Report for the month of October 2020. (Attached)**

APPROPRIATION STATUS REPORT

4. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to receive the **Appropriation Status Report for the month of October 2020. (Attached)**

INSURANCE COMPENSATION RECOVERIES

5. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to increase both the revenue and expense sides of the 20/21 General Fund Budget in the amount of \$198,406.95 reflecting two workers compensation recoveries from the Westport Insurance Corp.

HEALTH & WELFARE SERVICES

6. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation

to approve the following school district to provide health & welfare services for the 20/21 school year to students that reside in Hempstead.

• **BABYLON UFS**

AROUND THE CLOCK

7. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to allow Around the Clock - (ATC), a licensed Limited Service Laboratory - (LSL) COVID-19 testing provider, to do rapid COVID-19 testing in our schools. If we are designated to be in one of the Cluster Zones - Yellow, Orange, or Red by Governor Andrew Cuomo, we will need to test a percentage of our students and staff. Consent forms must be received prior to testing. Each test costs \$100 and will be covered by either health insurance or under the CARES Act.

H. CONTRACTS/STIPULATIONS OF SETTLEMENT

BOARD RESOLUTION APPROVING THE SETTLEMENT AGREEMENT SETTLING LITIGATION BETWEEN THE DISTRICT AND ROBERT KURTZ

1. WHEREAS, the District commenced an action ("Action") in the New York State Supreme Court, County of Nassau under Index Number 608931/2020 on August 26, 2020 against Robert Kurtz ("Kurtz"); and

WHEREAS, Kurtz denies all claims asserted against him; and

WHEREAS, in the interests of avoiding the cost, expense and uncertainties of trial, the District and Kurtz (collectively, the "Parties") desire to resolve all claims asserted in the Action or which could have been asserted in the Action or which may otherwise have been available to the District or existed arising from Kurtz's employment with the District; and

WHEREAS, without any admission of any wrongdoing or liability by or on the part of any party hereto, the Parties have reached an agreement to compromise, settle, resolve and terminate all claims, disputes and matters asserted in the Action or which could have been asserted in the Action or which may otherwise have been available to the District or existed arising from Kurtz's employment with the District or in any possible manner related thereto; it is

RESOLVED, that the Board hereby approves and adopts the Settlement Agreement, and with it the resolution of the litigation as between the District and Kurtz, which Settlement Agreement shall be kept on file in the District's Office of Human Resources, pursuant to its terms; and it is

FURTHER RESOLVED, based upon the recommendation of the Interim Superintendent and in accordance with the terms of the Settlement Agreement between the District and Kurtz, the Board accepts Kurtz's resignation, effective immediately; and it is

FINALLY RESOLVED, that the Board hereby authorizes the Board President or his authorized designee to execute the Settlement Agreement on behalf of the District.

EDCONNECTIVE

2. RESOLVED, that the Board of Education accepts the Interim Superintendent's recommendation to enter into agreement with EdConnective to continue training teachers on problem of practice in a virtual learning environment. The District will receive Small Group Coaching: four teachers per grade/content. Each teacher will receive four small group coaching sessions and four 1:1 coaching sessions. Each group will focus on a problem of practice, and the coach will work both with the small group and the individual teacher. Building principals will determine the grade/content area to receive coaching. The total cost is \$45,000 for the training. Cost will be split between general funds for non-identified schools (Barack Obama, Jackson Main, David Paterson, Prospect) and School Improvement funds for identified schools (ABGS, Joseph McNeil, and Jackson Annex). Full quote is attached.

3. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to enter into agreement with EdConnective for their Thrive Workshop to coach four (4) assistant principals on how to observe in a virtual environment. The scope of work includes a kickoff of the partnership (3 hours) including Thrive Framework deep dive. There will be eight (8) 1:1 coaching sessions lasting 30 minutes each with EdConnective coach, including intro meeting + 7 observations with personalized debrief session. The cost is \$7800 covered under Title IIA grant funding. Full quote is attached

DUAL LANGUAGE PROGRAM

4. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to enter into a contract with **Stella Sanchez & Associates** for professional development provided to teachers in the Hempstead Union Free School District who will be teaching in a Dual Language setting beginning in the 2021-2022 school year.

BOARD RESOLUTION APPROVING UPSEU GRIEVANCE SETTLEMENTS

5. WHEREAS, the United Public Service Employees Union ("Union") filed a grievance against the District alleging that its members performed additional duties and responsibilities for which they have not been compensated for by the District; and

WHEREAS, over the past five years, Derek Deans ("Deans"), Aaron Finney ("Finney"), Patricia Clark ("Clark"), Crystal C. Scott ("Scott"), Tyshawn Brown ("Brown"), Seth King ("King"), Dwayne Thomas ("Thomas"), and Kezia Davis ("Davis") allege that each of them performed duties, entitling each of them to compensation for the additional duties pursuant to the parties' collective bargaining agreement ("CBA"); and

WHEREAS, the District has taken the position that it would cannot pay an employee for performing additional duties; and

WHEREAS, the Union disputed the District's position that paying an employee for additional duties would violate any law, rule, regulation, or policy; and

WHEREAS, the Union and its counsel have negotiated with the District's Superintendent, through the District's counsel, to resolve the allegations of pay for additional duties, on the conditions herein set forth; and

WHEREAS, the Union and the District desire to eliminate the need to hold a hearing to determine the validity of the Union's claims, as well as the District's defense to such claims, to resolve the dispute; and

WHEREAS, Deans, Finney, Clark, Scott, Brown, King, Thomas, and Davis, through their Union representatives, after such consultations and review with counsel, freely consented to and entered into individual Stipulations to resolve each of their own disputes with the District and disposing of the Union's grievance filed on or about February 8, 2017 against the District, on the basis of the terms contained in the individual Stipulations; now therefore it is

RESOLVED, that the District agrees to settle Deans' claim pursuant to the terms of the Stipulation between him and the District; and it is further

RESOLVED, that the District agrees to settle Finney's claim pursuant to the terms of the Stipulation between him and the District; and it is further

RESOLVED, that the District agrees to settle Clark's claim pursuant to the terms of the Stipulation between her and the District; and it is further

RESOLVED, that the District agrees to settle Scott's claim pursuant to the terms of the Stipulation between her and the District; and it is further

RESOLVED, that the District agrees to settle Brown's claim pursuant to the terms of the Stipulation between him and the District; and it is further

RESOLVED, that the District agrees to settle King's claim pursuant to the terms of the Stipulation between him and the District; and it is further

RESOLVED, that the District agrees to settle Thomas' claim pursuant to the terms of the Stipulation between him and the District; and it is further

RESOLVED, that the District agrees to settle Davis' claim pursuant to the terms of the Stipulation between her and the District; and it is finally

RESOLVED, that the Board President is authorized to execute each Stipulation on behalf of the District.

I. DONATION

DONATION

1. RESOLVED, that the Hempstead Board of Education approves the Interim Superintendent of Schools recommendation to accept the following donation(s):

ITEM(S) DONATED	DONOR	SCHOOL RECEIVING DONATION	DOLLAR AMOUNT OF DONATION
100 Winter Coats	Hicksville South Rotary Club	HUFSD	\$5,000

J. USE OF FACILITIES

K. DISPOSAL OF EQUIPMENT

L. SPECIAL EDUCATION

CSE/CPSE MEETINGS

1. RESOLVED, that the Board of Education APPROVES the Superintendent's recommendation to accept the recommendations of the CSE/CPSE meetings held on:

NOVEMBER 2020

11/2, 11/4, 11/5, 11/6, 11/9, 11/12, 11/13, 11/16, 11/17, 11/18, 11/19, 11/23, 11/24, 11/30

M. PUPIL PERSONNEL SERVICES

N. PERSONNEL

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following professional personnel:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Patricia Murray Eff. 1/4/2021 - 6/25/2021 Social Studies (Grades 7-12), Emergency COVID-19 Eff. 8/25/2020 - 8/31/2021 (Leave Replacement)	Social Studies Teacher Hempstead High School (Replacing K. Scarles - LOA)	\$61,483 (Lv. 5, St. 2) Prorated Recommended By: Stephen Strachan Purpose: Fill Vacant Position Replacing K. Scarles, leave of absence eff. 1/4/2021 - 6/25/2021. Board action - 12/17/2020.

F. PRINCE MOVED TO EXECUTIVE SESSION

Felicia Prince Eff. 1/4/2021 - 6/30/2021	IB Coach Mentor Middle School and District's Professional Development Plans	\$94.39/hr (Not to exceed 12 hrs. per month) (PSSG Middle School Funding)
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RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to RECALL the following Professional Personnel from the Preferred Eligibility List:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Alicia Castro Eff. 1/4/2021	Elementary Teacher David Paterson (Replacing E. Labrada - retired eff. 12/31/2020)	\$78,344-prorated (Lv. 5 , St.9) - Prorated Replacing E. Labrada, retired eff. 12/31/2020; Board action - 11/19/2020.
Itzel Connell Eff. 1/4/2021	Teaching Assistant David Paterson (Replacing N. Depass - retired eff. 1/1/21)	\$33,137.78 (Lv. 4, St. 6) - Prorated Replacing N. Depass - retiring eff. 1/1/2021, Board action - 11/19/20
Tiffany Ward Eff. 1/4/2021	Teaching Assistant Joseph McNeil (Replacing L. Priester - resigned eff. 11/19/20)	\$33,137.78 (Lv. 4, St. 6) - Prorated Replacing L. Priester - resigned eff. 11/6/2020, Board action - 11/19/20
Jaquela Blyther Eff. 1/4/2021	Teaching Assistant High School (Replacing A. Reinhardt - retired eff. 1/21/21)	\$32,206.62 (Lv. 4, St. 5) - Prorated Replacing A. Reinhardt - retiring eff. 1/1/2021, Board action - 10/15/20

RESIGNATION – RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to ACCEPT the resignation(s) from the following Professional Personnel for RETIREMENT/PERSONAL PURPOSES:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Sonia Hood Eff. 12/22/2020	IB MYP Coordinator ABGS Middle School	Letter of resignation received for personal reasons.
Roy Fortunato Eff. 12/9/20	Music Teacher Jackson Annex	Letter of resignation received for retirement purposes.

LEAVE OF ABSENCE - RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE the following LEAVE(S) of ABSENCE request(s) for the following PROFESSIONAL PERSONNEL:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Kuriake Scarles Eff. 1/4/2021 - 6/25/2021	Social Studies Teacher Hempstead High School	Letter requesting Medical Leave of Absence at 1/2 pay from 1/4/2021 to 1/29/2021, Maternity Leave of Absence/FMLA with pay utilizing accrued sick time from 2/1/2021 to 3/12/2021, remainder of Maternity Leave of Absence/FMLA (3/15/2021 - 4/12/2021) without pay and a Childcare Leave of Absence without pay from 4/13/2021 to 6/25/2021. Letter received in Human Resources. Medical documentation on file.

B. GETRUE MOVED TO EXECUTIVE SESSION

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPOINT the following personnel for the 2020-2021 school year:

<u>NAME</u>	<u>CERTIFICATION</u>	<u>COMPENSATION</u>
Brandon Getrue Eff. 1/4/2021	Uncertified Substitute	(Not to exceed 90 days) \$100 per day

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to CHANGE the following Board Action:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Kristin Spruell Eff. 10/19/2020- 1/20/2021	Special Education Teacher Jackson Main	Change the effective dates of Maternity Leave of Absence/FMLA FROM 10/19/20-11/27/20 with pay, utilizing accrued sick time, remainder (11/28/20-1/20/21) with pay TO 10/19/20 - 12/11/20 with pay, utilizing accrued sick time, remainder (12/12/20-1/20/21) without pay. Previously approved on 10/15/20 docket.

A. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE the following personnel for the Joseph McNeil AIS Afterschool Program, effective January 11, 2021 - May 27, 2021 from 3:30 PM to 5:15 PM (for Teachers, Teaching Assistants and Clerical) and from 3:30 PM to 5:30 PM (for Administrators) - (SIG A Funded.)

RECOMMENDED BY: Sandra Powell - Joseph McNeil School

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Sandra Powell	Administrator	\$94.39/hr.
Renee Wright	Administrator - Sub	\$94.39/hr.
Henry Williams	Administrator - Sub	\$94.39/hr.
Dorothea Geiger	Teacher	\$40.54
Felicia Morrow	Teacher	\$40.54
DeShaun Lewter	Teacher	\$40.54
Gail Battle	Teacher	\$40.54
Kim Sanders	Teacher - Sub	\$40.54
Deborah Tharpe-Fennell	Teacher - Sub	\$40.54
Desiree Maurice	Teacher - Sub	\$40.54
Anita Reynolds	Teaching Assistant	\$30.00/hr.
Laquana King	Teaching Assistant	\$30.00/hr.
Lesley Jennings-Hillord	Teaching Assistant - Sub	\$30.00/hr.
Joseph Watts	Teaching Assistant - Sub	\$30.00/hr.
Kim Williams	Clerical	Contractual Straight Time Rate

S. MOHAMMED MOVED TO EXECUTIVE SESSION

B. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE the following personnel for the Saturday AIS Program effective 1/9/2021 to 5/22/2021 from 8:30 AM to 12:30 PM (for Teachers/Teaching Assistants) and 8:00 AM to 1:00 PM (Administrators) - (Title I Grant Funded).

RECOMMENDED BY: Dr. Stephen Strachan - Hempstead High School - Saturday AIS Program

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Samara Mohammed	School Counselor (Test Assessment Secondary Completion) - TASC	\$40.54/hr.

C. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE the following personnel for the Saturday AIS "Enrichment for Success" Program, effective 1/9/21 to 6/5/2021 from 8:30 AM to 12:30 PM (for

Teachers/Teaching - (Title I Grant Funded). Meeting dates: January 9, 23, 30/ February 6, 27/ March 6, 13, 20/ April 10, 17, 24/ May 1, 8, 15, 22/ June 5.

RECOMMENDED BY: Carey Gray – ABGS Middle School – Saturday AIS Program

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Daniela Ranieri	Teacher	\$40.54/hr.

APPOINTMENT(S) – RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to COMPENSATE the following Professional Personnel for clinical sessions related to Medicaid reimbursement as follows for the 2020 – 2021 school year:

<u>INSTRUCTOR</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Amanda Gaimaro	Speech Pathologist	\$2,000

RESOLVED, that the Board of Education APPROVES the Interim Superintendent's recommendation to APPOINT the following professional personnel as CLUB ADVISORS for the 2020-2021 school year:

<u>HIGH SCHOOL NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Rebecca Labarca	National Honor Society	\$1,300.

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE the following personnel for the Newcomer's After School Virtual Program, effective January 4, 2021 - May 27, 2021, Tuesdays & Thursdays (4:15 PM - 5:45 PM for Elementary and Middle School Teachers), Mondays & Tuesdays (4:15 PM - 5:45 PM for High School Teachers), Mondays, Tuesdays & Thursdays (4:00 PM - 6:00 PM for Administrators), Clerical not to exceed 10 hours per week - (Title III Funding). Mandatory training on December 21, 2020 from 4:15 P.M. - 6:15 P.M.

RECOMMENDED BY: Janet Lovett

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>COMPENSATION</u>
Janet Lovett	Administrator	District	\$94.39/hr.
Kara Intreglia	Teacher	Barack Obama & David Paterson	\$40.54/hr.
Maria Fernandez	Teacher	Front Street & Joseph McNeil	\$40.54/hr.
Caroline Vollmer	Teacher	Jackson Annex & Jackson Main	\$40.54/hr.
Raquel Goldsmith	Teacher	ABGS Middle School	\$40.54/hr.
Victoria Basantes	Teacher	ABGS Middle School	\$40.54/hr.
Jennifer Salgado	Teacher	Hempstead High School	\$40.54/hr.
Carlos Ventura	Teacher	Hempstead High School	\$40.54/hr.
Natalia Jacque	School Counselor	District	\$40.54/hr.
Febe Garcia	School Counselor	District	\$40.54/hr.
Jose Marte	Clerical	District	Contractual Straight Time Rate

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to APPROVE the following personnel for the SIFE Saturday Virtual Program, effective January 9, 2021 - May 22, 2021, Saturdays (9:00 AM - 11:00 AM for Teachers & Administrators), Clerical not to exceed 10 hours per week - (Title III Funding). Mandatory training on December 21, 2020 from 4:15 P.M. - 6:15 P.M.

RECOMMENDED BY: Janet Lovett

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Janet Lovett	Administrator	\$94.39/hr.
Caroline Vollmer	Elementary Teacher	\$40.54/hr.
Silviana Mestizo	Middle School Teacher	\$40.54/hr.
Mauricio Romero	Middle School Teacher	\$40.54/hr.
Irina Villacis	Hempstead High School Teacher	\$40.54/hr.
Victoria Basantes	Hempstead High School Teacher	\$40.54/hr.
Luisa Delarosa	Clerical	Contractual Straight Time Rate
Jose Marte	Clerical (Sub)	Contractual Straight Time Rate

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPROVE** the following personnel for the Jumping Ahead Virtual Program, effective January 5, 2021 - March 25, 2021, Tuesdays & Thursdays (4:15 PM - 5:15 PM for all Teachers except Jackson Main Teachers), Tuesdays (3:30 PM - 5:30 PM for Jackson Main Teachers), Mondays, Tuesdays & Thursdays (4:00 PM - 6:00 PM for Administrators), Clerical not to exceed 10 hours per week - (Title III Funding). Mandatory training on December 22, 2020 from 4:15 P.M. - 6:15 P.M.

RECOMMENDED BY: Janet Lovett

<u>NAME</u>	<u>POSITION</u>	<u>LOCATION</u>	<u>COMPENSATION</u>
Silviana Mestizo	Teacher	David Paterson	\$40.54/hr.
Richard Mata-Castro	Teacher	Jackson Main	\$40.54/hr.
Kristen Genova	Teacher	Jackson Annex	\$40.54/hr.
Ronit Cohen	Teacher	Front Street	\$40.54/hr.
Mauricio Romero	Teacher	Joseph McNeil	\$40.54/hr.
Mariah Cullen	Teacher	Barack Obama	\$40.54/hr.
Irina Villacis	Teacher	ABGS Middle School	\$40.54/hr.
Daniela Ranieri	Teacher	ABGS Middle School	\$40.54/hr.
Sophia Paganos	Teacher	Joseph McNeil	\$40.54/hr.
Heather Mahler	Teacher	Barack Obama	\$40.54/hr.
Judy Sun	Teacher	ABGS Middle School	\$40.54/hr.
Arlene Blaize	Teacher	David Paterson	\$40.54/hr.
Luisa Delarosa	Clerical	District	Contractual Straight Time Rate

A. PERCHEKLY MOVED TO EXECUTIVE SESSION

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel for the Tiger Academy Alternative Program for the 2020 - 2021 school year (Teachers (Mon-Friday) from 4:15 PM - 7:15 PM), effective 1/4/2021 - 6/18/2021.

RECOMMENDED BY: Stephen Strachan

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Alexander Perchekly	ENL Teacher	\$40.54/hr.

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following professional personnel as COACHES for the **WINTER** season of the 2020-2021 School Year.

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Linda Lopez	Girls Bowling Head Coach	\$2,868

Eff. 1/4/2021 - 2/26/2021

Michael Higgins

Eff. 1/4/2021 - 2/26/2021

Varsity Boys Track Head Coach

\$5,901

O. CIVIL SERVICE PERSONNEL

APPOINTMENT(S) - RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following **CIVIL SERVICE** Personnel:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Terence Rowels Eff. 1/4/21	Cleaner, F/T Prospect	\$40,882-prorated (Lv. 2, St. 3) PURPOSE: Reclassify from P/T to F/T. Replacing Albert McDougald, retired 8/3/20; Bd. action 6/18/20
Natasha Dixon Eff. 1/4/21	Cleaner, F/T David Paterson	\$39,268-prorated (Lv. 2, St. 2) PURPOSE: Replacing A. White, Terminated 6/19/20; Bd. action 6/18/20
Karl Banks Eff. 1/4/21	Cleaner, F/T J. Annex	\$39,268-prorated (Lv. 2, St. 2) PURPOSE: Reclassify from P/T to F/T. Replacing J. Harris, retired 6/30/20; Bd. action 6/18/20
William Brown Eff. 1/4/21	Cleaner, F/T HIGH SCHOOL	\$43,238-prorated (Lv. 2, St. 5) PURPOSE: Replacing D. Boyd, terminated Board Action 11/19/2020
Hans Kebreau Eff. 1/4/21	Attendance Aide David Paterson	\$30,456-prorated (Lv. 21, St. 5) PURPOSE: Replacing N. Carmona, resigned 11/20/20; Bd. action 11/19/20

RESIGNATION – RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **ACCEPT** the resignation(s) from the following Civil Service personnel for **RETIREMENT/PERSONAL PURPOSES**:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Kasandra Torres Eff. 11/11/20	School Lunch Monitor, PT Jackson Main	Letter of resignation received for personal reasons.
Karl Banks, Jr. Eff. 1/4/21	Cleaner, P/T Sub District	Letter of resignation received contingent upon appointment as a Cleaner, F/T.
Terence Rowels Eff. 1/4/21	Cleaner, P/T Sub District	Letter of resignation received contingent upon appointment as a Cleaner, F/T.
Natasha Dixon Eff. 1/4/21	School Lunch Monitor, PT Jackson Annex	Letter of resignation received contingent upon appointment as a Cleaner, F/T.
Alvaro Hernandez Martinez Eff. 12/7/20	Clerical, AIS Afterschool Program (Tue & Thurs), David Paterson	Letter of resignation received for personal reasons.

LEAVE OF ABSENCE - RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPROVE** the following **LEAVE(S)** of **ABSENCE** request(s) for the following **CIVIL SERVICE** personnel:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
Arlene Cutrone Eff. 12/10/20 - 2/8/21	Typist Clerk Jackson Main	Letter requesting an extension of Medical Leave of Absence/FMLA, with pay utilizing accrued sick time. (Medical documentation on file. Letter received on 12/8/20 in Human Resources)

RESOLVED, that the Board of Education **APPROVES** the Interim Superintendent's recommendation to **TERMINATE** the following **CIVIL SERVICE PERSONNEL**, effective:

<u>NAME</u>	<u>POSITION</u>	<u>REASON</u>
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RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation that the hourly rates of the following part-time employees shall be increased, effective January 1, 2021, to comply with the New York State Labor Law Section 652, the minimum wage law:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Desmond Conley	Cleaner, P/T-Sub	\$14.00/hr
Loida Hernandez-Munoz	Cleaner, P/T-Sub	\$14.00/hr
Tamara Knowell	Cleaner, P/T-Sub	\$14.00/hr
Leroy Matthews	Cleaner, P/T-Sub	\$14.00/hr
George Middleton	Cleaner, P/T-Sub	\$14.00/hr
Ralph Walters	Cleaner, P/T-Sub	\$14.00/hr
Anita Wray	Cleaner, P/T-Sub	\$14.00/hr
Marion Young	Cleaner, P/T-Sub	\$14.00/hr
Sinclair Basnight	Cleaner, P/T-Sub	\$14.00/hr
Kenneth Brown, Jr.	Lunch Monitor, P/T, David Paterson	\$14.00/hr
Ashley Flores	Lunch Monitor, P/T, Prospect	\$14.00/hr
Sean Holloway	Lunch Monitor, P/T, Barack Obama	\$14.00/hr
Brittany Lombardo	Lunch Monitor, P/T, Front St.	\$14.00/hr
Emma Walker	Lunch Monitor, P/T, Jackson Annex	\$14.00/hr
Shaquana Wilson	Lunch Monitor, P/T, Front St.	\$14.00/hr
Deysi Pena	Food Server, P/T-Sub, High School	\$14.00/hr

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **RESCIND LAYOFF AND RECALL** the following **CIVIL SERVICE Personnel** effective 1/4/21:

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Sherri Bennett	School Lunch Monitor, PT Jackson Annex	\$14.00/hr (Lv. 10A) PURPOSE: Replacing N. Dixon, resigned 1/4/21; Bd. action 12/17/20
Davon Williams	School Lunch Monitor, PT Jackson Annex	\$14.00/hr (Lv. 10A) PURPOSE: Replacing K. Torres, resigned 11/11/20; Bd. action 12/17/20
Lashauna Russell Eff. 1/4/21 - 6/30/21	Security Aide, F/T High School	\$28,786-prorated (Lv. 9, St. 3) - Targeted Assistance Grant PURPOSE: To maintain social distancing and increase needed supervision.

HAND CARRY #'S 2, 3, & 5 MOVED TO EXECUTIVE SESSION**HAND CARRY
December 17, 2020**

1. RESOLVED, that the Board of Education approves to waive policy # 2342 agenda preparation and dissemination in order to consider the hand carry item being presented at the meeting of December 17, 2020.

GENERAL COUNSEL

2. RESOLVED, that the Board of Education **APPOINTS TBD** as General Counsel for the Board of Education, with a retainer of \$ _____ for the 2020-2021 fiscal year. Any additional work of the attorneys shall be paid at an hourly rate of \$ _____ **for all attorneys**. (Letter of agreement will be on file). **Extend current counsel for 30 days.**

LABOR COUNSEL

3. RESOLVED, that the Board of Education **APPOINTS _____**, as Labor Counsel to the Board of Education for the 2020-2021 school year with a retainer of **\$ 28,200 per annum** for the 2020-2021 fiscal year. Any additional work of the attorneys shall be paid at an hourly rate of **\$ 235.00 for all attorneys**. (Letter of agreement will be on file) **Extend current counsel for 30 days.**

4. RESOLVED, that the Board of Education approve to **RESCIND** the action of December 10, 2020 appointing Brandy Watson as indicated in the resolution below to serve on the audit committee due to declining the appointment;

IT IS FURTHER RESOLVED, TO RESCIND Trustee Carmen Ayala as the chairperson of the audit committee as indicated in the resolution below due to declining of the appointment;

BE IT FURTHER RESOLVED, that President will serve as chairperson of the audit committee.

RESOLVED, that the Board of Education appoints the audit committee for the 2020-2021 school year: the audit committee chairperson will be Trustee Carmen Ayala and the co-chair will be the President of the Board of Education, LaMont E. Johnson (~~former chairperson and member of the audit committee in 2010 and familiar with the procedures~~) and members being appointed are:

Brandy Watson***

5. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel: (Title IV funding):

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Linda St. John Eff. 1/4/2021-6/30/2021 School Building Leader Initial, Eff. 9/30/2020	Interim IB Coordinator A.B.G.S. Middle School	\$105,000-Prorated (Lv. 9, St. 1) Purpose: Fill Vacant Position Replacing S. Hood, resigned eff. 12/22/2020 Board Action - 12/27/2020

Trustee Ayala moved, seconded by Trustee McNeill to reconvene to open session sy 9:31 P.M.

MOTION**YES 5****MOTION CARRIED**

To reconvene to
open session

Trustee Ayala moved, seconded by Trustee Joohnson to approve the IB Coach Mentor

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following professional personnel:

F. PRINCE MOVED TO EXECUTIVE SESSION

Felicia Prince	IB Coach Mentor	
Eff. 1/4/2021 - 6/30/2021	Middle School and District's Professional Development Plans	\$94.39/hr (PSSG Middle School Funding)

MOTION

YES 5

MOTION CARRIED

To approve IB Coach Mentor

Trustee Spleen moved, seconded by Trustee Ayala to approve the Substitute Teacher

B. GETRUE MOVED TO EXECUTIVE SESSION

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel for the 2020-2021 school year:

<u>NAME</u>	<u>CERTIFICATION</u>	<u>COMPENSATION</u>
Brandon Getrue	Uncertified Substitute	(Not to exceed 90 days)
Eff. 1/4/2021		\$100 per day

MOTION

YES 5

MOTION CARRIED

To approve Substitute Teacher

School counselor PULLED BY THE INTERIM SUPERINTENDENT

S. MOHAMMED MOVED TO EXECUTIVE SESSION

B. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPROVE** the following personnel for the Saturday AIS Program effective 1/9/2021 to 5/22/2021 from 8:30 AM to 12:30 PM (for Teachers/Teaching Assistants) and 8:00 AM to 1:00 PM (Administrators) - (Title I Grant Funded).

RECOMMENDED BY: Dr. Stephen Strachan – Hempstead High School – Saturday AIS Program

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Samara Mohammed	School Counselor (Test Assessment Secondary Completion) - TASC	\$40.54/hr.

ENL Teacher PULLED BY THE INTERIM SUPERINTENDENT

A. PERCHEKLY MOVED TO EXECUTIVE SESSION

RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel for the Tiger Academy Alternative Program for the 2020 - 2021 school year (Teachers (Mon-Friday) from 4:15 PM - 7:15 PM), effective 1/4/2021 - 6/18/2021.

RECOMMENDED BY: Stephen Strachan

<u>NAME</u>	<u>POSITION</u>	<u>COMPENSATION</u>
Alexander Perchekly	ENL Teacher	\$40.54/hr.

Trustee Ayala moved, seconded by Trustee Spleen to appoint Guercio & Guercio as General Counsel until June 30, 2021.

GENERAL COUNSEL

2. RESOLVED, that the Board of Education **APPOINTS Guercio & Guercio** as General Counsel for the Board of Education, with a retainer of \$ _____ for the 2020-2021 fiscal year. Any additional work of the attorneys shall be paid at an hourly rate of \$ _____ for all attorneys. (Letter of agreement will be on file). **Until June 30, 2021**

MOTION**YES 4****MOTION CARRIED**

To appoint Guercio & Guercio **NO 1** (Trustee McNeill)
as General Counsel until 6/3-02021

Trustee Ayala moved, seconded by Trustee Johnson to extend current Labor Counsel until January 22, 2021.

LABOR COUNSEL

3. RESOLVED, that the Board of Education **APPOINTS _____**, as Labor Counsel to the Board of Education for the 2020-2021 school year with a retainer of \$ **28,200 per annum** for the 2020-2021 fiscal year. Any additional work of the attorneys shall be paid at an hourly rate of \$ **235.00 for all attorneys**. (Letter of agreement will be on file) **Extend current counsel until JANUARY 22, 2021.**

MOTION**YES 5****MOTION CARRIED**

To extend current Labor Counsel
until January 22, 2021

Trustee Spleen moved, seconded by Trustee Johnson to approve the middle school IB Coordinator.

5. RESOLVED, that the Board of Education approves the Interim Superintendent's recommendation to **APPOINT** the following personnel: (Title IV funding):

NAME**POSITION****COMPENSATION**

Linda St. John
Eff. 1/4/2021-6/30/2021
School Building Leader
Initial, Eff. 9/30/2020

Interim IB Coordinator
A.B.G.S. Middle School

\$105,000-Prorated (Lv. 9, St. 1)
Purpose: Fill Vacant Position
Replacing S. Hood, resigned
eff. 12/22/2020
Board Action - 12/27/2020

MOTION**YES 5****MOTION CARRIED**

To approve Interim IB Coordinator

P. ADJOURNMENT

Action: 1. Adjourn

Trustee Pratt moved, seconded by Trustee Ayala to adjourn the meeting at 9:36 P.M.

MOTION**YES 5****MOTION CARRIED**

Meeting adjourned

Respectfully submitted:

Patricia Wright
District Clerk

(X) Required

(X) Local

() Notice

PURCHASING

The Board of Education views purchasing as serving the educational program by providing necessary supplies, equipment and related services. Purchasing will be centralized in the business office under the general supervision of the Purchasing Agent designated by the Board.

It is the goal of the Board to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. Competitive bids or quotations shall be solicited in connection with purchases pursuant to law. The General Municipal Law requires that purchase contracts for materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Purchases of the same commodity cannot be artificially divided for the purpose of avoiding the threshold. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

It is the goal of the Board to establish an equitable and competitive purchasing policy. The Board is committed to ensuring District purchasing adheres to its comprehensive non-discrimination policy and provides opportunities and fair consideration to all suppliers. Accordingly, the Board adopts an objective that minority and/or women-owned business enterprises (MWBs) are given the opportunity to demonstrate their ability to provide the District with goods and services under best value purchases. The District's purchasing policy shall incorporate the definitions of Minority-owned business enterprise (MBE) and Women-owned business enterprise (WBE) set forth in Section 163 of the State Finance Law.

The purchasing activity of the Hempstead Union Free School District ("District") will strive to meet the following objectives:

1. to effectively supply all administrative units in the school system with needed materials, supplies, and contracted services;
2. to obtain materials, supplies and contracted services at the lowest prices possible consistent with the quality and standards needed as determined by the Purchasing Agent in conformance with state law and regulation and in cooperation with the requisitioning authority. The educational and physical welfare of the students is the foremost consideration in making any purchase;
3. to ensure that all purchases fall within the framework of budgetary limitations and that they are consistent with the educational goals and programs of the District;
4. to maintain an appropriate and comprehensive accounting and reporting system to record and document all purchasing transactions; and
5. to ensure, through the use of proper internal controls, that loss and/or diversion of District property is prevented; and-

5.6. to provide opportunities to MWBE offerors in best value procurement(s).

Opportunities shall be provided to all responsible suppliers to do business with the District. Suppliers whose place of business is situated within the District may be given preferential consideration only when bids or quotations on an item or service are identical as to price, quality and other factors.

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Where permitted by law, purchases may be made through available cooperative BOCES bids, or by “piggybacking” onto contracts of the United States or agencies thereof or the federal General Services Administration (GSA), the New York State Office of General Services (OGS), departments or agencies of New York State, any New York State county, or any state or any county or political subdivision or District therein, whenever such purchases are in the best interests of the District or will result in cost savings to the District. In addition, the District may make purchases from correctional institutions and severely disabled persons through charitable or non-profit-making agencies, as provided by law.

It is the District’s responsibility to review each “piggybacking” contract corresponding to a proposed purchase, upon the advice of counsel as necessary, to determine whether the original contract does not conflict with state law or regulation, and meets the following requirements:

1. The contract must have been let by the United States, or any agency thereof, any state, or any other political subdivision or district therein;
2. The contract must have been made available for use by other governmental entities; including New York State local governments;
3. The contract must have been let to the lowest responsible bidder or on the basis of best value, in a manner consistent with General Municipal Law §103. Those main elements are: (a) public solicitation of bids or offers; (b) secure or confidential bids or offers; (c) use of a common standard for bidders or offers to compete fairly; and (d) awarded to the lowest responsible bidder, or responsible offeror of best value, which optimizes quality, cost and efficiency.

In accordance with law, the District shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats. The term “alternative format” shall mean any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the District (or program of a BOCES), including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file in a format compatible with alternative format conversion software that is appropriate to meet the needs of the individual student.

The Board is also aware of the need to reduce exposure of students and staff to potentially harmful chemicals and substances used in cleaning and maintenance. In accordance with law, regulation and guidelines set forth by the Office of General Services (OGS), the District will purchase and utilize environmentally sensitive cleaning and maintenance products in its facilities whenever feasible. Cleansers purchased must, first and foremost, be effective so that

the District may continue to purchase non-green products as necessary. Environmentally sensitive cleaning and maintenance products will be procured in accordance with standard purchasing procedures as outlined in this policy and regulation.

In order to ensure that the District avails itself of advantageous purchasing opportunities, the Board authorizes the Purchasing Agent to represent the District in applying for federal programs designed to discount prices for goods and services. Specifically, the Purchasing Agent will abide by the rules and regulations associated with applying for telecommunications service discounts through the Universal Service Fund (E-Rate), in addition to complying with the local purchasing policies set forth by the Board. As with all purchasing activity, appropriate documentation of the application and purchase through any federal program will be maintained by the business office.

Competitive Bidding

Purchase contracts and public works contracts subject to competitive bidding will be awarded to the lowest responsible bidder, however, the Board authorizes that purchase contracts may be awarded on the basis of best value, as defined in State Finance Law §163. Other exceptions to competitive bidding are outlined below.

In addition, the Board authorizes the receipt of sealed bids for purchase contracts in electronic format, pursuant to the provisions of General Municipal Law §103(1) which addresses proper documentation, authentication, security, and confidentiality of electronic bids.

The District shall comply with the requirements of General Municipal Law §103-g, which prohibits, with few exceptions, competitive bidding contracts with entities that invest significantly in the Iranian energy sector, as outlined in the accompanying regulation.

Exceptions to Competitive Bidding

Competitive bidding, even if the dollar value of the purchase meets the threshold established above, is not required in the following circumstances:

1. emergencies where time is a crucial factor;
2. procurements for which there is no possibility of competition (sole source items);
3. professional services that require special skill or training (see policy 6741 for guidance on purchasing professional services);
4. purchases such as surplus or second-hand items from governmental entities, certain food and milk items, or goods and services from municipal hospitals; or
5. where the District is purchasing through (or is "piggybacking" onto) the contract of another governmental entity, where the original contract complies with the requirements of New York State law for competitive bidding.

Purchasing when Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the District through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, except as permitted by state law for procurements:

1. under a county contract;
2. under a state contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in state correctional institutions; or
6. from agencies for the blind and severely disabled.

“Piggybacking” onto the contract of other governmental agencies is permitted where the original contract is in conformance with the goals of this section.

The District will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the District and otherwise furthers the purposes of section 104-b of the General Municipal Law.

General Purchasing Provisions

The Superintendent of Schools, with the assistance of the Purchasing Agent, shall be responsible for the establishment and implementation of the procedures and standard forms for use in all purchasing and related activities in the District. Such procedures shall comply with all applicable laws and regulations of the state and the Commissioner of Education.

No Board member, officer or employee of the District shall have an interest in any contract entered into by the Board or the District, as provided in Article 18 of the General Municipal Law.

Comments will be solicited from those administrators involved in the procurement process before enactment of the District's policies regarding purchasing and from time to time thereafter. The policies must then be adopted by Board resolution. All District policies regarding the procurement process will be reviewed by the Board at least annually.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the District's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the District or any officer or employee of the District.

Cross-ref: 6710, Purchasing Authority
6741, Contracting for Professional Services

Ref: Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195)
Education Law §§305(14); 409-i; 1604(29-a); 1709(4-a), (9), (14), (22); 2503(7-a); 2554(7-a)
General Municipal Law §§102; 103; 103-g; 104; 104-b; 109-a; 800 et seq.
State Finance Law §§97-g(3), (4), (5); 163; 163-b; 165-a
County Law §408-a(2)
8 NYCRR Part 114

Adoption date:

PURCHASING REGULATION

The following sets forth the procedures for the procurement of goods and services by the Hempstead Union Free School District ("District"):

I. Definitions

Best value: optimizing quality, cost and efficiency. The basis for best value shall reflect, whenever possible, objective and quantifiable analysis. ~~and may also take into consideration small businesses or certified minority or women owned businesses as defined in State Finance Law §163. To the extent practicable, the basis of best value shall include a quantitative factor for offerors that are certified minority- or women-owned business enterprises as defined in State Finance Law §163.~~

Purchase Contract: a contract involving the acquisition of commodities, materials, supplies, services or equipment

Public Work Contract: a contract involving labor or both materials and labor for a project such as construction

II. General Municipal Law

The General Municipal Law requires that purchase contracts for services, materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

III. Competitive Bidding Required

A. Method of Determining Whether Procurement is Subject to Competitive Bidding

1. The District will first determine if the proposed procurement is a purchase contract or a contract for public work.
2. If the procurement is either a purchase contract or a contract for public work, the District will then determine whether the amount of the procurement is above the applicable monetary threshold as set forth above.

District Regulation 6700-R

3. The District will also determine whether any exceptions to the competitive bidding requirements (as set forth below) exist.
4. All advertised bids shall include the following statement required by General Municipal Law 103-g: "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the state finance law."

B. Contract Combining Professional Services and Purchase

In the event that a contract combines the provision of professional services and a purchase, the District, in determining the appropriate monetary threshold criteria to apply to the contract, will determine whether the professional service or the purchase is the predominant part of the transaction.

C. Opening and Recording Bids; Awarding Contracts

The Purchasing Agent will be authorized to open and record bids. Contracts will be awarded to the lowest responsible bidder or a purchase contract bid of best value (as recommended by the Purchasing Agent), who has furnished the required security after responding to an advertisement for sealed bids.

In order to be considered a responsible bidder, entities must certify that they are not on the list created and maintained by the State Office of General Services cataloging significant investment in the Iranian energy sector. Such statement may be submitted electronically pursuant to General Municipal Law §103(1). Entities that cannot make this certification may only be awarded the bid if:

1. The entity's investment activities in Iran were made before April 12, 2012; the investment activities in Iran have not been expanded or renewed after that date; and the entity has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or

2. The District makes a determination, in writing, that the goods or services are necessary for the District to perform its functions and that, absent such an exemption, the District would be unable to obtain the goods or services for which the contract is offered.

D. Documentation of Competitive Bids

The District will maintain proper written documentation which will set forth the method in which it determined whether the procurement is a purchase or a public work contract.

E. Purchase of Instructional Materials

In accordance with Education Law, the District shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats (i.e., any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as a accommodation for a disabled student enrolled in the District, including but not limited to Braille, large print, open and closed captioned, audio or an electronic file in an approved format).

The District will establish and follow a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students.

F. Leases of Personal Property

In addition to the above-mentioned competitive bidding requirements, section 1725 of the Education Law requires that the District will be subject to competitive bidding requirements for purchase contracts when it enters into a lease of personal property.

Documentation: The District will maintain written documentation such as quotes, cost-benefit analysis of leasing versus purchasing, etc.

G. Environmentally-Sensitive Cleaning and Maintenance Products

The District will purchase and utilize environmentally sensitive cleaning and maintenance products whenever feasible. The purchasing agent will consult with the Green Guidelines provided by the Office of General Services.

Any legal issues regarding the applicability of competitive bidding requirements will be presented to the school attorney for review.

IV. Exceptions to Competitive Bidding Requirements

The District will not be subject to competitive bidding requirements when the Board of Education, in its discretion, determines that one of the following situations exists:

1. emergency situations where:
 - a. the situation arises out of an accident or unforeseen occurrence or condition;
 - b. a District building, property, or the life, health, or safety of an individual on District property is affected; or
 - c. the situation requires immediate action which cannot await competitive bidding.

However, when the Board passes a resolution that an emergency situation exists, the District will make purchases at the lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the circumstances.

Documentation: The District will maintain records of verbal (or written) quotes, as appropriate;

2. when the District purchases surplus or second-hand supplies, materials or equipment from the federal or state governments or from any other political subdivision or public benefit corporation within the state.

Documentation: The District will maintain market price comparisons (verbal or written quotes) and the name of the government entity;

3. when the Board separately purchases eggs, livestock, fish and dairy products (other than milk), juice, grains and species of fresh fruits and vegetables directly from New York State producers or growers or associations of producers and growers, subject to the requirements of General Municipal Law §103(9) and Commissioner's Regulations §114.3.

Documentation: The District will maintain documentation consistent with section 114.3 of the Regulations of the Commissioner of Education;

4. when the Board separately purchases milk directly from licensed milk processors employing less than forty (40) people. The amount expended in any fiscal year by the District may not exceed an amount equal to twenty-five cents multiplied by the number of days in the school year multiplied by the total enrollment of the District or exceed the current market price.

District Regulation 6700-R

Documentation: The District will maintain documentation consistent with section 114.4 of the Regulations of the Commissioner of Education;

5. when the District purchases goods, supplies and services from municipal hospitals under joint contracts and arrangements entered into pursuant to section 2803-a of the Public Health Law.

Documentation: The District will maintain the legal authorization, Board authorization and market price comparisons;

6. when there is only one possible source from which to procure goods or services required in the public interest.

Documentation: The District will maintain written documentation of the unique benefits of the item or service purchased as compared to other items or services available in the marketplace; that no other item or service provides substantially equivalent or similar benefits; and that, considering the benefits received, the cost of the item or service is reasonable, when compared to conventional methods. In addition, the documentation will provide that there is no possibility of competition for the procurement of the goods.

7. when the District purchases professional services that require special skill or training, such as but not limited to, audit, medical, legal or insurance services, or property appraisals.

Documentation: The District will keep proper documentation in accordance with policy 6741; or

8. when the District purchases through the contracts of (or “piggybacks” onto) other governmental entities, as authorized by law, for certain goods and services permitted by law. Factors relevant to the decision to “piggyback” may include cost, staff time, delivery arrangements, quality of goods and services, and suitability of such goods and services to the District’s needs.

Documentation: The District will keep documentation indicating why “piggybacking” is in the best interests of the District, copies of the original contract, and that the originating contract was let in a manner consistent with applicable competitive bidding requirements.

V. Quotes When Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the District through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies in the best interests of the taxpayers. Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, as set forth below.

A. Verbal / Written Quotes Thresholds

Quotations must be secured for all items costing more than \$3,000. Price quote requirements vary depending on the amount of the proposed order:

\$1 - \$3,000 no quotes are required, but are recommended

\$3,001 - \$4,999 require three verbal quotes

\$5,000 - \$19,999 require three written quotes (other than public works)

\$20,000 - \$34,999 require three written quotes (public works)

B. Methods of Documentation

1. Verbal Quotations: the telephone log or other record will set forth, at a minimum, the date, item or service desired, price quoted, name of vendor, name of vendor's representative;
2. Written Quotations: vendors will provide, at a minimum, the date, description of the item or details of service to be provided, price quoted, name of contact. For example, with regard to insurance, the District will maintain documentation that will include bid advertisements, specifications and the awarding resolution. Alternatively, written or verbal quotation forms will serve as documentation if formal bidding is not required.
3. Requests for Proposals: the District will utilize RFP's to engage professional services providers in accordance with policy 6741.

VI. Quotes Not Required When Competitive Bidding Not Required

The District will not be required to secure alternative proposals or quotations for those procurements as permitted by state law:

1. under a county contract;
2. under a state contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in state correctional institutions; or
6. from agencies for the blind and severely disabled.

“Piggybacking” onto the contract of other governmental agencies is permitted where the original contract is in conformance with the goals of the District’s policy and regulation for purchasing when competitive bidding is not required.

VII. Procurements from Other than the “Lowest Responsible Dollar Offeror”

The District will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the District and otherwise furthers the purposes of section 104-b of the General Municipal Law.

VIII. Internal Control

The Board authorizes the Superintendent of Schools, with the assistance of the Purchasing Agent, to establish and maintain an internal control structure to ensure, to the best of their ability, that the District’s assets will be safeguarded against loss from unauthorized use or disposition, that transactions will be executed in accordance with the law and District policies and regulations, and recorded properly in the financial records of the District.

Comments will be solicited from those administrators involved in the procurement process before enactment of the District’s regulations regarding purchasing and from time to time thereafter. The regulations must then be adopted by Board resolution. All District regulations regarding the procurement process will be reviewed by the Board at least annually.

District Regulation 6700-R

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the District's regulations regarding procurement will not be grounds to void action taken or give rise to a cause of action against the District or any officer or employee of the District.

Adoption date:

GGDOCS-710125653-729

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